

**VILLAGE OF CHESTNUT RIDGE**  
**LOCAL LAW No. 6 OF 2007**

A LOCAL LAW REQUIRING EROSION AND SEDIMENT CONTROL MEASURES  
AND PROCEDURES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CHESTNUT RIDGE, as follows:

Section 1. Legislative Findings.

The Board of Trustees hereby determines that:

- A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increases stormwater runoff rates and volumes, flooding, stream channel erosion or sediment transport and deposit;
- B. This stormwater runoff contributes to increased quantities of water-borne pollutants, including siltation of aquatic habitat for fish and other desirable species;
- C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;
- D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation;
- E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;
- F. Substantial economic losses can result from these adverse impacts on the waters of the municipality and adjoining municipalities;
- G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;
- H. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will reduce threats to public health and safety;
- I. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire

watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

## Section 2. Purpose.

The purpose of this local law is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety and welfare of the public and to address the findings of fact set forth in Section 1 above. This local law seeks to meet those purposes by achieving the following objectives:

A. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS-4s);

B. Require land development activities to conform to the substantive requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP02-01;

C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature and streambank erosion and maintain the integrity of stream channels;

D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;

E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable;

F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

## Section 3. Applicability.

This local law shall apply to all land development activities as defined in Section 5 of this local law.

## Section 4. Exemptions.

The following activities are exempt from the requirements of this local law:

A. Agricultural activity as defined in section 5 hereinafter;

B. Routine maintenance activities that disturb less than five (5) acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility;

C. Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer;

D. Any part of a subdivision if a plat for the subdivision has been approved by the Village of Chestnut Ridge Planning Board on or before the effective date of this local law;

E. Land development activities for which a building permit has been approved on or before the effective date of this local law;

F. Cemetery graves;

G. Installation of fence, sign, telephone and electric poles and other kinds of posts or poles;

H. Emergency activity immediately necessary to protect life, property or natural resources as determined by the Stormwater Management Officer;

I. Activities of an individual engaging in home gardening by growing flowers, vegetable and other plants primarily for use by that person and his/her family;

J. Landscaping and horticultural activities in connection with an existing structure.

#### Section 5. Definitions.

The terms used in this local law or in documents prepared or reviewed pursuant to this local law shall have the following meanings:

**Agricultural Activity** - the activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation or the construction of new structures associated with agricultural activities;

**Channel** - a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water;

**Design Manual** - the New York State Stormwater Management Design Manual, most recent version including applicable updates, that serves as the official guide for stormwater management principles, methods and practices;

Erosion Control Manual - the most recent version of the ‘New York Standards and Specifications for Erosion and Sediment Control’ manual, commonly known as the “Blue Book”;

Industrial Stormwater Permit — a State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies;

Infiltration - the process of percolating stormwater into the subsoil;

Land Development Activity - activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acre (or activities disturbing less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules);

Landowner - the legal or beneficial owner of land, including those holding the right to purchase or lease the land or any other person holding proprietary rights in the land;

Maintenance Agreement - a legally recorded document that acts as a property deed restriction and which provides for long-term maintenance of stormwater management practices;

Nonpoint Source Pollution — 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;

NYSDEC - the New York State Department of Environmental Conservation;

Pollutant of Concern — sediment and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity;

Qualified Professional - a Certified Professional in Erosion and Sediment Control (CPESC), Professional Engineer (PE), registered landscape architect and/or soil scientist;

Recharge - the replenishment of underground water reserves;

Sediment Control - measures that prevent eroded sediment from leaving the site;

SPDES General Permit for Construction Activities GP-02-01 - a permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land;

SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP-02-02 - a permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specific stormwater control standards;

Stabilization - the use of practices that prevent exposed soil from eroding;

Stormwater — rainwater, surface runoff, snowmelt and drainage;

Stormwater Hotspot - a land use activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies;

Stormwater Management - the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment;

Stormwater Management Officer - an employee, officer or agent designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices;

Stormwater Management Practices (SMPs) - measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies;

Stormwater Pollution Prevention Plan (SWPPP) — a plan for controlling stormwater runoff and pollutants from a site during and after construction activities;

Stormwater Runoff - flow on the surface of the ground resulting from precipitation;

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;

Watercourse — any permanent or intermittent natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully or ravine, in and including any area adjacent thereto, in which water normally flows;

Wetlands - an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil condition, commonly known as hydrophytic vegetation.

