

Local Law Filing

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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town x Village

(Select One)

of Island Park

Local Law No. 4 of the year 2019

A local law amending Local Law 10 of 2016, entitled Contractor Cement Truck Wash Down, is hereby adopted to read as follows:

SECTION 1. PERMIT/NOTICE

- a) All contractors and homeowners/residents are hereby required to file a Building Permit prior to any work involving the use of concrete such as sidewalks, driveways, patios, etc.
 1. Upon filing of Permit, all contractors and homeowners/residents are hereby required to submit an Affidavit that they have received a copy of the within Local Law and will adhere to the regulations set forth herein. The Affidavit can be obtained through the Village Hall.
- b) Once the permit is obtained, the Licensed General Contractor shall be responsible for contacting the Building Department a minimum of forty-eight (48) hours before any concrete work is to be performed on the site.
- c) When work is being performed by the homeowner/resident, he/she shall assume the responsibility of contacting the Building Department forty-eight (48) hours before any concrete work is to be performed on the site.

- d) Upon the Chief Building Inspector's determination, he or his representative may be required to observe any pouring of concrete. If the Chief Building Inspector determines his presence is necessary, no work can be performed outside of his presence.

SECTION 2. CONTAINMENT OF CEMENT

- a) Contractors and/or homeowner/resident must provide perimeter controls, such as tarps and gravel bag, around work areas to contain materials and residue. It is illegal to wash out concrete, stucco and paint from equipment or trucks onto the ground or streets.
- b) Contractors and/or homeowner/resident must provide washout area, such as lined pit or container, for disposal of WET construction material (concrete, stucco, paint, etc.) or for cleaning tools and equipment.
- c) Washout areas need to be lined and maintained to ensure wash water and residue are contained and DO NOT Leak.

SECTION 3. Concrete Truck Washout

- a) The washing of concrete material into a street, catch basin, or other public facility or natural resource is PROHIBITED. A designated area for concrete washout will be made available at the Department of Public Works when it is infeasible to provide a washout area on the property. Contact the Village Building Department for further information at 516-431-0600.
- b) The Licensed General Contractor, and/or homeowner, must also comply with all requirements of the New York State SPDES General Permit for Storm Water Systems MS4 as adopted in Local Law 5 of 2007, and amendments Local Law 6 of 2016 and Local Law 2 of 2018.

SECTION 4. FILING FEES

- a) Building Permit Filing \$110.00
- b) Building Permit Approval Fee based off the cost of construction (\$100.00 for the first \$1,000.00, and \$12.00 for each additional \$1,000.00).
- c) Department of Public Works Washout Fee \$75.00

SECTION 5. PENALTIES

In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Local Law shall be guilty of a violation punishable by a fine not

exceeding five thousand dollars (\$5,000.00) or imprisonment for a period not to exceed six months, or both, for conviction of a first offense, and;

for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than seven thousand five hundred dollars (\$7,500.00) or imprisonment for a period not to exceed six months, or both, and;

upon conviction for a third or subsequent offense, all of which were committed within period of five years, punishable by a fine not less than ten thousand dollars (\$10, 000.00) or imprisonment for a period not to exceed six months, or both.

However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this Local Law shall be deemed misdemeanors and for such purposes only, all provisions of law relating to misdemeanors shall apply to such violation. Each week's continued violation shall constitute a separate additional violation.

This local law shall take effect immediately upon filing with the Secretary of State.

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town x Village
(Select One)

of Island Park **as follows:**

This local law shall take effect immediately upon filing with the Secretary of State.