

Local Law 11-2024

A local law amending Chapter 270 (zoning) by adding a new article XVII (Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD)) and amending section 270-5 (List of districts).

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

Section 1. Chapter 270, Article XVII (Zoning, Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD)) is added to the Village of Ossining Code with new matter underlined.

Section 270-69 Findings and purpose.

The purpose of the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD) is to protect the health and welfare of residents living within the boundaries of the Indian Brook-Croton Gorge Watershed by minimizing the potential for groundwater and surface water contamination and taking steps to limit the severity of resource degradation. The Indian Brook-Croton Gorge Watershed encompasses portions of five municipalities including the Towns of Cortlandt, New Castle, and Ossining, and the Villages of Croton-on-Hudson and Ossining. Since the actions of upstream municipalities can have as much of an impact on a downstream municipality's land and water resources as those actions carried out locally, a commitment from all municipalities within a watershed is critical to protecting the health of its resources. The intent of this local law is to create a partnership for the comprehensive management of the Indian Brook-Croton Gorge Watershed by creating provisions for:

1. Protecting and restoring the natural resources, most significantly the Croton River, Indian Brook Reservoir, existing wetlands and groundwater drinking sources;
2. Developing and implementing stormwater management practices that will improve water quality;
3. Promoting sustainable development through land use and environmental regulations;
4. Preserving and protecting fish, wildlife, and significant habitat; and
5. Educating the public.

Section 270-70 Definitions

For purposes of this article, the following definitions shall apply:

AGRICULTURAL ANIMAL WASTE

Manure and other animal waste derived from agricultural industries.

AQUIFER

A consolidated or unconsolidated geological formation, group of formations or part of a formation capable of yielding a significant or economically useful amount of groundwater to wells, springs or infiltration galleries.

BANKFULL DISCHARGE

The water level or stage at which a stream, river or lake is at the top of its banks and any further rise would result in water moving into the floodplain.

BUILDING INSPECTOR

The Building Inspector of the Village of Ossining.

CHLORIDE SALT

Any bulk quantities of chloride compounds and other deicing compounds intended for application to roads, including mixes of sand and chloride compounds in any proportion where the chloride compounds constitute over 8% of the mixture. A bulk quantity of chloride compounds means a quantity of 1,000 pounds or more but does not include chloride compounds in a solid form, including granules, which are packaged in waterproof bags or containers which do not exceed 100 pounds each.

CODE ENFORCEMENT PERSONNEL

Building Inspector, Assistant Building Inspector and Code Enforcement Officer.

DISCHARGE

The emission of any water, substance or material into a wetland, watercourse or their buffers, whether or not such substance causes pollution.

FERTILIZER

Any commercially produced mixture generally containing phosphorous, nitrogen and potassium which is applied to the ground to increase nutrients to plants.

GENERATOR OF HAZARDOUS WASTE

Any person or site whose act or process produces hazardous waste.

GROUNDWATER

Water contained in interconnected pores and fractures in the saturated zone in an aquifer.

HAZARDOUS SUBSTANCE

Any substance, including any petroleum by-product, which may cause harm to humans or the environment when improperly managed. A complete list of all hazardous substances except for petroleum by-products can be found in 6 NYCRR Part 597.2(b) Tables 1 and 2 and amendments thereto.

HAZARDOUS WASTE

See 6 NYCRR Part 371 and amendments thereto for the identification and listing of hazardous wastes.

HERBICIDE

Any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any weed, including those substances defines as herbicides pursuant to Environmental Conservation Law section 33-0101, and amendments thereto.

LOW IMPACT DEVELOPMENT (LID)

Refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or the use of stormwater in order to protect water quality and associated aquatic habitat.

MANURE

Animal feces and urine.

MINING

Any operation which involves the breaking of the earth's surface for the purpose of extracting and removing raw natural materials (such as topsoil) from the premises for the purpose of sale or off-premises use.

MUNICIPAL WATER SUPPLY

Aquifers and watersheds within the Indian Brook-Croton Gorge Watershed that serve as water sources for municipal water systems.

MUNICIPAL WATER SYSTEM

A water system which provides piped water to the public for human consumption as defined and regulated by 10 NYCRR Subpart 5-1.

