

DRAFT
VILLAGE OF UPPER NYACK
Local Law # 10 of 2022

Be it enacted by the Board of Trustees of the Village of Upper Nyack as follows:

SECTION 1. Title

A Local Law amending the Village of Upper Nyack Tree Preservation Law, Local Law #4 of 2021 (filed May 3, 2021)

SECTION 2. Amendment to Village of Upper Nyack Tree Preservation Law Section 1.1.11, Definition of “SIGNIFICANT TREE.”

1. Amendment to Section 1.1.11: The text of Upper Nyack Tree Preservation Law Section 1.1.11 shall be deleted and replaced with the following text: “SIGNIFICANT TREE: Any living, woody plant with a DBH that is equal to or exceeds 12 inches, or, if any portion of the proposed Tree is located on a Steep Slope, within the Hudson Riverfront Overlay Zoning District, or within a federal, state or locally regulated wetland a DBH that is equal to or exceeds 8 inches.”

SECTION 3. Amendment to Village of Upper Nyack Tree Preservation Law Section 1.1.12, Definition of “STEEP SLOPE.”

1. Amendment to Section 1.1.12: The text of Upper Nyack Tree Preservation Law Section 1.1.12 shall be deleted and replaced with the following text: “STEEP SLOPE: Shall have the meaning ascribed to it in the Zoning Law of the Village of Upper Nyack as amended from time to time.”

SECTION 4. Amendment to Village of Upper Nyack Tree Preservation Law Section 1.1.17, Definition of “ZONING LAW.”

1. Amendment to Section 1.1.17: The text of Upper Nyack Tree Preservation Law Section 1.1.17 shall be deleted and replaced with the following text: “ZONING LAW: The Zoning Law of the Village of Upper Nyack as amended from time to time.”

SECTION 5. AUTHORITY

This Local Law is enacted pursuant to the authority of Section 10 of the Municipal Home Rule Law.

SECTION 6. SEPARABILITY

Should any section, sentence or provision of this Local Law be determined by any court of competent jurisdiction to be unconstitutional or invalid in any way, such determination shall not affect the validity of this Local Law as a whole or any part thereof other than the part expressly so determined to be unconstitutional or invalid.

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect upon its filing in the Office of the Secretary of State.