Section 6. Stormwater Pollution Prevention Plan.

No application for approval of a land development activity shall be reviewed until the Chestnut Ridge Planning Board or the Building Inspector, as the case may be, has received a Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the requirements of this local law. All SWPPPs shall contain the following:

A. Background information about the scope of the project, including location, type and size of project;

B. Site map/construction drawing(s) for the project including a general location map. At a minimum the site map should show the total site area, all improvements with dimensions, areas of proposed disturbance, areas that will not be disturbed, existing vegetation, on-site and adjacent off-site surface water(s), wetlands and drainage patterns that could be affected by the construction activity, existing and final slopes, locations of off-site material, waste or equipment storage areas, and locations of the stormwater discharges. The site map shall be at a scale no smaller than 1 = 100;

C. Description of the soils present at the site;

D. Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual). not more than five (5) acres shall be disturbed at any one time unless pursuant to an approved SWPPP;

E. Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;

F. Description of all materials expected to be stored on-site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill-prevention and response;

G. Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;

H. A site map/construction drawing(s) specifying the location, size and length of each erosion and sediment control practice;

I. Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;

J. Temporary practices that will be converted to permanent control measures;

K Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;

L Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;

M. Name(s) of the receiving water(s);

N. Delineation of SWPPP implementation responsibilities for each part of the site;

O. Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable;

P. Any existing data that describes the stormwater runoff at the site;

Q. A statement that all other applicable permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

#### Section 7. Additional Requirements for SWPPPs.

A. If a land development activity meets Conditions A, B or C as hereinafter set forth, the SWPPP shall also include water quality and water quantity controls (post- construction stormwater runoff controls) in accordance with Subdivision B below:

Condition A - Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the NYSDEC 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment;

Condition B - Stormwater runoff from land development activities disturbing five (5) or more acres;

Condition C - Stormwater runoff from land development activity disturbing between one (1) and live (5) acres of land during the course of the project, exclusive of the construction of single family residences and construction activities at agricultural properties.

B. SWPPP requirements for Condition A, B or C:

(1) All information required in Section 5 above;

(2) Description of each post-construction stormwater management practice;

(3) Site map/construction drawings showing the specific location and size of each post-construction stormwater management practice;

- (4) Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
- (5) Comparison of post-development stormwater runoff conditions with predevelopment conditions;
- (6) Dimensions, material specifications and installation details for each post-construction storm water management practice;
- (7) Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice;
- (8) Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;
- (9) Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with this local law;
- (10) For Condition A, the SWPPP shall be prepared by a landscape architect, a Certified Professional in Erosion and Sediment Control (CPESC) or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements of this local law.

C. Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards." The certification shall include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address or other identifying description of the site; and the date the certification is made. The certification statements shall become part of the SWPPP for the land development activity.

#### Section 8. Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control

All land development activities shall be subject to the following performance and design criteria:

A. Stormwater management practices that are designed and constructed in accordance with the following technical documents shall be presumed to meet the standards imposed by this local law:



(1) The New York State Stormwater Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereinafter referred to as the Design Manual);

(2) New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the Erosion Control Manual);

B. Where stormwater managements are not in accordance with the above technical standards, the applicant or developer shall demonstrate equivalence to the technical standards set forth in Subdivision A above, and the SWPPP shall be prepared by a licensed professional.

C. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York (6 NYCRR Part 703.2).

#### Section 9. Maintenance, Inspection and Repair of Stormwater Facilities.

##### A. Maintenance and inspection during construction.

(1) The applicant or developer of the land development activity or their representative shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this local law. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by fifty (50) percent.