NON-POINT DISCHARGE

Pollution from any source other than from any discernible, confined, and discrete conveyances and shall include, but not be limited to, pollutants from agricultural, silvicultural; mining, construction, subsurface disposal and urban runoff sources.

OVERLAY MAP

The overlay map showing the boundaries of the Indian Brook-Croton Gorge Watershed Protection Overlay District.

PEST

Any insect, rodent, fungus or weed; or any other form of terrestrial or aquatic plant or animal life or virus, bacteria or other microorganism (except viruses, bacteria or other microorganisms on or in living man or other living animals) which the Commissioner of Environmental Conservation declares to be a pest as provided in Environmental Conservation Law section 33-0101.

PESTICIDE

Any substance or mixture of substances invented to prevent, destroy, repel or mitigate any pest, including any substances defined as pesticides pursuant to Environmental Conservation Law section 33-0101 and amendments thereto.

PETROLEUM

Oil or petroleum of any kind and in any form including but not limited to oil, petroleum fuel oil, oil sludge, oil refuse, oil mixed with other waste, crude oil, gasoline, and kerosene, as defined in 6 NYCRR Part 597.1(7) and amendments thereto.

POINT SOURCE DISCHARGE

Pollutants discharged from a point source as defined in Environmental Conservation Law section 17-0105 and amendments thereto.

POLLUTANT

Any material or byproduct determined or suspected to be hazardous to human health or the environment as defined in Environmental Conservation Law section 17-0105. Pollutants may include but are not limited to dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, hazardous materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards. Also, paints, varnishes, and solvents; oil and other automotive fluids; hazardous or nonhazardous liquid and solid wastes, yard wastes including branches, grass clippings and leaves; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations so that same may cause or contribute to pollution; and discharges of soaps, detergents, or floatables; pesticides, herbicides, and fertilizers; sewage, fecal coliforms and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building, structure or site improvements; cement, gravel, sand, silt, mud, other soils, and noxious or offensive matter of any kind.

SOLID WASTE

Includes all manner of useless or unwanted or discharged solid or semisolid nontoxic, domestic, commercial, industrial, institutional, construction and demolition waste materials, except hazardous, toxic, chemical, human or rendering wastes.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM ("SPDES")

The system established pursuant to Article 17 Title 8 of the Environmental Conservation Law for issuance of permits authorizing discharges to the waters of the State of New York.

STEEP SLOPES

Within the Watershed Protection Overlay District, a steep slope is defined as any slope greater than 15%.

STORMWATER HOTSPOTS

A land use or activity that generates higher concentration of hydrocarbons, trace metals, or toxicants than are found in typical stormwater runoff, based on monitoring studies. For purposes of the overlay district, the following land uses, and activities are deemed stormwater hotspots:

- Vehicle salvage yards and recycling facilities.
- Vehicle fueling stations
- Vehicle service and maintenance facilities
- Vehicle and equipment cleaning facilities
- Fleet storage areas (bus, truck, etc.)
- Industrial sites
- Marinas (service and maintenance)
- Outdoor liquid container storage
- Outdoor loading/unloading facilities
- Public works storage areas
- Facilities that generate or store hazardous materials
- Commercial container nursery
- Other land uses and activities as designated by an appropriate review authority

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A plan for controlling stormwater runoff and pollutants from a site during and after construction activities as regulated in Chapter 227, Stormwater Management and Erosion and Sediment Control.

SURFACE WATERS OF THE STATE OF NEW YORK

Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition, are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

WASTEWATER

Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

WASTEWATER TREATMENT SYSTEM

Any treatment plant, sewer, disposal field, lagoon, pumping station, septic system, collection and distribution pipes, on-site disposal systems and seepage units, constructed drainage ditch or surface water intercepting ditch, or other system not specifically mentioned in this definition, installed for the purpose of transport, treatment, neutralization, stabilization, storage, or disposal of wastewater.

WATERBODIES

Any natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water and which has a discernible shoreline, but not including a watercourse as defined in this chapter or man-made water features or swimming pools not associated with a wetland or watercourse.

WATERCOURSE

A body of water flowing in a defined bed or channel, with banks and sides, having permanent sources of supply, uniform or interrupted.

