**INCORPORATED VILLAGE OF PLANDOME MANOR**

**PROPOSED LOCAL LAW NO. 1 OF 2023**

**Licensing of Landscapers**

**Permit required.**

No person shall perform any landscaping functions in the Village of Plandome Manor without a permit obtained from the Village Clerk in accordance with this article. Landscaping functions, however, may be performed without a permit by the owner or occupant of the property on which the work is performed.

**Activities regulated**.

The landscaping functions referred to herein shall include, but are not limited to, the cutting and maintenance of grass, the trimming, pruning and maintenance of shrubs, plants, trees or other foliage, the spraying of chemicals and the removal of trees and/or tree stumps. A person who engages in such landscaping functions shall hereinafter be referred to as a landscaper.

**Work done without permit prohibited; responsibility for permit**.

No landscaper shall perform any landscaping functions within the Village of Plandome Manor without first obtaining a permit to do so from the Village Clerk. All landscaping work by a landscaper without a permit is prohibited. No property owner or occupant shall permit any landscaper without a permit to perform any landscaping function on his or her property. Permits shall be obtained by the proprietor of the landscape business or by a corporate officer.

**Application procedure**.

Any landscaper desiring a permit in accordance with this article shall make application on forms prescribed by the Village Clerk of the Incorporated Village of Plandome Manor or its designees. Additionally, the applicant shall provide a copy of its business license, worker’s compensation and liability insurance.

**Fees.**

Each applicant for a permit shall pay a nonrefundable application fee in the amount set forth in the Village’s Schedule of Fees §A228-1.

**Expiration of permit; renewal**.

All permits issued pursuant to this article shall expire one year from the date of issuance. Permits may be renewed upon payment of an annual renewal fee in the amount set forth in the Village’s Schedule of Fees. If the permitee fails to make proper, timely application for renewal, he or she shall be required to reapply and pay the additional permit application fee as set forth in the preceding section as a nonrefundable application fee with the application and the permit fee referred to in the above section upon the issuance of the permit.

**Conspicuous posting of Village decal.**

1. Each applicant shall fix to and display on the left front fender of each vehicle and on the left rear fender of any trailer regularly used in the course of its business an identification decal issued by the Village Clerk-Treasurer.
2. Every vehicle and/or trailer used by the applicant must display identification decals.
3. Additional identification decals for vehicles and/or trailers registered to the applicant and used for the purposes as described under this article may be obtained from the Village Clerk for a fee in an amount set forth in the Village’s Schedule of Fees.

**Regulations.**

The following rules and regulations shall apply:

1. No person shall engage in the application of pesticides and insecticides unless that person has in his possession his certificate, duly issued by the New York State Department of Environmental Control, authorizing him to engage in such activity.
2. Application of pesticides and insecticides by anyone by means of engine-powered spraying or dusting devices shall not take place prior to 8:00 a.m. on any day that landscaping work is permitted.
3. Landscaping work may be performed by landscapers only during the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday, and 8:00am through 12:00pm Saturday.
4. No landscaper shall scatter, nor in using any mechanical or electrical blower, cause to be scattered, any garbage, refuse, cuttings, leaves or other waste materials on any public street, road or public property without removing and/or cleaning the same immediately; nor shall any of such material be allowed to enter any storm drains.
5. No one shall spill or dump oil, gasoline or other petroleum products or any pesticides on a public street, road or highway or right-of-way or on the ground. No equipment shall be filled or refilled except over a drop cloth or other device designed to catch and retain any accidental spillage.
6. All vehicles and trailers are to be properly parked at a minimum of 30 feet from the corner of any intersection. Hazard warning cones are to be placed at the front and rear of any landscaping vehicles and/or trailers that are parked in or alongside the roadway.

**Penalties for offenses.**

Each and every violation of any provision of this article or any of the rules and regulations promulgated hereunder shall be punishable by a penalty not exceeding $250 or 15 days imprisonment, or both, for each and every separate offense relating to a violation of this article.

**Revocation and suspension of permit.**

In addition to the penalties set forth in Village Code §1-8 of this article, the Village Board of Trustees may revoke or suspend any permit issued pursuant to this article for good cause shown after notice to the permittee and a public hearing.

**Permit to be in possession of person performing work**.

The permit issued pursuant to this article or a photocopy signed by the permittee shall be at all times in the actual possession of the person performing the work at the site.