

INTRODUCTORY LOCAL LAW ___ OF 2020

A LOCAL LAW RESCINDING CHAPTERS 23, 27, 36, 62, 99, 103, 106, 109, 113, 132, 139, 146, 154, 159, 161, 165, 181, 185, 202, 208, 215, 234, 240, 253, 264, 267, 269, 286, 298, AND 301 OF THE TOWN CODE OF THE TOWN OF WOODBURY

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WOODBURY AS FOLLOWS:

Section 1. Title.

This local law shall be referred to as “A Local Law Rescinding Chapters 23, 27, 36, 62, 99, 103, 106, 109, 113, 132, 139, 146, 154, 159, 161, 165, 181, 185, 202, 208, 215, 234, 240, 253, 264, 267, 269, 286, 298, and 301 of the Town Code”.

Section 2. Legislative Intent.

The Village of Woodbury was incorporated on August 28, 2006. Upon its incorporation, pursuant to the New York State Municipal Home Rule Law, the Village of Woodbury was empowered to adopt local laws, rules and regulations concerning its property and affairs. Pursuant to the New York State Village Law, for a period of two years subsequent to the creation of the Village of Woodbury, the Town of Woodbury code continued to be applicable to and govern within the boundaries of the village, so long as the village not had adopted legislation contrary to the provisions of the Town Code.

In the years since the incorporation of the Village of Woodbury, the village has assumed jurisdiction over numerous governmental functions and services previously performed by the town and has adopted its own local laws governing those functions. The village now has jurisdiction over, among other things, planning and zoning, building construction, and the operation and control of former special districts and town roads.

It is the intent of this Local Law to repeal a number of chapters of the Town Code that contain mere vestiges of the Town’s former jurisdiction and authority.

Section 3. Repeal of Chapters

The following chapters of the Town Code of the Town of Woodbury are hereby repealed:

- a. Chapter 23: Business and Industrial Development Committee;
- b. Chapter 27: Court;
- c. Chapter 36: Environmental Conservation Commission;

- d. Chapter 62: Publication of Legislation;
- e. Chapter 99: Numbering of Buildings;
- f. Chapter 103: Bungalows;
- g. Chapter 106: Outdoor Burning;
- h. Chapter 109: Cemeteries;
- i. Chapter 113: Licensing of Contractors;
- j. Chapter 132: Energy Conservation Construction Code;
- k. Chapter 139: Fair Housing;
- l. Chapter 146: Fences;
- m. Chapter 154: Fire Prevention;
- n. Chapter 159: Flood Damage Prevention;
- o. Chapter 161: Flood Hazard Areas;
- p. Chapter 181: Homes and Home Buyers;
- q. Chapter 202: Malicious Mischief;
- r. Chapter 208: Noise;
- s. Chapter 215: Open Space Administration;
- t. Chapter 234: Peddling and Soliciting;
- u. Chapter 240: Property Maintenance;
- v. Chapter 253: Sewers;
- w. Chapter 264: Solid Waste;
- x. Chapter 267: Stormwater Management and Erosion and Sediment Control;
- y. Chapter 269: Streets and Sidewalks;
- z. Chapter 286: Trees;

- aa. Chapter 298: Water; and
- bb. Chapter 301: Water and Sewer Inspections.

Authority.

This Local Law is enacted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(12).

Section 4. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Woodbury hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.