WATERSHED

The land area which contributes water including surface runoff and groundwater flow to a specific stream or surface water body.

WATERSHED PROTECTION OVERLAY DISTRICT

Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District. The Watershed for specific municipal water supplies, as designated on the official Watershed Protection Overlay District Map and described in section 270-72 of this article.

WATER SUPPLY

The groundwater resources of the watershed, or the groundwater resources used for a particular well or community water system in the watershed.

WETLAND BUFFER AREAS

The area extending 100 feet along the surface, away from and around the perimeter of the outermost boundary of a wetland or waterbody and 50 feet from the outermost boundary of a watercourse.

WELL

Any present or future artificial excavation used as a source of public or private water supply which derives water from the interstices of the rocks or soils which it penetrates including bored wells, drilled wells, driven wells, infiltration galleries, and trenches with perforated piping, but excluding ditches or tunnels, used to convey groundwater to the surface.

WELLHEAD BUFFER

An area surrounding a municipal water system well, designated as critical for protecting the well, created by a 200-foot radius around each protected well.

Section 270-71 Applicability

- A. The provisions of this article shall be applicable to all new land use, construction, or subdivision projects. Existing land use, construction, improvements and subdivisions initiated or completed prior to the effective date of this article are not subject to the requirements herein.
- B. These prohibitions, restrictions and principles shall be applied within the Watershed Protection Overlay District through the existing building permit, site plan review, and code enforcements procedures, as amended from time to time, of each municipality in the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District by its officers and boards. Additionally, all development in the watershed shall be in accordance with New York State Department of Environmental Conservation regulations related to stormwater management.
- C. Site Plan review by the agency having approving jurisdiction is required for all new activities or property uses in the Watershed Protection Overlay District, except for one- and two-family residences, and shall take into consideration the requirements and principles outlined in this article.
- D. Within the Watershed Protection Overlay District, all new subdivisions greater than 6 lots in size shall be designated as a conservation/cluster subdivision pursuant to section 270-36 (Cluster development) of the village code with a minimum of 30% of the parcel permanently preserved.

Section 270-72 Boundaries

- A. The boundaries for the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District is established on a map entitled “Indian Brook- Croton Gorge Inter-Municipal Watershed Protection Overlay District, Westchester County 2023” (watershed map), which map is simultaneously adopted herein. The particular municipal water supplies protected under this chapter include:
 - 1. Indian Brook Reservoir/Indian Brook Basin- Serves as a drinking water source for portions of the Town and Village of Ossining, and portions of the Town of New Castle and
 - 2. Croton Gorge Basin and Croton River Aquifer- A water source for the Village of Croton-on-Hudson water system and a water source for individual wells within portions of the Town of Cortlandt and Town of New Castle.
- B. Where uncertainty exists as to the boundaries shown on the Watershed Map, the following shall apply:
 - 1. Where area boundaries are indicated as approximately following a street, railroad, or highway line or centerlines thereof, such lines shall be construed as said boundaries.
 - 2. Where area boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a survey plat prepared by a registered land surveyor may be submitted to the municipality as evidence that one or more properties along these boundaries do not lie within the protected area.

3. Where the boundaries lie at a scaled distance of more than 25 feet from any parallel lot line, the boundaries shall be determined by the scale appearing on the watershed map.
4. Where the boundaries lie at a scaled distance of less than 25 feet from any parallel lot line, the boundaries shall be construed to be the lot line.
5. When a large parcel is bisected by the boundary, the applicant may submit a detailed topographic map of the property as documentation of those portions of the property that are within as well as outside the boundary.
6. Where other uncertainty exists, the authorized Approval Agency shall interpret the Watershed Map as to location of such boundaries. The municipality may, at the applicant's expense, consult with agencies or others in determination of a project's location within a protected area and applicability of these standards.

Section 270-73 Effect of district

Within the WPOD, all underlying land use district rules remain in effect, except as those rules are specifically modified by this article. In the case of a conflict between this article and the underlying land use regulations, the more restrictive regulations shall control. Nothing in this section shall be construed to allow uses that are not permitted by the underlying land use zoning district.

