

**INCORPORATED VILLAGE OF PLANDOME MANOR
BOARD OF TRUSTEES**

**PROPOSED LOCAL LAW NO. 3 OF 2014
CREATING A NEW ARTICLE WITHIN CHAPTER
88 OF THE CODE OF THE INCORPORATED
VILLAGE OF PLANDOME MANOR RELATING
TO CONSTRUCTION SITES**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Plandome Manor as follows:

Section 1. Amendments.

Chapter 88 of the Code of the Incorporated Village of Plandome Manor, is hereby amended to create a new Article within Chapter 88 relating to “Construction Sites,” which shall read as follows:

§1. Definitions.

CONSTRUCTION SITE: Any site, parcel or property within the Village of Plandome Manor that is undergoing any construction, alteration, renovation, or demolition.

§2. Requirements for construction sites.

- A. On any construction site with an open excavation or uncapped foundation greater than two feet, or where the structure situate thereon is unoccupied and contains any unsecured or open portal, a continuous perimeter, temporary chain-link fence no less than five feet nor greater than six feet in height shall be installed and maintained, which fence shall have an access gate that is to be locked when the premises is unoccupied or the site is vacant. The aforesaid fence shall be maintained in sound condition until construction, alteration, renovation, or demolition is completed or the unoccupied structure is completely enclosed and secure and any excavated areas are restored to grade. All building materials, dumpsters, storage containers, waste containers, portable toilets, and construction equipment or vehicles shall be contained within the secure area.

- B. All construction sites shall be maintained in a safe and sanitary manner, including, but not limited to, maintenance of grass height and shrub growth. Solid waste, litter and construction debris shall be contained within the fenced area and shall not be in view of the public, and shall be removed on a daily basis.
- C. All portable toilets shall be located in rear yards whenever possible and, if located in a front or side yard due to construction constraints, shall be removed to the rear yard as soon as possible. No portable toilet shall be located within 15 feet of any street or roadway nor 10 feet of the side or rear property lines. Portable toilets must be located inside the enclosed perimeter fence on the property.
- D. A permit shall be required for any storage container intended for the purpose of temporarily storing or keeping household goods or property outside of the primary structure. The container shall not exceed 120 square feet in size nor be greater than eight feet in height. No such container shall be located upon the property unless a valid permit shall have previously been issued. No container shall be located less than 15 feet from the roadway nor less than 10 feet from a side or rear property line. Storage container permits shall expire six months after issuance; one renewal application may be made prior to the expiration of the permit, for an additional six month period. The Board of Trustees shall establish the permit fee for any such storage container permit, and for the renewal of same. by resolution of the Board.

§3. Penalties for offenses.

- A. Any person committing an offense against any provision of this Article shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article I, Penalties and Assessments, of the Code of the Incorporated Village of Plandome Manor.
- B. Each and every day that a violation of this Article shall exist shall constitute a separate violation of this Article.

Section 2. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 3. Effective date.

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

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