

Local Law No. I-16 of the year 2022

Village of Port Chester, New York

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 275, “SOLID WASTE” TO PROHIBIT DUMPING IN STORM DRAINS AND CATCH BASINS AND PROVIDE FOR A TARGETED PENALTY FOR A VIOLATION AND AMENDING CHAPTER 5, “APPEARANCE TICKETS”, TO SUPPORT BROADER ENFORCEMENT EFFORT

Be it enacted by the Board of Trustees of the Village of Port Chester, New York as follows:

SECTION 1: Purpose and Intent

The purpose and intent of this local law is to make explicit a prohibition of dumping into the storm drains and catch basins to assure the integrity and effectiveness of the village’s stormwater system and establish a targeted penalty for violations to secure necessary deterrence.

SECTION 2: The Code of the Village of Port Chester, Chapter 275 “Solid Waste”, Section 275-2. is hereby amended as follows:

”””

H. No person shall dump, throw, cast, or lay any matter into a storm-drain/catch basin of the village stormwater system.

SECTION 2: The Code of the Village of Port Chester, Chapter 275, “Solid Waste”, Section 275-11.1 Targeted Penalty, is hereby amended to read as follows:

A. Any violation of Section 275-2C and Section 275-5E is hereby considered an offense punishable by a fine of not less than \$1,000 nor exceeding \$5,000, or imprisonment not to exceed 15 days, or both. Each day’s violation shall be considered a separate and distinct offense.

B. Any violation of Section 275-2H is hereby considered an offense punishable by a fine of not less than \$3,000 nor exceeding \$10,000, or imprisonment in excess of 15 days but not greater than one year, or both. Each day’s violation shall be considered a separate and distinct offense.

SECTION 3: The Code of the Village of Port Chester, Chapter 5, “Appearance Tickets”, is hereby amended as follows:

...

C. Specific authority to persons designated to issue appearance tickets shall be as follows:

...

(3) Superintendent of Public Works [and/or], General Foreman or his designee: all violations designated in Section 5-5B(1), (2), (3), (5) (7), (8), (9), (10), (12), (13), (14), (15), Chapter 245 Property Maintenance, Section 283-35 of Chapter 283, Streets and Sidewalks and Chapter 330, Water.

(4) Director of Code Enforcement and Code Enforcement Officer: Housing Code, Zoning Code and violations designated in Section 5-5B(1), (2), (3), (4), (5), (7), (8), (9), (10), (12), (13), (14), (15), (20), (23) and (24).

...

SECTION 4: Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5: Effective Date

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

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby sets a public hearing for August 16, 2022 at 7:00 p.m. or as soon thereafter, at the Town of Rye Justice Court Courtroom, 350 North Main Street, 2nd Floor, Port Chester, New York, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 275, “Solid Waste” to prohibit dumping in storm drains and catch basins and provide for a targeted penalty for a violation and amending Chapter 5 “Appearance Tickets,” to support broader enforcement effort.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk’s office or online at the Village website www.portchesterny.gov.

/s/ JANUSZ R. RICHARDS
JANUSZ R. RICHARDS
Village Clerk
Village of Port Chester, New York

Date: July 29, 2022