

**NOTICE OF ADOPTION
LOCAL LAW 1-2026
AMENDMENT TO CHAPTER 80, “ZONING”
INCORPORATED VILLAGE OF BAYVILLE**

The Board of Trustees of the Incorporated Village of Bayville, Nassau County, New York, at a meeting of said Board duly called and held on Monday, January 26, 2026, at which a quorum was present and voting, after due notice and a public hearing, duly adopted, Local Law 1-2025 entitled, amendment to Chapter 80, “*Zoning*” as noted below:

**VILLAGE OF BAYVILLE
LOCAL LAW 1-2026
AMENDMENT TO CHAPTER 80, “ZONING”**

BE IT ENACTED by the Board of Trustees of the Village of Bayville as follows:

SECTION I. Amend §80-3, *Definitions and word usage*, in part, by adding and amending the following definitions:

DWELLING

A building or portion thereof with complete housekeeping facilities for one family including independent cooking, sanitary and sleeping facilities, and that is physically separate from any other dwelling unit.

MULTI FAMILY DWELLING

A building containing two or more dwelling units.

FLOOR AREA RATIO (FAR)

The gross floor area divided by the total building lot area.

STRUCTURE

Anything constructed or erected other than a building or accessory building to form a construction that is safe and stable, including, without limitation, reviewing stands, platforms, stages, radio towers, water tanks, oil and fuel tanks, water towers, sheds, signs, fences, retaining walls, outdoor fireplaces, pools, pergolas, gazebos, decks and machinery or equipment that is affixed to the ground or to another structure or building.

SECTION II. Amend §80-61 *Fences; visibility at street intersections and mailboxes* in part to read as follows:

§80-61 Fences; visibility at street intersections and mailboxes

A. It shall be unlawful to construct, alter or commence the construction of a fence upon or within any lot line on any lot within the Village without first filing a written application for and obtaining from the Village a duly issued fence permit.

B. Fences may consist only of woven wire, woven board, pickets, board or PVC.

C. Fence height shall be measured from the natural grade along the base to the top thereof, except that any fence post finial less than four inches long shall not be calculated in the maximum fence height measurement.

D. Permitted fences serving as a boundary enclosing any side or rear yard shall not exceed six feet in height. Permitted fences serving as a side or front yard boundary shall not exceed four feet in height along the side lot line starting at the point that aligns with the rear yard setback line and continues toward, and along, the front lot line.

E. A fence erected within, or upon any lot line of, a parcel greater than 40,000 square feet, and having not less than 150 feet of street frontage, or a fence separating a business-zoned parcel from a residential-zoned parcel, may exceed the maximum height restrictions set forth in this section, to the extent permitted by the Board of Trustees, with such conditions as are deemed appropriate by the Board of Trustees, upon application therefor to such Board.

F. Notwithstanding any contrary provisions contained herein, the maximum height of any fence consisting of concrete, stone, cinder block or other solid material shall not exceed four feet in height at any point shall not exceed 2.5 feet in height at any point within a radius of 20 feet from the corner formed by any intersecting roads or highways.

G. Notwithstanding any contrary provisions contained herein, any sump located in or on any lot within the Village shall be enclosed by a woven wire or chain link fence not less than eight feet in height.

H. All fences shall be constructed so that the finished side faces any lot, street, road or public right-of-way abutting the premises upon which such fence is constructed. Without limiting the foregoing, no supports, posts or bracing shall be placed on the side of the fence that faces any abutting lot, street, road or public right-of-way, except fences with integral fence posts that appear the same on both sides of the fence. No fence shall project beyond any property line. No barbed wire, concertina wire or similar or other pointed or sharp-edged wire is permitted without special permit therefor issued by the Board of Trustees, upon application therefor to such Board.

I. Where there is a question of judgment as to whether the lot line along which a fence is installed, or proposed to be installed, is a side lot line or a rear lot line, there shall be a presumption that same is a side lot line for which the maximum fence height.

SECTION III. Amend §80-66.1 entitled *Transient rental of dwellings in all residence districts*, in part, to read as follows:

§80-66.1 Transient rental of dwellings in all districts.

Transient rental; or the advertisement thereof by any means, by an owner or long-term tenant for the use of a single-family or multi-family dwelling or a portion thereof located in any district for a term of less than 14 days, whether occupied by the owner or long-term tenant or not during such rental, is prohibited.

SECTION IV. Severability - If one or more of the provisions of this local law or Chapter shall be deemed unenforceable, the remaining provisions of this local law or Chapter shall remain in full force and effect.

SECTION V. This local law shall take effect upon filing with the Department of State.

By Order of the Board of Trustees

Incorporated Village of Bayville
Maria Alfano Hardy
Village Clerk/Treasurer

Dated: February 2, 2026