

# 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.

FILED  
STATE RECORDS

DEC 09 2016

County  City  Town  Village  
(Select one.)

of Sands Point

DEPARTMENT OF STATE

Local Law No. 10 of the year 2016

A local law AMENDING SECTION 176-58(F)(7) OF THE VILLAGE CODE RELATING TO  
(Insert Title)  
CONSTRUCTION SITE FENCES

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

County  City  Town  Village  
(Select one.)

of Sands Point

as follows:

See attached pages 1 and 2

(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. 10 of 2016 of the ~~(County)~~(City)(Town)(Village) of Sands Point was duly passed by the Board of Trustees on October 25, 2016, in accordance with the applicable ~~(Name of Legislative Body)~~ 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 ~~(Name of Legislative Body)~~ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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 ~~(Name of Legislative Body)~~ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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 ~~(Name of Legislative Body)~~ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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 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.

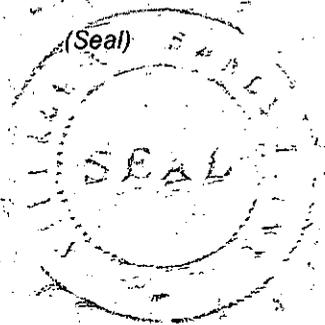
**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

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.

*Eugene J. Payne*

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

Date: 12/6/2016



**INCORPORATED VILLAGE OF SANDS POINT  
BOARD OF TRUSTEES**

**INTRODUCTORY LOCAL LAW NO. 10 OF 2016  
AMENDING SECTION 176-58(F)(7) OF THE VILLAGE CODE RELATING TO  
CONSTRUCTION SITE FENCES**

**WHEREAS**, pursuant to Article 7 of Chapter 176 of the Village Code of the Incorporated Village of Sands Point, entitled "Administration and Enforcement", the Village has established standards and regulations for construction activities within the Village; and

**WHEREAS**, the Building Commissioner has recommended to the Board of Trustees that it is appropriate to revise certain provisions to the Village Code, relating to construction site fences; and

**WHEREAS**, the proper protection and maintenance of construction sites will be beneficial to the public safety and welfare of the Village; and

**WHEREAS**, the Board of Trustees has reviewed the recommendations of the Building Commissioner and finds that it is in the best interests of the Village to amend Chapter 176 of the Village Code in accordance with those recommendations.

**NOW, THEREFORE, BE IT ENACTED**, by the Board of Trustees of the Incorporated Village of Sands Point, as follows:

**Section 1.** The title of Village Code § 176-58(F)(7) is hereby amended, to read as follows:

Conditions of Permits; Construction Inspections; Construction Site Maintenance.

**Section 2.** Section 176-58(F)(7) of the Village Code is hereby amended to read as follows:

- (7) All unsecured areas of construction sites, including excavations, shall be enclosed with a metal chain link construction fence no less than six (6) feet high to prevent the entry of unauthorized persons. The proposed area to be enclosed and the height of the fence must be approved by the Building Inspector, who, in his or her sole discretion, may require additional areas of a site to be enclosed or fencing exceeding six (6) feet in height.

**Section 3.** Section 176-58 and Chapter 176 of the Village Code of the Village of Sands Point shall otherwise be and remain in full force and effect.

**Section 4. Severability.** If any section or provision of this local law shall be adjudged to be invalid by any Court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this Local Law or the remainder thereof, but shall be confined in its operation to the section or provision or part thereof directly involved in the controversy in which

such judgment shall been rendered.

**Section 5. Effective Date.** This Local Law shall take effect immediately upon filing with the Secretary of State.