

Bill HN 2203

A local law to amend Chapter 195 of the Code of the Village of Hewlett Neck, in relation to construction proximate to drainage easement areas.

Section one. A new section 195-20.3, is hereby added, to read as follows:

**“195-20.3. Construction in Areas Abutting a Drainage Easement Area.**

A. No building, structure, wall, patio, deck or similar structure, including any structure above, at or below grade containing pervious or impervious elements, may be constructed within 10 feet of a drainage easement area or other area designated for protection, or intended, for drainage purposes, unless such improvement is designed to direct stormwater away from the drainage easement area and direct all stormwater into an on-site drainage facility. Any drywell or similar facility shall be located at least 10 feet from a drainage retention area or any property line. Fences located along or abutting a drainage reserve area, are excluded from this prohibition.

B. No change in topography in excess of six (6) inches shall be made to any private property within 10 feet of a drainage easement area or other area designated for protection, or intended, for drainage purposes.

Section two. Any local law or provision of the Code of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

Section three. If any clause, sentence, paragraph, section, article, or part 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 clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section five. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.