Section 270-74 Prohibited uses and practices

The following uses are prohibited in the Watershed Protection Overlay District:

- A. Disposal of hazardous material or solid waste.
- B. Treatment of hazardous material, except remediation programs authorized by a government agency for treating hazardous material that existed on the site prior to the adoption of this article.
- C. The creation or manufacturing of any hazardous materials.
- D. Dry cleaning, dyeing, printing, photo processing, and any other business that stores, uses, or disposes of hazardous material, unless all facilities and equipment are designed and operated to prevent the release or discharge of hazardous material.
- E. Disposal of septage or septic sludge.
- F. Automobile service and gas filling stations.
- G. New underground storage of petroleum.
- H. Petroleum product pipelines.
- I. Vehicle storage yards/truck terminals.
- J. The bulk storage of deicing salt, except in municipality-approved impervious structures.
- K. Installation of dams, water diversions, and stream channelization except undertaken directly in relationship to drinking water resources.
- L. Landfill of domestic, industrial, construction and demolition, or hazardous materials.
- M. Junkyards.
- N. Land spreading of sludge or ash, including domestic wastewater or waste industrial process material, except for ash from individual residential heating equipment.

- O. New dry wells directly connected to any floor drain, garage drain, wash basin or sink.
- P. New fuel storage facilities in any amount greater than 660 gallons.
- Q. Commercial trash containers and dumpsters which are not under a roof or which are located so that leachate from the receptacle could escape unfiltered and untreated.
- R. Any mining activities included consolidated and solution mining activities, unless permitted by the New York State Department of Environmental Conservation.
- S. Point source discharges, other than discharges authorized by permits issued by the New York State Department of Environmental Conservation.

Section 270-75 Performance criteria

- A. All construction activities (as defined by the agency having approving jurisdiction) that involve soil disturbances greater than 2,500 square feet shall comply with Chapter 227, Stormwater Management and Erosion and Sediment Control.
- B. Any new construction activity which creates impervious surfaces in excess of 1,000 square feet shall be treated for water quality and quantity controls as outlined in section 227-7B(3), Stormwater Management and Erosion and Sediment Control of the village code.
- C. Low Impact Development (LID) Practices shall be provided to the extent feasible for all new or redevelopment projects within the watershed including the use of bioretention facilities, rain gardens, vegetated rooftops, rainwater harvesting, and permeable pavements.
- D. Grading and removal of vegetation is minimized for all construction.
- E. Septic systems must be pumped at least once during every 3-year period.
- F. The storage and stockpiling of manure and other animal waste for use in agricultural operations, agricultural use of fertilizers and land application of manure, and pesticide (including herbicide) storage and use shall comply, to the maximum extent possible, with the practices detailed in the most current versions of "Controlling Agricultural Nonpoint Source Water Pollution in New York State- A Guide to the Selection of Best Management Practices to Protect Water Quality," published by the Bureau of Technical Services and Research, Division of Water, or "Agricultural Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State."
- G. Fertilizers, pesticides and herbicides shall not be applied in a manner or at a rate which contributes to or causes a contravention of the water quality standards set forth in 6 NYCRR Parts 700-705.
- H. Pesticide storage and use (including herbicides) are subject to the approval of, and shall comply with the regulations of the New York State Department of Environmental Conservation and as regulated elsewhere in the village code.
- I. Disposal of water used for pesticide makeup water or for washing of pesticide equipment is prohibited unless authorized by a permit issued by the New York State Department of Environmental Conservation and as regulated elsewhere in the village code.
- J. Use of streams as sources of water for the washing of equipment used in conjunction with pesticide or herbicide application is prohibited.
- K. Lawn chemicals (pesticides and herbicides) shall not be applied within 25 linear feet of any watercourse, or within a wellhead buffer area.

- L. Storage of chloride salts and coal shall be in structures designed to minimize contact with precipitation and constructed on low-permeability pads designed to control seepage and runoff.
- M. Chloride salt application. Deicing chloride salt use is restricted to the minimum amount needed for public safety as determined by the Village Engineer.
- N. Any petroleum tanks installed or replaced after the effective date of this article must be above ground or fully visible for inspection within the basement or other interior space, and secondary containment is required for all new tanks.

Section 270-76 General provisions for wetlands, watercourses, water bodies, wetland buffer areas and steep slopes

These regulations apply to all wetlands, watercourses, water bodies and buffer areas as defined in Chapter 149, Freshwater Wetlands, located within the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District, regardless of size.

