
BE IT ENACTED by the Town Board of the Town of Greenburgh:

§ 1. Title.

This law is entitled “A local law amending Chapter 140, “of the Town Code of the Town of Greenburgh.”

§ 2. Legislative Findings.

The Town Board of the Town of Greenburgh finds it necessary to amend Chapter 140, entitled “Explosives and Blasting,” of the Town Code of the Town of Greenburgh to include provisions and regulations pertaining to rock chipping operations.

§ 3. Renaming of Chapter Title.

The Title of Chapter 140 of the Town Code of the Town of Greenburgh shall be renamed as follows:

EXPLOSIVES, BLASTING AND ROCK CHIPPING

§ 4. Amendment to § 140-4. Definitions.

§ 140-4 of the Town Code of the Town of Greenburgh is hereby amended by adding the following definition:
ROCK CHIPPING – The breaking and/or removal of rock using a pneumatically operated chisel, hammer or other similar device.


A. Rock Chipping Operations.

Rock chipping shall not be conducted until the Building Inspector or his/her designee performs a site inspection where he/she shall make a determination whether an 8-foot high solid barricade shall be installed around the perimeter of the chipping site to prevent rock debris from entering adjoining properties. If fence is required, once installed, it shall be inspected by the Building Inspector or his/her designee prior to commencement of rock chipping.

B. Hours rock chipping is allowed.

Rock chipping may be conducted when authorized by permit Monday through Friday between the hours of 9:00 am and 3:00 pm. Rock chipping is prohibited on Saturdays, Sundays and legal holidays.

C. Rock Chipping Vibration Mitigation.

The Building Inspector may require line drilling along any perimeter so as to mitigate the energy and vibration that would be transmitted to neighboring structures.

§ 6. Renumbering.

The current § 140-9 and the sections that follow are hereby renumbered as § 140-10 et. seq.

§ 7. Severability.

The provisions of this local law are intended to be severable. If any provision of this local law is found by a Court of competent jurisdiction to be unconstitutional or otherwise invalid, such findings shall not be deemed to invalidate the local law as a whole, nor any other section or provision thereof, other than that which is found to be unconstitutional or otherwise invalid.

§ 8. Effective Date.

This local law shall take effect immediately.