

**Please take note: Town Code §102-14 (“Certificates of Occupancy”) has been amended.**

As of January 1, 2024, changes to the existing Certificate of Occupancy, Town Code §102-14 takes effect as per adopted Resolution: RES-2023-1330. For further information of questions regarding this change, please contact the Building Department at: 631-324-4145

Summary of Amendment:

102-14 Certificates of Occupancy.

- A. No building or structure hereafter erected shall be used or occupied in whole or in part until a **certificate of occupancy** shall have been issued by the Building Inspector. Upon any change in ownership of a property, an updated **certificate of occupancy** shall be obtained, except where an updated **certificate of occupancy** has been obtained no more than six months prior to the date of transfer or where the transfer is made solely for estate planning purposes where the ownership of the property is transferred to a trust, LLC or similar entity and the beneficial ownership of the property remains unchanged.

Full text of Resolution: 2023-1330



**Town of East Hampton  
Long Island, NY**

**Resolution  
RES-2023-1330**

**Adopt - Amendment to Section 102-14 Certificates of Occupancy**

Information

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**Department:**

Town Attorney

**Sponsors:**

Councilmember Cate Rogers

**Category:**

Local Law

**Functions:**

Local Laws

## Body

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WHEREAS, the Town Board held a public hearing on September 21, 2023 to consider a local law entitled: A local law amending East Hampton Town Code §102-14 as it Relates to Updated **Certificate of Occupancy**.

WHEREAS, after considering the proposed local law and the comments received at the time of the hearing, the Town Board believes that the adoption of the proposed local law is in the best interests of the Town; and

WHEREAS, adoption of the proposed local is a Type II action pursuant to the New York State Environmental Quality Review Act (SEQRA) 617.5(c)(26) and Chapter 128 (Environmental Quality Review) of the Town Code; now, therefore be it

RESOLVED, that the proposed local law is hereby adopted to read as follows:

LOCAL LAW No.   26   of 2023

Introductory No.   32   of 2023

A LOCAL LAW amending Town Code Chapter 102, to amend section 102-14(A), Certificates of Occupancy

BE IT ENACTED by the Town Board of the Town of East Hampton as follows:

### SECTION I. TOWN CODE AMENDED

#### §102-14 Certificates of Occupancy.

- A. No building or structure hereafter erected shall be used or occupied in whole or in part until a **certificate of occupancy** shall have been issued by the Building Inspector. Upon any change in ownership of a property, an updated **certificate of occupancy** shall be obtained, except where an updated **certificate of occupancy** has been obtained no more than six months prior to the date of transfer or where the transfer is made solely for estate planning purposes where the ownership of the property is transferred to a trust, LLC or similar entity and the beneficial ownership of the property remains unchanged.

### SECTION II: AUTHORITY:

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

### SECTION III: SEVERABILITY:

If any section of subsection, 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 IV: EFFECTIVE DATE:**

This local law shall take effect immediately upon filing with the Secretary of State but no earlier than January 1, 2024.

Dated: October 5, 2023

**BY ORDER OF THE TOWN BOARD**

**TOWN OF EAST HAMPTON  
CAROLE A. BRENNAN  
TOWN CLERK**