



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

30 of the year 20 26

Local Law Title: Repealing Chapter 600, Article XIII, Section 13.3 of the Municipal Code of the Incorporated
Village of Malverne entitled "Decks" and adopting in its place a new Section 13.3.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☒ Village
(Select one)

of Incorporated Village of Malverne as follows on the attached pages:
(Name of Local Government)

For Office Use Only

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STATE RECORDS

FEB 03 2026

DEPARTMENT OF STATE

Department of State Local Law Index Number: 30 of the year 20 26

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 30 of 2026 of the (County)(City)(Town)(Village) of Incorporated Village of Malverne was duly passed by the Board of Trustees on January 22 2026 in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 ____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 ____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph ¹ _____ above.

(Seal)



Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Date)

1/22/26

§ 600-13.3 Decks.

A. A deck, patio or terrace is defined as any fabrication of any material other than earth, that is constructed above the grade level of the location where situated and without a roof above. Except to the extent that an exemption is provided herein, all requirements heretofore established for structures shall continue to apply to those structures generally referred to or described as a "deck."

B. Regulations.

(2) No deck shall be constructed closer to the street than the front building line of the main structure upon the property.

(4) Decks above 24 inches in height above average grade shall be considered structures for the purpose of calculating the total permissible area of coverage on the building lot; and if removable, decks shall not be deemed a permanent improvement.

(5) A deck or similar structure, constructed at grade level or equal to or less than 8 1/4 inches above grade shall not require a building permit.

(6) All decks above 8 1/4 inches above grade shall comply with the side yard and rear yard setback requirements for the zoning district in which the deck is located as set forth in the Schedule of Regulations, except the rear yard setback of decks higher than 8 1/4 inches above grade but no higher than 36 inches shall be 15 feet minimum.

(7) All decks equal to or less than 8 1/4 inches above average grade shall be no closer than four feet to the rear and side property lines.

(8) Any deck, patio, terrace, portico, landing, or porch greater than 48 sq. ft., and is covered by a roof or permanent awning shall be included in total lot and rear yard lot coverages.