

VILLAGE OF BABYLON
LOCAL LAW RESOLUTION

AMENDMENT TO THE VILLAGE
CODE CHAPTER 256

Having duly called a public hearing to be held at Village Hall, 153 West Main Street, Babylon, New York on the 14th day of September, 2021 upon the matter of enactment of Local Law 10 of 2021, amending the Code of the Incorporated Village of Babylon, Chapter 256, pertaining to disturbing the peace, the Village Board of Trustees of the Incorporated Village of Babylon proposes:

Chapter 256 of the Code of the Village of Babylon be amended as follows:

Chapter 256

DISTURBING THE PEACE

Revising § 256-3 A **Commercial Landscapers and construction contractors.**

Section 1.

Proposed Code Change: Revising the following section to now read:

§ 256-3 A **Commercial Landscapers and construction contractors.**

To preserve the peace and tranquility in the Village of Babylon, no commercial landscaper or building contractor shall commence the use of power-driven machinery or contracting equipment before 8:00 a.m. or after 8:00 p.m. Monday through Saturday in the cutting, trimming or maintenance of lawns and grounds or construction work on any property within the Village of Babylon. Absolutely no work may be performed by a commercial landscaper or construction contractor on Sunday. It shall be the responsibility of the landscaper and contractor, as well as the property owner, to insure that no grass cuttings, leaves or debris are blown or swept onto Village of Babylon property, including but not limited to roads, parks, etc., nor shall construction material be swept or stored on Village of Babylon property. Bags or containers with cuttings, leaves or other landscaping debris or construction debris are not to be put out at the curb/street for trash pickup prior to 6:00 p.m. on the night preceding the scheduled pickup day.

Section 2. SEQR Determination.

It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, (SEQR), 8 N.Y.E.C.L. Section 0101 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 3. 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 4. Effective Date.

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