

ARTICLE VII

REALTY SUBDIVISIONS

7.1.0 - Declaration of Policy*

It is hereby declared to be the health policy of the Rockland Health District to assure that land which is going to be divided into three or more parcels is developed with adequate potable water supplies, sewage disposal and land drainage facilities. (*Revised 2/17.)

7.2.0 - Definition

7.2.1* Subdivision.

The term "**subdivision**" shall mean any tract of land which is divided into three or more parcels along an existing or proposed street, highway, easement or right-of-way for sale or for rent as residential lots or residential building plots, regardless of whether the lots or plots to be sold or offered for sale, or leased for any period of time, are described by metes and bounds or by reference to a map or survey of the property or by any other method of description and regardless of whether the lots or plots are contiguous. A tract of land shall constitute a subdivision upon the sale, rental or offer for sale or lease of the third residential lot or residential building plot therefrom within any consecutive three-year period, and at this time the provisions of section eleven hundred sixteen of the public health law shall apply to all such parcels thereof, including the first two parcels, regardless of whether said parcels have been sold, rented or offered for sale or lease singly or collectively. (*Revised 2/17.)

7.2.2* Tract

The term "**tract**" shall mean any body of land, including contiguous parcels of land, under one ownership or under common control of any group of persons acting in concert as part of a common scheme or plan. (*Added 2/17.)

7.2.3* Residential Lot or Residential Building Plot

The terms "**residential lot**" or "**residential building plot**" shall mean any parcel of land of five acres or less, any point on the boundary line of which is less than one-half mile from any point on the boundary line of another such lot in the same tract, unless any such lot may not legally be used for residential purposes. Without limiting the generality of the foregoing, the term "residential" shall include temporary, seasonal and permanent residential use. (*Added 2/17.)

7.3.0 - Approval of Plans

No subdivision, or portion thereof, shall be sold, offered for sale, leased or rented by any corporation, company, or person, and no permanent building shall be erected thereon,

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until a plan of such subdivision shall be filed with, and approved by the Rockland County Commissioner of Health.

- 7.3.1 Such plan shall set forth methods for obtaining and furnishing adequate potable water, sewage, and land drainage facilities to said subdivision, and shall be accompanied by a statement as to methods proposed for supplying water and sewage service, and by such other information as may be reasonably required by the Commissioner.
- 7.3.2 If, in the judgment of the Commissioner, the proposed method of providing potable water supply or sewage disposal would be, or become inadequate, or endanger the public health by reason of unfavorable topography, drainage, soil, density of population, or any other sanitary or physical feature, the Commissioner may refuse such approval. The determination of the Commissioner in refusing such approvals shall be final.
- 7.3.3 The owner of a subdivision offering lots for sale in a realty subdivision in which public water supply and/or a sanitary sewer system is not provided, shall furnish each purchaser, at the time of the sale, a legible reproduction of the plans or plot of the realty subdivision as approved by the Commissioner, or a copy of the plan of the individual lot showing locations of water and sewerage facilities.
- 7.3.4* A fee per lot shall be paid for each subdivision approval or any revision thereof. The fee shall be paid by cash, check or money order made payable to the Commissioner of Finance. (*Revised 8/97.)
- 7.3.5* The Commissioner of Health may require implementation of some or all of the recommendations of the Rockland County Soil and Water Conservation District in order to protect streams that may be the source of water for public water supplies. (*Added 1/92. Amended 9/92.)

7.4.0 - Recording With County Clerk*

The Rockland County Clerk shall not file or record or accept for filing or recording any map or plot showing a subdivision of three or more lots in any town, village, or city, unless there is endorsed thereon, or annexed thereto, a certificate of the Commissioner, approving the water supply and sewage systems proposed or installed for such subdivision and consenting to the filing thereof. (*Revised 2/17.)

7.5.0 - Installation of Potable Water, Sewerage and Land Drainage Facilities

7.5.1 Inspection of Individual Water and Sewerage Installations Required

No installation of individual water supply and sewage disposal facilities shall be completed on any approved subdivision until an inspection of this installation has been made by the Department of Health. Individual sewage disposal installations shall be left sufficiently open so that the inspecting person can determine that the system has or has not been installed in exact accordance with the approved subdivision plans or approved revisions thereof.

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7.5.2 The installation of potable water supply, sewage facilities, and land drainage shall be in accordance with the plans or any revision or revisions thereof, approved by the Commissioner.

7.5.3* No potable water, sewerage or land drainage facilities shall be put into service until the appropriate approval has been issued by the Rockland County Commissioner of Health. (*Added 2/17.)

7.6.0 - Fee*

A fee for inspection shall be collected from the person requesting the inspection at the time the Certificate of Approval is issued. This fee shall be paid by cash, check or money order made payable to the Commissioner of Finance. (*Revised 8/97.)