

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack on the 20th day of April, 2022 adopted the following Local Law:

**LOCAL LAW NO. 3 OF 2022
A LOCAL LAW AMENDING VILLAGE CODE SECTION 30-9
(I) AND ENACTING (J) LIMITING THE USE OF
GAS POWERED LEAF BLOWERS**

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

SECTION 1. PURPOSE.

The purpose of this local law is to further regulate the use of leaf blowers and hedge trimmers upon a finding that the noise and pollution emanating from the operation of gas powered leaf blowers on certain days and times is an unreasonable annoyance and an unnecessary and avoidable disturbance of expected peace and quiet.

SECTION 2. AMENDMENT/ENACTMENT.

Village Code Section 30-9 (I) and (J) are amended and enacted as follows:

- I. The use of ~~gas-powered leaf blowers and~~ gas-powered hedge trimmers is limited as follows:

[(1)] The use of such equipment by persons or entities, other than homeowners and tenants for use on their own properties, is prohibited on weekdays prior to 8:00 a.m. and after 6:00 p.m., on Saturdays prior to 9:00

*new language is underlined.

a.m. and after 1:00 p.m. and all day on Sundays and all federal and state holidays.

[(2) The prohibitions herein apply to any use of such equipment by one or more independent contractors or employees working pursuant to an oral or written agreement or understanding for compensation and do not apply to a homeowner's or tenant's personal use of such equipment on his/her/its private property.]

J. The use of gas-powered leaf blowers is limited as follows:

The use of such equipment shall be prohibited from May 20th through September 20th. For the balance of the year, such equipment is prohibited on Mondays through Thursdays prior to 8:00 a.m. and after 6:00 p.m., on Fridays prior to 8:00 a.m. and after 5:00 p.m., on Saturdays prior to 9:00 a.m. and after 1:00 p.m. and all day on Sundays and all federal and state holidays. The foregoing prohibitions do not apply to homeowners, tenants and businesses engaged in commercial agricultural work for use on their own properties.

SECTION 3. SEQRA.

This is a Type II action under 6 NYCRR § 617.5(C)(26).

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.

SECTION 5. EFFECTIVE DATE.

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

Dated: April 20, 2022

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF SAGAPONACK
Rosemarie Cary Winchell, CMC
Village Clerk-Treasurer