

HN-9-2022

A local law to amend Chapter 115 of the Code of the Village of Hewlett Neck, in relation to the construction of barrier curbs on private property.

Section one. Section 115-10, is hereby added, to read as follows:

“§115-10. Barrier Curb Construction.

A. A Barrier Curb is a raised vertical curb installed at the edge of a roadway.

B. Unless otherwise directed in writing by the Building Department, a private property owner shall install a Barrier Curb, constructed in accordance with the provisions of this section and any supplementary design standards adopted by the Building Department, along the entirety of any roadway upon which the property abuts, as a condition of a building permit issued for construction work that increases the overall Building Area (as defined in Chapter 195) by more than fifty percent (50%) or involves the construction of a new or demolished and rebuilt residence.

C. No Barrier Curb shall be constructed until an application has been filed with the Village and a permit therefor has been issued by the Building Department or any other department or official designated by the Board of Trustees for that purpose.

D. The Barrier Curb shall be of the type commonly known as "Belgian block," of which the individual blocks shall be not less than six inches in height and approximately four inches to five inches in width, shall be set in a cement or concrete base at least two inches deep, shall project to a uniform height of not less than three inches nor more than six inches above the surface of the ground on the roadway side, shall be firmly cemented together and shall comply with a survey prepared by a licensed surveyor and with specifications prepared by the Building Inspector. The cost of both the survey and specification is to be borne by the applicant.

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 Any local law or provision of the Code of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed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