(2) For land development activities meeting Condition A, B or C as set forth in Section 6A the applicant shall have a qualified professional conduct site inspections and document the effectiveness of all erosion and sediment control practices every seven (7) days or more often as required by the Stormwater Management Officer and within 24 hours of any storm event producing 0.5 inches of precipitation or more. Inspection reports shall be maintained in a site log book.

(3) The applicant or developer or their representative shall be on site at all times when construction or grading activity takes place and shall inspect and document the effectiveness of all erosion and sediment control practices.

##### B. Maintenance Easements.

Prior to issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer shall execute a maintenance easement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility for periodic inspection by the Village of Chestnut Ridge to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this local law. The easement shall be recorded by the grantor in the office of the County Clerk after

approval by the Village Attorney. This easement shall not impose any obligation on the Village of Chestnut Ridge to maintain or repair the stormwater management facility.

C. Maintenance after Construction.

The owner or operator of permanent stormwater management practices installed in accordance with this law shall ensure they are operated and maintained to achieve the goals of this local law. Proper operation and maintenance also includes, at a minimum, the following:

(1) A preventive/corrective maintenance program for all facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this local law;

(2) Written procedures for operation and maintenance and training of maintenance personnel;

(3) Discharges from the SMPs shall comply with design criteria and shall not cause or contribute to water quality standard violations in accordance with Section 7C.

D. Maintenance Agreements.

The Village of Chestnut Ridge shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of this local law and approved by the Village Attorney. In lieu of a maintenance agreement, the Village may, in its sole discretion, accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this local law and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance,

Section 10. Administration and Enforcement.

A. Construction Inspection.

The Village Stormwater Management Officer may require such inspections as necessary to determine compliance with this local law and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this local law and the approved SWPPP. To obtain inspections, the applicant shall notify the Village Stormwater Management Officer at least 48 hours before any of the following as required by the Stormwater Management Officer:

1) Start and/or resumption of construction;

(2) Installation of sediment and erosion control measures;

- (3) Completion of site clearing;
- (4) Completion of rough grading;
- (5) Completion of final grading;
- (6) Close of the construction season;
- (7) Completion of final landscaping;
- (8) Establishment of landscaping in public areas, if any.

If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and required corrective actions. No further work shall be conducted except for site stabilization until all violations are corrected and all work previously completed has received approval by the Stormwater Management Officer.

**B. Stormwater Management Practice inspections.**

The Stormwater Management Officer is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit “as built” plans for any stormwater management practices located on-site after final construction is completed. The plans shall show the final design specifications for all stormwater management facilities and shall be certified by a licensed land surveyor.

**C. Inspection of Stormwater Facilities after Project Completion.**

Subject to approval of the Stormwater Management Officer, inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections, random inspections, inspections based upon complaint or other notice of possible violations, inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants, inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the S1DES stormwater permit, and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to: reviewing maintenance and repair records, sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.

**D. Submission of Reports.**

The Stormwater Management Officer may require monitoring and reporting from entities subject to this local law as are necessary to determine compliance with this local law.

**E. Right-of-Entry for Inspection,**

When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village of Chestnut Ridge the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in Subdivision C above.

Section 11. Performance Guarantee.

A. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village of Chestnut Ridge in its approval of the Stormwater Pollution Prevention Plan, the Village may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow or irrevocable letter of credit which guarantees satisfactory completion of the project and names the Village of Chestnut Ridge as beneficiary in form subject to approval of the Village Attorney. The security shall be in an amount to be determined by the Village based upon submission of final design plans with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility has been constructed in accordance with the approved plans and specifications and that a one year inspection has been conducted and the facilities have been found to be acceptable to the Village.

B. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction may, if required by the Village of Chestnut Ridge, provide the Village with an irrevocable letter of credit from an approved financial institution or surety to guarantee proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. The Village may require entities subject to this local law to maintain records demonstrating compliance with this local law.

Section 12. Enforcement and Penalties.