- A. Development of wetlands, watercourses, water bodies and buffer areas are to be avoided except where no reasonable alternative exists or where the applicant would otherwise suffer undue hardship if a permit is not issued.
- B. All applications for permits to disturb wetlands, watercourses, waterbodies and buffer areas in the Indian Brook-Croton Gorge Inter-Municipal Watershed Overlay Protection District shall follow the requirements detailed in Chapter 149, Freshwater Wetlands, unless a more stringent or restrictive requirement is listed in this article.
- C. As a condition of the granting of any wetland permit within the Indian Brook- Croton Gorge Inter-Municipal Watershed Protection Overlay District, the approving authority shall require that the applicant submit a mitigation plan in accord with the requirements detailed in Chapter 149, Freshwater Wetlands.
- D. Within the Indian Brook-Croton Gorge Inter-Municipal Watershed Overlay Protection District, the applicant shall be required to create replacement wetlands or restore, recreate or enhance existing wetlands or wetland buffer areas equal to twice the area of wetland or wetland buffer directly impacted.
- E. Within the Indian Brook-Croton Gorge Inter-Municipal Watershed Overlay Protection District, no disturbance within 150 feet of any wetlands, watercourses, or waterbodies shall be permitted. Buffers shall be regulated as follows:
 - 1. **Buffers**
 - a. Buffers along wetlands, watercourses and waterbodies (as defined in section 149-2) must extend a minimum of 150 feet horizontally from and parallel to the delineated wetland boundary.
 - b. Buffers along watercourses (section 149-2) must extend a minimum of 150 feet horizontally away from and parallel to the highwater mark or level of bankfull discharge.
 - c. Buffers along steep slopes adjacent to wetlands, watercourses and waterbodies must extend 150 feet horizontally plus 2 feet per 1% of slope.
 - 2. **Buffer vegetation**

Planting within buffers shall be based on a site-specific planting plan designed to maximize the buffer's capacity to intercept stormwater runoff, stabilize banks, improve water quality, and provide habitat. Planting shall incorporate:

- a. a diverse mix of perennial native species.
 - b. trees and shrubs with dense ground cover to protect soil.
 - c. salt tolerant plants in areas where road salt is used.
 - d. for steep slopes, native perennial grasses and trees and woody shrubs along the water's edge.
 - e. for bank erosion control, plants with fibrous root systems, deep-rooted woody species.
3. Allowable buffer uses
Unpaved foot paths, recreational access, revegetation planting and mitigation planting per the requirements listed above, manual removal of invasive species and removal of trees posing a safety hazard.
4. Restricted buffer uses
- a. New impervious surfaces, construction of roads, structures or pipelines.
 - b. Removal of vegetation or trees (except for safety purposes).
 - c. Excavation and grading.
 - d. Additional lawn.
 - e. Constructed stormwater measures are to be used outside the buffer to direct stormwater sheet flow to the buffer.
 - f. Mining.
 - g. Septic tank drain fields.
 - h. Agriculture and livestock.
 - i. Deicing application of road salt.
 - j. Waste disposal or dumping of trash, yard waste and debris.
 - k. Application of pesticides, herbicides and fertilizers.
 - l. Dams, water diversions, stream channelization.
 - m. All other activities not specifically listed above are subject to federal, state and local permit procedures.
- F. Special provisions.
These special provisions apply to new development in previously developed areas where there is no available area for required buffer:
1. The protected buffer shall be as wide as the site allows, subject to the above-listed conditions where possible, and maintaining as much vegetated cover as possible within 150 feet of wetland or watercourse, especially in areas where bank erosion is evident.
 2. Alternative or additional conservation practices (including low impact development (LID)) to reduce runoff load into a wetland or watercourse shall be applied.

