

Local Law Filing

(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 Greenburgh

Local Law No. 2 of the year 2024

A local law amending Chapter 410 of the Code of the Town of Greenburgh entitled "Sanitation"
(Insert Title)
as it relates to property maintenance

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

County City Town Village
(Select one.)

of Greenburgh as follows:

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

(Complete the certification in the paragraph that applies to the filing of this local law and 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. 2 of 2024 of the (County)(City)(Town)(Village) of town of Greenburgh was duly passed by the Town Board on March 13 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* 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 (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

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 (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 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. *(Elective Chief Executive Officer*)*

* 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.

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.

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 at 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.

Risa Maria Neeb

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

Date: 3/22/24

(Seal)

RESOLUTION ADOPTING A LOCAL LAW AMENDING CHAPTER 410 OF THE CODE OF THE TOWN OF GREENBURGH, ENTITLED “SANITATION,” AS IT RELATES TO PROPERTY MAINTENANCE

WHEREAS, the Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 410-4B of the Code of the Town of Greenburgh to update provisions related to property maintenance to ensure that they are balanced with various ecological considerations; and

WHEREAS, a local law was prepared by Town staff, with specific environmental-based input from the Town’s Forestry Officer; and

WHEREAS, on February 28, 2024, the Town Board of the Town of Greenburgh held a duly noticed public hearing on the proposed amendment to the Code of the Town of Greenburgh; and

WHEREAS, pursuant to Section 617.5(c)(33) of the SEQRA Regulations, the proposed modification to this section of the Code of the Town of Greenburgh is a Type 2 action under SEQRA requiring no environmental review;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Greenburgh hereby adopts the attached Local Law entitled “Sanitation.”





TOWN of GREENBURGH

Local Law No. 2 /2024

A local law amending Chapter 410 of the Code of the Town of Greenburgh entitled “Sanitation” pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

BE IT ENACTED by the Town Board of the Town of Greenburgh:

- § 1. **Title.**
- § 2. **Legislative Findings and Intent.**
- § 3. **Amendment to § 410 Sanitation**
- § 4. **Supersession.**
- § 5. **Severability.**
- § 6. **Effective Date.**

§ 1. Title.

This law is entitled “A local law amending Chapter 410 of the Code of the Town of Greenburgh entitled ‘Sanitation.’”

§ 2. Legislative Findings and Intent.

The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 410 of the Code of the Town of Greenburgh to ensure that property maintenance regulations are balanced with beneficial ecological considerations.

§ 3. Amendments to Chapter 410.

Chapter 410-4B of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in ~~strikeout~~; new text underlined):

410-4B. No person shall deposit, throw, cast or bury ashes, solid waste, grass cuttings, tree cuttings, leaves, offal or discarded matter of any type, including automobile parts and other machinery, on any lot or plot of land in the Town other than small inoffensive compost heaps, such as may be utilized by a home gardener when stored on his own property and appropriately screened from view. Downed trees within wooded areas of a minimum width of 10 feet, whether fallen naturally or in connection with a Tree Removal Permit are exempt from the

provisions of this section unless said downed tree is located on a steep slope or within a portion of the Town prone to flooding and/or within a flood zone, and in the opinion of the Town Forestry Officer said downed tree is deemed to be hazardous.

§ 4. Supersession.

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

§ 5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 6. Effective Date.

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



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