

**INCORPORATED VILLAGE OF HUNTINGTON BAY
Local Law No. 8 of the Year 2012**

A local law entitled, "Amendment to Exemptions from Review with respect to Erosion and Sediment Control"

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 73B to read as follows:

Chapter 73B

EROSION AND SEDIMENT CONTROL

ARTICLE III

* * *

[Note: §73B-7 shall be amended to read as follows.]

§ 73B-7. Exemptions. [Adopted 1-3-2008 By L.L. No. 1-2008; Amended By L.L. No. 8-2012]

The following activities may be exempt from review under this chapter:

1. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
2. Repairs to any stormwater management practice or facility deemed necessary by the SMO.
3. Any part of a subdivision if a plat for the subdivision has been approved by the Village of Huntington Bay Board of Trustees on or before the effective date of this chapter, except where the Board of Trustees has reserved site plan review or other continuous jurisdiction.
4. Land development activities for which a building permit has been approved on or before the effective date of this chapter.
5. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
6. Emergency activity immediately necessary to protect life, property or natural resources.
7. Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.
8. Landscaping and horticultural activities in connection with an existing structure.

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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.