

VILLAGE OF FLOWER HILL
Proposed Local Law J of the Year 2020

A Local Law amending Chapter 144 of the Village Code of the Incorporated Village of Flower Hill entitled “Landscaping Equipment and Use” as follows:

Be it enacted by the Board of Trustees of the Incorporated Village of Flower Hill, New York as follows:

Section 1. Adding Chapter 144, section 144-4 as follows:

§ 144-4 No landscaper shall operate any gas-powered leaf blower during the period from June 15 through and including September 15. This time period may be changed by resolution of the Board of Trustees as it deems appropriate.

(a) Temporary waiver:

The Village Administrator shall have discretion upon written request by a homeowner, to grant a temporary waiver allowing the operation of landscaping for a special event such as a wedding, party, or other large social gathering.

(b) Exception: This subsection shall not apply to the operation of gasoline- or diesel-powered leaf blowers operated in the course of performing groundskeeping, gardening or landscaping services at golf courses, except when the equipment is operated within 100 feet of a lot containing a residence.

Section 2. Amending section 144-2 Definitions to include the definition of “Holiday” as follows: New Year's Day, **Martin Luther King, Jr. Day**, **Presidents' Day**, Memorial Day, Independence Day, Labor Day, **Columbus Day**, Veterans Day, Thanksgiving Day and Christmas Day.

Section 3. Amending section 144-3 (6)(b) to include:

1) Exceptions:

a) the operation of gasoline or diesel-powered leaf blowers operated in the course of performing groundskeeping, gardening or landscaping services at golf courses, shall be permitted during these hours so long as not being conducted within 100 feet of a lot containing a residence.

b) Temporary waiver:

The Village Administrator shall have discretion upon written request by a homeowner, to grant a temporary waiver allowing the operation of landscaping for a special event such as a wedding, party, or other large social gathering.

Section 4. Exercise of supersession authority. The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) with respect to

the within local law and hereby supersedes Village Law section 7-706(2) to the extent it requires notice for publication other than has been, or will be, provided as to the within local law.

Section 5. Effective Date. This law shall take effect immediately.