

LOCAL LAW 8-2018

NOTICE IS HEREBY GIVEN that at the Regularly scheduled meeting of the Village Board of Trustees of the Village of Ossining, Which was held on Wednesday, December 5, 2018, the Village Board did adopt Local # **Local Law 10-2018 as Local Law 8-2018**.

A Local Law amending Chapter 178 (Noise) of the Village of Ossining Code.

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

Section 1. Chapter 178, section 5(D) is amended as follows with new matter underlined and deleted matter in [brackets].

178-5(D)(7)

Notwithstanding any other provision of this chapter, gas powered leaf blowers shall be used only during the following periods: March 1 through June 1 and September 15 through December 15 during the times set forth in subsection (D)(2). No more than two handheld or backpack gas powered leaf blowers may be used at a time unless the property where the gas powered leaf blower is being used is at least one-half acre in size. This restriction shall not become effective until May 31, 2019.

178-5(D)(8)

Effective January 1, 2023, the use of gas powered leaf blowers shall at all times be prohibited on all properties that are less than one-half acre in size. For property that is at least one-half acre, gas powered leaf blowers may continue to be used after January 1, 2023 pursuant to subsection (D)(7).

178-5(D)(9)

The operation of gas powered leaf blowers for maintenance and testing shall not exceed more than 30 minutes in any seven day period. Maintenance and testing shall occur during daytime hours.

Section 2. Chapter 178, section 9 is amended as follows with new matter underlined and deleted matter in [brackets].

178-9 (B)

Any person violating any of the provisions of this chapter shall be punishable, upon conviction thereof, by a fine provided in Article III, General Penalty, of Chapter 1, General Provisions. **With regard to violations of sections 178-5(D)(7), 178-5(D)(8) and 178-5(D)(9), all persons in violations of those subsections shall receive one warning before an appearance ticket is issued.**

178-9(C)

Violations of this chapter shall be supported by evidence, including, but not limited to time-stamped photographs, video, records of complaints and/or sworn witness statements.

Section 3. Effective date.

This local law shall take effect immediately upon filing with the New York State Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

**BY ORDER OF THE VILLAGE BOARD OF
TRUSTEES OF
THE VILLAGE OF OSSINING**

**Victoria Cafarelli
Interim Village Clerk
December 6, 2018**