A. When the Stormwater Management Officer determines that a land development activity is not being carried out in accordance with the requirements of this local law or with the SWPPP, he/she may issue a written notice of violation to the landowner. The notice of violation shall contain, at a minimum:

- (1) The name and address of the landowner, developer and applicant;
- (2) The address and description of the building, structure or land upon which the violation is occurring;

(3) A statement specifying the nature of the violation;

(4) A description of the remedial measures necessary to bring the land development activity into compliance with this local law and a time schedule for completion of such remedial action;

(5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the Board of Trustees by filing a written notice of appeal within fifteen (15) days after service of the notice of violation.

B. Stop work Orders.

The Stormwater Management Officer may issue a stop work order for violation of this local law. Persons receiving a stop work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop work order. The stop work order shall be in effect until the SMO confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop work order in a timely manner may result in civil or criminal penalties or injunction in accordance with the enforcement measures authorized in this local law.

C. Penalties.

(1) 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 one thousand (\$1,000.00) dollars for conviction of a first offense; not less than one thousand (\$1,000.00) dollars nor more than two thousand five hundred (\$2,500.00) dollars or imprisonment not to exceed fifteen (15) days or both for conviction of a second offense within a period of five years; not less than two thousand five hundred (\$2,500.00) dollars nor more than five thousand (\$5,000.00) dollars or imprisonment for a period not to exceed fifteen (15) days or both upon conviction for a third or subsequent offense committed within a period of five years. Violations of this local law shall be deemed offenses. Each week's continued violation shall constitute a separate additional offense.

(2) In addition to any other penalties provided for herein or in any law, any person who violates any provision of this local law shall be liable for a civil penalty not to exceed three thousand (\$3,000.00) dollars for each such violation. No such penalty shall be imposed until the Board of Trustees has held a public hearing, upon due notice, and has made a determination that such violation has occurred and has made findings of fact relating to said determination. The alleged violator shall have a right to specification of the charges and to be represented by counsel at such hearing. Each week such violation shall continue shall be deemed a separate, distinct and additional offense. Any civil penalty or order issued by the Board of Trustees shall be reviewable pursuant to Article

78 of the Civil Practice Law and Rules within thirty (30) days after filing of such penalty or order in the office of the Village Clerk and mailing a copy thereof to the violator.

D. Restoration

The Stormwater Management Officer may require any violator to restore land to its prior undisturbed condition. In the event that restoration is not undertaken within the time stated in the notice issued pursuant to Section 1 IA hereinabove, the Village may take necessary corrective action, the cost of which shall become a lien in the nature of a tax lien upon the property until paid. In addition, any fees, penalties or other costs imposed by the Village against the violator in order to obtain compliance with this local law shall be assessed against the property in the nature of a tax lien until paid. No such lien shall take effect until the Board of Trustees has held a public hearing upon ten (10) days notice to the violator, advising him/her that a lien will be imposed upon the affected property and the amount thereof. The violator shall have an opportunity to appear and give evidence at the public hearing and to be represented by counsel. Any person aggrieved by a decision of the Board of Trustees may appeal such decision to the New York State Supreme Court in an Article 78 Proceeding pursuant to the Civil Practice Law and Rules within thirty (30) days after such decision has been filed in the office of the Village Clerk and a copy mailed by regular mail to the violator.

Section 13. Certificate of Occupancy.

No certificate of occupancy shall be issued for any building or structure in connection with any land development activity that is subject to this local law unless the SMO has certified that the work has been installed or conducted in compliance with this local law.

Section 14. Fees.

The Village of Chestnut Ridge may require any person undertaking land development activities regulated by this local law to pay the costs for review of SWPPPs, inspections, or SMP maintenance performed by Village officers or employees or performed by a third party for the Village. The Village shall determine the amount to be paid by the said person into an escrow account to be held by the Village. The costs incurred by the Village shall be reimbursed from the escrow account. The escrow account shall be replenished by the person undertaking the land development activity on an as-needed basis.

Section 15. This local law shall take effect immediately.