

PUBLIC NOTICE
Inc. Village of Head of the Harbor
St. James, New York

NOTICE IS HEREBY GIVEN a public hearing will be held by the Board of Trustees of the Village of Head-of-the-Harbor at 500 North Country Road, St. James, New York, on the 18th day of November, 2020 at 7:00 PM to consider enactment of the following Local Law:

LOCAL LAW (Intro.) NO. 6 OF 2020
A PROPOSED LOCAL LAW AMENDING CHAPTER 165 OF THE CODE OF THE
VILLAGE OF HEAD OF THE HARBOR TO REGULATE PORTABLE STORAGE UNITS
AND TEMPORARY BULK WASTE CONTAINERS
SUMMARY

The purpose of this local law is to regulate portable storage units and temporary bulk waste containers, "dumpsters", within the boundaries of the village. This is a summary. A full copy of the local law is available at the office of the Village Clerk during regular office hours.

At said public hearing any persons interested will be given an opportunity to be heard.

Village Hall is accessible to the handicapped.

Dated: November 10, 2020

Margaret O'Keefe
Village Clerk
Village of Head-of-the-Harbor

DRAFT LOCAL LAW ATTACHED

**VILLAGE OF HEAD OF THE HARBOR
BOARD OF TRUSTEES**

**PROPOSED LOCAL LAW NO. 6 OF 2020 AMENDING CHAPTER 165 OF THE
CODE OF THE VILLAGE OF HEAD OF THE HARBOR TO REGULATE PORTABLE
STORAGE UNITS AND TEMPORARY BULK WASTE CONTAINERS**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Head of the Harbor as follows:

Section 1. Amendments.

Chapter 165, Article VIII, of the Code of the Village of Head of the Harbor is hereby amended to read as follows:

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§ 165-34.3. Portable Storage Units and Temporary Bulk Waste Receptacles

A. Definitions.

For purposes of this section, the following terms, phrases and words shall have the following meanings:

PORTABLE STORAGE UNIT - Any portable container, receptacle, or device of a type commonly used for the temporary storage of personal property and other matter. The term shall include, but not be limited to, trailers, shipping containers, portable on-demand storage unit (PODS®) and other similar containers.

TEMPORARY BULK WASTE CONTAINER - A container or receptacle designed to receive, transport or dump trash, waste or other materials associated with residential or commercial remodeling. This definition shall include, but is not limited to, roll-off dumpsters.

B. Permit required. No person shall place a portable storage unit or temporary bulk waste container on any property in the Village without a written permit from the Village Clerk.

C. Application; fee.

1. An applicant seeking a permit to place a portable storage unit or temporary bulk waste container on his or her property must submit an application, on a form provided by the Village Clerk, which shall include, but not be limited to, the following information.
 - a. Name and address of the applicant.
 - b. Name and address of the supplier of the portable storage unit or temporary bulk waste container.

- c. The address of the property where the portable storage unit or temporary bulk waste container will be located.
 - d. The intended use for the portable storage unit or temporary bulk waste container.
 - e. A description or diagram of the location where the portable storage unit or temporary bulk waste container will be placed on the property.
 - f. A physical description of the portable storage unit or temporary bulk waste container, including its approximate physical dimensions.
 - g. The dates when the portable storage unit or temporary bulk waste container will be placed on the property.
2. Applications for a permit to place a portable storage unit or temporary bulk waste container shall be accompanied by a fee in an amount established from time to time by the Board of Trustees.

D. Duration; extensions.

1. Permits to place a portable storage unit or temporary bulk waste container shall be granted for a period of up to 30 consecutive days. Each property in the Village is limited to a maximum of two permits per calendar year, and a minimum of 15 days shall elapse between the end of one permit period and the beginning of another.
2. Prior to the expiration of the original 30-day permit period, a permit may be extended for one additional 30-day period for good cause shown.
3. Where a valid building permit exists for the property, multiple thirty-day permit extensions may be granted for good cause shown and upon payment of an extension fee. In no event shall the duration of a permit, including any and all extensions, exceed more than one year from the date of the original permit.
4. All applications for a permit extension shall be accompanied by an extension fee in an amount established from time to time by the Board of Trustees.

E. General conditions.

1. No more than one portable storage unit shall be located on a property, except that up to two portable storage units may be placed on a property for which a valid building permit exists.
2. No more than one temporary bulk waste container shall be located on a property.
3. Portable storage units shall be limited to a maximum size of nine feet in height, 10 feet in width or 20 feet in length.

4. No portable storage unit or temporary bulk waste container shall be located on any public or private street or right-of-way, or within a required buffer area.
 5. The applicant, as well as the supplier, shall be responsible for ensuring that the portable storage unit or temporary bulk waste container is installed and maintained in a good and safe condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks, or in any way which might create a hazard to the general public or an unsightly condition on the property.
 6. All portable storage units and temporary bulk waste containers shall be conspicuously marked with the name, address and telephone number of the supplier and have affixed thereon a copy of the written permit authorizing the placement of the portable storage unit or temporary bulk waste container on the property.
 7. No portable storage unit shall be used for habitable purposes or to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for use other than at the property where the portable storage unit is located (i.e., used for retail sales) or any other illegal or hazardous material. Upon reasonable notice to the applicant, the Village may inspect the contents of any portable storage unit at any reasonable time to ensure that it is not being used for any prohibited purpose.
 8. A portable storage unit or temporary bulk waste container that is not removed at the end of the time for which permission has been granted shall be deemed to be an illegal structure and may be removed by the Village, upon reasonable notice, and the costs and expenses thereof shall be certified to the Board of Trustees, which Board shall then assess such costs and expenses against the property on which the portable storage unit or temporary bulk waste container was located, which costs shall be collected and enforced in the same manner as real property taxes.
- F. Revocation of permit. If the applicant or supplier fails to comply with the requirements for the placement and use of portable storage units or temporary bulk waste containers, the Village Clerk may revoke the permit. Upon revocation of the permit, the portable storage unit or temporary bulk waste container shall be removed from the property within three business days.

Section 2. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 3. Effective date.

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