

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of North Haven will continue the public hearing on the 16th day of November 2021, at 5:00 P.M., virtually via Zoom, to consider the adoption of a Local Law as follows:

A link to this meeting can be obtained by calling Village Hall at 631-725-1378 or by sending an email to clerk@northhavenvillage.org.

**LOCAL LAW NO. OF 2021
A LOCAL LAW AMENDING VILLAGE CODE § 112-14**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF NORTH HAVEN AS FOLLOWS:

SECTION 1. AMENDMENT TO VILLAGE CODE § 112-2

§ 112-2 is amended to read as follows:

§ 112-2. Unlawful noises enumerated. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter:

A. Horns, signaling devices, etc.: the sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the Village, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time.

B. Radios, speakers, outdoor televisions, etc.: the using or operating, or permitting to be played, used or operated, of any radio, musical instrument, speaker, outdoor television, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or place where such machine or device is operated and who are voluntary listeners thereto. The operation of such radio, speaker, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as

to be plainly audible to neighbors shall be prima facie evidence of a violation of this section.

C. Loudspeakers, amplifiers for advertising: the using or operating, or permitting to be played, used or operated, of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

D. Yelling, shouting, etc.: yelling, shouting, hooting or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any dwelling or of any persons in the vicinity.

E. Animals, birds, etc.: the keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity.

F. Exhausts: the discharge into the open air of the exhaust of any steam engine, stationary internal-combustion engine, motorboat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom. This does not apply to tractors, lawnmowers and power saws when used between the hours of 7:00 a.m. and 7:00 p.m.

G. Defect on motor vehicle or load: the use of any motor, automobile, motorcycle or vehicle so out of repair, so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.

~~H. Construction or repairing of buildings: the erection (including excavation, demolition, alteration or repair) of any building other than between the hours of 7:00 a.m. and 8:00 p.m. on weekdays except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while~~

~~the emergency continues. If the Building Inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 8:00 p.m. and 7:00 a.m., and he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 8:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work. The use of landscaping and tree trimming equipment, including but not limited to, lawnmowers, tractors, leaf blowers, trimmers, chippers and chain saws shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m. weekdays, and Saturdays between the hours of 8:00 a.m. and 5:00 p.m. The use of landscaping equipment by homeowners including lawnmowers leaf blowers and trimmers shall be permitted between the hours of 8:00 a.m. and 5:00 p.m. on Sundays. Commercial use of landscaping or tree trimming equipment, as described above by contractors shall be prohibited on Sundays and State and Federal Holidays. The use of Snowblowers is exempt from this section. Effective April 1, 2022 the use and operation of gas-powered leaf blowers by residents, contractors, professional landscapers, gardeners and/or care takers shall be prohibited. Effective May 1, 2022 the use of gas-powered leaf blowers by residents, contractors, professional landscapers, gardeners and/or care takers will be prohibited between May 1 and October 31. Use of gas-powered leaf blowers will be allowed between November 1 through April 30. Approved hours of use are stated above in this section. They will also be allowed for clean up after major storms.~~

I. Outboard motorboats, pile drivers, hammers, etc.: the operation between the hours of 8:00 p.m. and 7:00 a.m. of any outboard motorboat within the Village or of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

J. Construction, renovation, of buildings: the construction, renovation, repair or alteration (including excavation, demolition) of any building other than between the hours of 7:00 a.m. and 7:00 p.m. on weekdays (Monday through Friday) shall be prohibited. Construction, renovation, alteration and repair by contractors shall be prohibited on weekends (Saturday

and Sunday) and State and Federal Holidays. Homeowners are permitted to perform repair work, which does not require a building permit, on Saturdays between the hours of 8:00 a.m. and 5:00 p.m. The Building Inspector shall be empowered to permit the repair, construction, alteration and renovation of a residential or accessory structure at any hour or any day if the Inspector determines that the public health or safety is endangered. The Building Inspector shall issue an emergency building permit which will expire three (3) days from its issuance.

SECTION 2. AMENDMENT OF VILLAGE CODE § 112-4

§ 112-4 is amended to read as follows:

Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Any person or entity committing an offense against provision 112 J of this chapter shall: first be given a warning by the Building Inspector; upon a second violation the Building Inspector shall issue a stop work order for 7 days, upon a third violation the Building Inspector shall issue a stop work order for a period of 14 days; upon a fourth violation the building permit shall be revoked and a summons issued which shall be punishable by a fine of up to \$1,500.00. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

SECTION 3. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: September 3, 2021

BY ORDER OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF
NORTH HAVEN.

BY: Eileen Tuohy ,
Village Clerk/Treasurer