

LOCAL LAW NO. 3 of 2005

VILLAGE OF LIMA

LIVINGSTON COUNTY, NEW YORK

A **Local Law** to amend Chapter 111 of the Code of the Village of Lima, commonly known as the Noise Law.

BE IT ENACTED by the Board of Trustees of the Village of Lima, in the Town of Lima, County of Livingston and State of New York, as follows:

Section 1. Title and Scope.

- A. This local law amends the Code of the Village of Lima, specifically Chapter 111 thereof, being the code section entitled Noise Law.
- B. The Board has determined that it is in the best interests of the Village to further regulate the hours during which construction activities which may create excessive noise may take place within the Village of Lima.

Section 2. Legislative Intent.

- A. The Board of Trustees hereby intends to modify the time period during which it is permitted within the Village of Lima to undertake construction activities. Such period of operations is already regulated, but has been reevaluated by the Board of Trustees. The definition of the term Construction, describing the activities that are regulated by and within such term, is set forth in Section 111 - 3 of the Code. This definition is unchanged by this local law.

Section 3. Amendment of Section 111-10 of the Lima Village Code

- A. Section 111-10 of the Lima Village Code is entitled ***Construction Activities***, and addresses the hours during which a person or party may undertake construction activities within the Village of Lima. instances in which building permits are required and not required, together with related matters.
- B. Section 111-10 (A) shall be **repealed and deleted** from the Lima Village Code.
- C. Section 111- 10 (A) shall be replaced with and by a new clause or section so identified, as follows:

Within the Village of Lima, no person or party shall engage in or permit or direct

any person or party to be engaged in construction activities, including but not limited to excavating or demolition, which such activities shall create or result in excessive noise being generated at the property limits of the construction site during the hours between _____ p.m. and _____ a.m. of the following day.

Section 4. Effective Date

This Local Law shall become effective within thirty (30) days following the filing thereof with the Secretary of State, and prior to said date upon actual service of a copy of said local law upon a person or party.