

Bill HN 2-2021

A local law to amend Chapter 97 of the Code of the Village of Hewlett Neck, in relation to collection and storage of garbage and rubbish containers.

Section one. Section 97-3, is hereby retitled to read: **“Property Maintenance; disposal of garage, rubbish, debris and litter”**.

Section two. A new subsection 97-3(D) is hereby added, to read as follows:

“97-3(D). It shall be unlawful for any person or entity, owning or in control of private property, to cause or permit:

- (1) the keeping or storage of a garbage or refuse receptacle or enclosure that may be used for storage of such receptacle, within the front yard setback, as that area is defined in Chapter 195, or within a right-of-way. This restriction shall not apply to receptacles or refuse placed curbside for collection from 5:00pm on the day preceding the day prior to a scheduled date for additional collection requested by any person or entity, owning or in control of private property through 8:00pm on the scheduled collection date; or
- (2) except as permitted in subparagraph 1 herein, the keeping or storage of garbage, refuse, rubbish, debris, furniture, machinery or equipment, in view from any public street.

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 Any local law or provision of the Code of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed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