

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack will hold a public hearing on the 19th day of July, 2010 at 4:00 P.M., at the Village Hall, 3175 Montauk Highway, Sagaponack, New York, to consider the adoption of a Local Law as follows:

LOCAL LAW NO. 5 OF 2010

**A LOCAL LAW AMENDING VILLAGE CODE § 30-9(E)
TO REQUIRE A DEPOSIT TO ASSURE
RESTORATION OF PUBLIC PROPERTY**

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

SECTION 1. PURPOSE.

In enacting Village Code § 30-9(E) the Board of Trustees found that the vehicles of contractors increasingly use Village roads and road shoulders for parking and/or standing incident to construction activities on nearby residential or other parcels, in the process causing damage to road shoulders. The Board further found at that time that all such vehicles should be parked and maintained on the parcel where the contractor is performing work. The purpose of this local law is to require a deposit an monies incident to issuance of any building permit to abide restoration of public property damaged by such vehicles.

SECTION 2. AMENDMENT OF SECTION 65-5(L).

Section 65-5(L) is amended as follows:

L. No building permit shall be issued unless (1) the recipient shall provide to the Building Inspector a survey of the premises at which the work is to be conducted, a list of all vehicles that will be used by any person or materialman expected to be at the site either on a regular or occasional basis and a plan acceptable to the Building Inspector depicting the onsite location for the standing or parking of any such vehicle and (ii) the recipient shall provide to the Building Inspector a written acknowledgement that no such vehicles shall be permitted to stand or park on any public or private road or shoulder thereof.

Whenever in the judgment of the Building Inspector the site does not appear adequate to allow compliance with these requirements the Building Inspector shall require submission of a deposit in the sum of Five Thousand (\$5,000.00) Dollars to be expended upon a finding by the Board of Trustees that such failure to comply has allowed damage to public property and on a failure of the recipient upon ten (10) days notice to remedy and adoption by the Board of Trustees of an authorizing resolution. The term recipient as used herein means the owner and/or general contractor only.*

SECTION 3. SEQRA.

This is a Type II action under 6 NYCRR § 617.5(c)(20).

SECTION 4. SEVERABILITY.

Should any part or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

* Underlined language is new.

SECTION 5. 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: June 14, 2010

BY ORDER OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF
SAGAPONACK

BY: Rosemarie Cary Winchell,
Village Clerk