

**INCORPORATED VILLAGE OF HUNTINGTON BAY
Local Law No. 7 of the Year 2012**

A local law entitled, "Amendment to Village Code Regarding "Permits and approvals required; penalties for offenses with respect to Stormwater Runoff"

Be it enacted by the Board of Trustees of the Incorporated Village of Huntington Bay as follows:

The Code of the Village of Huntington Bay is hereby amended to revise Chapter 73A to read as follows:

Chapter 73A

STORMWATER RUNOFF

* * *

[Note: §73A-9 shall be amended to read as follows.]

§ 73A-9. Permit and approvals required; penalties for offenses. [Adopted 12-21-2001 By L.L. No. 1-2001; Amended By L.L. No. 7-2012]

A. The provisions of this chapter shall serve as guidelines for the Board of Trustees in its evaluation of proposals for site plan approval, steep slope special permits, and the subdivision of land, and to the Zoning Board of Appeals in its examination of site plans and of other proposals which are within its scope of consideration and approval. No approval may be granted by either board which does not conform to the provisions of this chapter.

B. Any proposed development or redevelopment of any land must be done, with respect to stormwater runoff and overflows, in a manner which conforms to this chapter as well as any other rules and regulations, including best management practices, relating to drainage adopted by the Board of Trustees and the Zoning Board of Appeals.

C. The Village Engineer shall examine all drainage plans proposed for the development or redevelopment of land for conformity with the regulations, shall inspect the site during construction activities to ensure adherence to the regulations, the permit issued and the provisions of this chapter and shall give final approval to the drainage control measures before a certificate of occupancy may be issued.

D. Rectification of any condition which produces direct discharge of stormwater runoff to surface waters, marshes or wetlands from any land is required following notice from the Village Building Inspector to the responsible party of the condition. Rectification must be accomplished within a reasonable period of time, not in any case to exceed eight calendar months from the time of notice. Failure to provide adequate measures for runoff control by the end of the eight-month period may be penalized by the imposition of a fine of \$1,000 per day. Each day of violation shall be deemed a new violation and shall be treated accordingly. In addition, the responsible party shall rectify the condition and post a bond in the amount of one-and-one-half times the cost of rectification as determined by the Village Building Inspector.

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Severability.

If any part or provision of this Chapter or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Chapter or the application thereof to other persons or circumstances, and the Board of Trustees of the Incorporated Village of Huntington Bay hereby declares that it would have passed this Chapter or the remainder thereof had such invalid application or invalid provision been apparent.

Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.