

LOCAL LAW NO. 3- 2019

TITLE: “A Local Law to Replace a specific section of Chapter 81 - NOISE ”

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INC. VILLAGE OF BRIGHTWATERS AS FOLLOWS:

FIRST: This Replaces and Substitutes the current law § 81-1.1. – Certain Construction and Lawn Maintenance Restricted and replaces it with the following:

Preamble: In an effort to preserve and maintain the quiet enjoyment of homeowners within the Village, this law hereinbelow recited shall regulate the days and times when loud, noise producing construction and lawn maintenance can be performed.

- A) There shall be an absolute prohibition of any excavation, paving, demolition, painting, grading, erection, alteration and repair to the exterior of any residential premises or business establishment by a commercial contractor on any federal legal holiday.
- B) There shall be an absolute prohibition of any lawn, tree or shrub maintenance on any residential premises or business establishment by a commercial landscaper on any federal legal holiday.
- C) For Residential Homeowners: Any and all types of construction, which shall include, but may not be limited to excavation, paving, demolition, grading, erection, alteration or repair shall be permitted on weekdays, Monday through Friday, from 8:00am to 8:00pm and on Saturdays from 8:00am to 5:00pm and prohibited on any Sunday.
- D) For Residential Homeowners: Non-noise producing interior construction, alteration or home repair and any non-noise producing exterior construction may be performed on a Sunday.
- E) For Residential Homeowners: Lawn, tree or shrub maintenance, by an individual homeowner shall be permitted weekdays, Monday through Friday, only from 8:00am to 8:00pm. and on Saturdays from 8:00am to 5:00pm and Sundays permitted from 9:00am to 5:00pm.
- F) For Residential Homeowners: Lawn, tree or shrub maintenance by commercial landscapers shall be prohibited on any Sunday.

- G) For Commercial Business Establishments: Any and all types of exterior construction, which shall include, but may not be limited to, excavation, paving, demolition, painting, grading, erection, alteration or repair shall be permitted on weekdays, Monday through Friday, from 8:00am to 6:00pm and on Saturdays from 8:00am to 5:00pm and prohibited on any Sunday.

- H) For Commercial Business Establishments: Non-noise producing interior construction, alteration or repair shall be permitted on a Sunday.

- I) For Commercial Business Establishments: Lawn, tree or shrub maintenance either by the individual business owner or commercial landscaper or agent thereof, shall be prohibited on any Sunday.

SECOND: Separability.

If any section, sub-section, sentence, clause or phrase of this local law is for any reason held invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this local law.

THIRD: Effective Date.

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