

VILLAGE OF CHESTNUT RIDGE

LOCAL LAW “B” (v.2) OF 2023

A LOCAL LAW TO ALLOW ROAD OPENING PERMITS FROM NOVEMBER 15 UNTIL APRIL 1 WHEN WHETHER PERMITS

Be it enacted by the Village Board of Trustees of the Village of Chestnut Ridge as follows:

Section 1. Repeal and Amend

Chapter 249, Article IX, entitled “Permit required; fees” is hereby amended to read as follows:

§249-9. Permit required; fees.

- B. No excavation or opening shall be made in any street, road or sidewalk in the Village of Chestnut Ridge from November 15 until April 1 unless deemed appropriate due to the proposed opening and/or the seasonal conditions by the Village Engineer or Engineering Consultant or to deal with an emergency which may pose a danger to the public health, safety or welfare, or to property, and unless a permit is first obtained from the Village of Chestnut Ridge for which a fee shall be paid by the applicant in accordance with the Fee Schedule adopted by the Board of Trustees. No work shall commence under such permit until approval has been obtained from the Building Inspector or the Village Engineer or Engineering Consultant. Should a permit be issued based upon favorable seasonal conditions, it shall be subject to revocation at any time should those seasonal conditions change.

Section 2. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5(c)(26) and (33), this Local Law is classified as a Type II Action as it involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

Section 3. Severability.

If any clause, sentence, paragraph, word, section or other part of this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be unconstitutional, illegal, invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions of this Local Law or the application thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or other part thereof directly involved in the controversy in which such determination shall have been rendered and the remaining provisions of this Local Law shall not be impaired thereby and such determination. The Village Board of the Village of Chestnut Ridge hereby declares that it would

have passed this Local Law or the remaining provisions thereof had such invalid provision or the application thereof been apparent at the time of enactment.

Section 4. **Effective Date.**

This Local Law shall be effective immediately upon filing with the Secretary of State.