

Local Law Filing

Town of Oyster Bay _____

Local Law No. _____ 1 _____ of the year 2026

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, TO SET FORTH AMENDMENTS TO THE ZONING LAW, CHAPTER 246 SECTIONS 246-2.4 and SECTIONS 246-5-4.2.6

Be it enacted by the Town Board of the Town of Oyster Bay as follows:

The Town Board of the Town of Oyster Bay, having heretofore authorized the Town of Oyster Bay to amend the definitions and occupancy provisions of Assisted Living Facilities, and to establish the procedures hereinafter set forth.

SECTION 1. Amend Chapter 246-Zoning section 246- 2.4, to read as follows:

§ 246-6 Section 2.4 Title. This chapter shall be known as "Assisted Living".
Assisted Living Code Amendment.

SECTION 2. Chapter 246 section 5-4.2.6

Assisted living facility is defined as a building, portion of a building or a group of buildings that provide a residential environment where individual cooking facilities are limited to a microwave oven and cooktops, with assistance provided by way of common meals, housekeeping and personal needs services and supervision.

Occupancy is restricted to people 62 years of age or older or couples, one of whose members is 62 years of age or older (hereinafter qualified occupant) who has difficulties with one or more essential activities of daily living such as but not limited to feeding, bathing, dressing or mobility.

Additional requirements for qualified occupants for these facilities within the Town of Oyster Bay shall be outlined in a schedule, as approved by the Town Board of the Town of Oyster Bay.

Any assisted living facility licensed by the State of New York and operating in the Town of Oyster Bay shall not advertise or rent any of its assisted living units as for independent living facilities unless a specific operating certificate has been issued by the State of New York and said units have been approved by the Town of Oyster Bay.

No residence shall be operated other than in accordance with the terms and conditions of the operating certificate and the regulations of 10 NYCRR-NY 1001.4 or other applicable laws, rules and regulations pertaining to the specified type of residence.

No operator shall for the purposes of advertisement, including on its website, represent the residence by any designation or terminology that misrepresents the licensure or certification status of the residence.

SECTION 3 SEQR Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq, and its implementing regulations, part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the Environment" and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

SECTION 4. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

SECTION 5. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2026 of the Town of Oyster Bay was duly passed by the Town Board on January 27, 2026, in accordance with the applicable provisions of law.

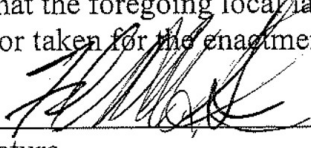

Clerk of the Town of Oyster Bay

(Seal)

Date: 1/29, 2026

STATE OF NEW YORK)
COUNTY OF NASSAU) ss:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Town Attorney
Title

Town of Oyster Bay

Date: January 29 2026