

Filed August 22, 2025

NOTICE OF ENACTMENT

PLEASE TAKE NOTICE that after a public hearing held pursuant to the requirements of law on July 3, 2025 and at a meeting held by the Town board of the Town of East Hampton, New York on August 8, 2025, the following Local Law was adopted:

LOCAL LAW NO. 15 OF 2025

INTRODUCTORY NO. 14 OF 2025

Section 1. FINDINGS AND OBJECTIVES:

The Town Board has found that the Town Code section of Chapter 255 (Zoning), related to the standards and regulations for personal wireless service facilities, should be amended to be in compliance with Federal Regulations, the Town's Comprehensive Plan and potential public concerns related to the placement and regulation of personal wireless facilities as follows:

Section 2 - TOWN CODE AMENDED:

Chapter 255 "Zoning", Section 255-1-41 E.(1) "Tier One (Town street rights-of-way" is hereby amended to read as follows:

A LOCAL LAW amending Chapter 255 ("Zoning") of the East Hampton Town Code in order to amend Chapter 255-1-41E.(1)(Personal Wireless Facilities- Tier One)

CHAPTER 255. ZONING

ARTICLE I. GENERAL PROVISIONS

Section 255-1-41 E. Tiered permit process. The Town of East Hampton Department of Planning shall receive all personal wireless service facility siting applications and assign each application to one of the following "tiers." These tiers represent a ranking for the preferred design of future personal wireless service facilities, with Tier One applications being the most preferable, and Tier Three applications being the least preferred. Where an applicant proposes a new Tier Three personal service facility, each applicant shall demonstrate why adequate coverage in the proximity of the site by either a Tier One and/or Tier Two facilities cannot be provided.

- (1) Tier One (Town street rights-of ways). Small wireless service facilities on existing, replacement or new utility poles inside Town street rights of way.
- (2)
 - (a) Small wireless service facilities on existing poles inside Town street rights-of-way.
 - (b) Small wireless service facilities on new or replacement poles inside Town street rights-of-way.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law Section 10(1)(ii)(d)(3) and Town Law Section 261.

SECTION 4. Severability

If any section, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

This local law shall take effect immediately upon filing with the Secretary of State as provided for by law.