Section 270-77 Wellhead buffers and stormwater hotspots

Within the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District, no disturbance within 200 feet of any wellhead or stormwater hotspot shall be permitted. Wellhead buffer areas and stormwater hotspots shall be protected as follows:

- A. Construction activities within 200 feet of a wellhead are prohibited except those used for municipal water system purposes such as pumping, treatment, and control facilities and equipment. Wellhead buffer areas shall not be used for any purpose other than municipal water supply, except when a permit has been issued by the Village Manager for non-intrusive recreation uses such as picnicking, nature study, fishing or hiking. The wellhead buffer shall be posted as prohibiting trespass for any purpose except as permitted in this subsection.
- B. Buffers adjacent to stormwater hotspots (as defined in section 270-69, above) shall extend 200 feet horizontally away from the hotspot source.

Section 270-78 Enforcement

- A. Compliance orders. Code Enforcement Personnel are authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure or premises violating this article. Upon finding that any such condition or activity exists, Code Enforcement Personnel shall issue a compliance order. The compliance order shall:
 - 1. Be in writing;
 - 2. Be dated and signed by Code Enforcement Personnel;
 - 3. Specify the condition or activity violating this article;
 - 4. Specify the provisions of this article which is/are violated by the specified condition or activity;
 - 5. Specify the time by which violations must be completely remedied; and
 - 6. State that Code Enforcement Personnel are authorized to issue stop work orders, appearance tickets, seek injunctive relief or other remedies to obtain compliance.
- B. In addition to the information to be included in the compliance order (see Subsection A), Code Enforcement Personnel may include in the compliance order that the owner shall take such actions as deemed necessary to protect the area and the public while the violations are being remedied. Such actions may seeking injunctive relief to prevent, restrain, enjoin, correct or abate any violations of this article.
- C. The compliance order shall be served upon the owner of the affected property personally or by registered or certified mail within five days of the date of the order. If the compliance order is served personally by any authorized means that require more than one action by the person effecting service [such as service by 'delivery and mail' as authorized by Civil Practice Law and Rules 308(2)], the compliance order shall be deemed to have been served on the date that the last required action is taken. Where the compliance order is served by registered or certified mail, it shall be deemed served on the date of mailing.
- D. Code Enforcement Personnel may, but are not required to serve a copy of the compliance order on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any person taking part or assisting in the work being performed at the affected property; provided, however, that failure to serve any person mentioned in this sentence shall not affect the efficacy of the compliance order.

Section 270-79 Penalties for offenses

- A. Fines- Any person who violates or knowingly assist in the violation of any provision of this article shall be subject to the penalties noted in section 270-43 (Penalties for offenses).

- B. Civil penalties- In addition to those penalties described in Subsection A, any person violating the provisions of this article shall be liable to pay a civil penalty of not more than \$500 for each day or part thereof during which the violation(s) continue. Civil penalties provided in this subsection shall be recoverable in an action brought by the Village of Ossining. The village shall be entitled to recover interest, costs, and disbursements incurred in connection with the proceeding including reasonable attorney's fees.**

Section 270-80 Severability

Should any section or provision of this article be declared, adjudged or found to be null, void, voidable, or invalid by a court of competent jurisdiction, such finding shall not affect the validity of the remainder of this article.

Section 2. Section 270-5 (List of districts) is amended with new matter underlined and deleted matter in **[brackets]**.

§ 270-5 List of districts.

The Village of Ossining is hereby divided into the classes of districts listed below:

Residential Districts

S-125, Single-Family Residence Districts

S-100,

S-75 and S-50

T Two-Family Residence Districts

MF-1 Multi-Family Residence Districts

MF-2

PRD Planned Residence District

Business/Mixed-Use Districts

PC Planned Center District

NC-1 Neighborhood Center Districts

NC-2

VC Village Center District

- GB General Business District
- P-O Professional Office District
- O-R Office-Research District
- CDD Conservation Development District
- SP-N Station Plaza North District
- SP-S Station Plaza South District
- RDD Riverfront Development District
- PW Planned Waterfront District
 - PW-a Northern Waterfront Subdistrict
 - PW-b Central Waterfront-Transit-Oriented Subdistrict
 - PW-c Central Waterfront- Hillside Subdistrict
- IR Institutional/Redevelopment District

Overlay Districts

- PWRD Planned Waterfront and Railway Development District
- HADD Historical and Architectural Design Districts [and] **or** Historic Landmarks **(HADD)**

Main Street HADD

Sparta HADD

Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD)

Section 3. Effective Date

This local law shall become effective upon filing with the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.