

Local Law Filing

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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(select one)

of Floral Park

Local Law No. 4 of the year 2019

A local law Amending Section 44-8 of the Code of the Incorporated Village of Floral Park so as to Regulate Noise from Gas Powered Leaf Blowers.

(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select One.)

of Floral Park as follows:

Section 1. Legislative Intent

The Board of Trustees finds that the operation of gas powered leaf blowers unreasonably annoys, disturbs and endangers the comfort, repose, health, peace and safety of others within the Village and is deemed to create a public nuisance. This Local Law amends Section 44-8 of the Code so as to restrict the hours and days that gas powered leaf blowers may be operated within the Village.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 2. Section 44-8 as Amended to include:

H. Gas-powered leaf blowers may be used no earlier than 8:00 a.m. or later than 6:00 p.m. on any weekday, and no earlier than 8 a.m. or later than 3 p.m. on Saturdays. The use of gas-powered leaf blowers are prohibited at all times on Sunday and on Federal and State holidays.

Section 3. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

(strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2019 of the (County)(City)(Town)(Village) of Floral Park was duly passed by the Board of Trustees on October 15, 2019 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was
(Name of Legislative Body)

(approved) (not approved) (repassed after disapproval) by the _____ and was
(Elective Chief Executive Officer)*

deemed duly adopted on _____ 20__, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was
(Name of Legislative Body)

(approved) (not approved) (repassed after disapproval) by the _____ on _____
(Elective Chief Executive Officer)*
_____ 20__.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was
(Name of Legislative Body)

(approved) (not approved) (repassed after disapproval) by the _____ on _____
(Elective Chief Executive Officer)*

_____ 20__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____ State of New York, having been submitted to the electors as the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ 1 _____ above.



Clerk of the county legislature body, City, Town or Village Clerk or officer designated by local legislative body

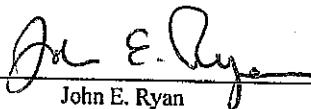
Date: November 6, 2019

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Signature John E. Ryan

Village Attorney
Title

County

City

Town of Floral Park

Village

Date: November 6, 2019

December 17, 2019

Trustee Fitzgerald offered Resolution No. 2019-256 adopting a resolution to re-number Local Law No. 05-2019 to Local Law No. 04-2019 and authorize the refiling of such local law in accordance with the request of the New York Department of State.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Aye
Mayor Longobardi	- Aye

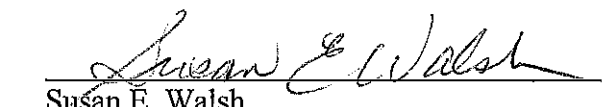
STATE OF NEW YORK)
 :SS.:
COUNTY OF NASSAU)

I, the undersigned, Village Clerk, of the Incorporated Village of Floral Park

DO HEREBY CERTIFY

That I have compared the above extract of the minutes of the regular meeting of the Board of Trustees of said Village, in which this declaration is contained therein, held on December 17, 2019, with the original thereof on file in my office, and the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matter therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Village this 18th day of December, 2019.



Susan E. Walsh
Village Clerk