

HN-8-2022

A local law to amend Chapter 97 of the Code of the Village of Hewlett Neck, in relation to maintenance of drainage facilities on private property.

Section one. Section 97-9, is hereby added, to read as follows:

“A. Surface and subsurface water shall be drained to prevent damage to paved surfaces, buildings, structures and adjoining property and to prevent development of stagnant water. Swales, dry wells, gutters, culverts, catch basins, drain inlets, stormwater sewers, drainage structures, and sanitary sewers or other satisfactory drainage systems (“Drainage Facilities”) shall be provided and maintained in good operating condition to achieve the foregoing.

B. In no case shall the water from any rain leader or Drainage Facility be allowed to flow over the boundary of private property onto the public right-of-way or an adjoining property.

C. Maintenance of Drainage Facilities shall be in accord with guidelines adopted by the Building Department. Such guidelines, at a minimum, shall require that private property owners clean Drainage Facilities as needed, remove trash and debris from Drainage Facilities as needed, and annually inspect Drainage Facilities.

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 Any local law or provision of the Code of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed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 four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.