

**PROPOSED LOCAL LAW
PEACE AND GOOD ORDER LAW**

Article I General Provisions

Purpose

The purpose and subject of this chapter is to insure Peace and Good Order throughout the Town of Coeymans, to foster a healthy environment for its residents and property owners, and support economic development, social order and stability.

Authority

The Town Board of the Town of Coeymans as Legislative Body for the Town of Coeymans hereby enacts this Local Law pursuant to authority conferred by New York State Town Law Article 16, New York State Municipal Home Rule Law, and the New York State Constitution.

Legislative Intent

The intent of this article is to establish a standard set of rules, which will foster Peace and Good Order within the Town of Coeymans, and protect and enhance the Town of Coeymans, its citizens, its environment, and its economy.

Outdoor fires.

A. No person shall build, make, light or cause to burn any fire within the limits of the Town unless such fire is:

- (1) Confined to an adequate fire pit, outdoor fireplace, grill or barbecue pit; or
- (2) Burning brush with limbs less than 6 inches in diameter and 8 feet in length and generated from the property; and
- (3) Constantly monitored and in control; and
- (4) Not of a dangerous, unsafe or unreasonable size or condition; and
- (5) Not used to burn garbage, trash or rubbish

B. All fire pits, which are defined as any dug pit, hole, or structure in or on the ground designed to contain fire and prevent fire from spreading, must be no larger than four (4) feet in diameter, and are prohibited within 10 feet of any structure and must be enclosed if within 20 feet of any structure. This prohibition does not include grills, barbeque pits, or cooking devices.

C. For any other fire, the person shall obtain any permit required by any governmental agency, including but not limited to the Albany County Health Department and New York State Department of Environmental Conservation.

D. Such person shall notify the local fire department and police department through the Albany County 911 Dispatch Center of his intention to have any fire other than that described in Subsections **A(1) and A(2)**, hereinabove set forth.

E. This section shall not apply to fire training or other fires authorized by the New York State Office of Fire Prevention and Control, New York State Department of Environmental Conservation or other federal or state regulatory authority.

Placing garbage or waste in drains or culverts.

No person shall throw, place or deposit any garbage, offensive material or waste material in any drain, sewer, gutter, culvert, watercourse or any other place within said Town, or cause any obstruction or injury to the same or any nuisance, except at such dumping place or grounds as shall be located or designated by the Town Board and under the direction of the Town Highway Superintendent and Town Supervisor.

Encroachments upon streets or public grounds.

No person, persons or corporation shall erect or cause to be erected any fence, building or other structure or thing which shall in any manner encroach upon the boundaries of any street, highway or public place or grounds in said Town.

Interference with hydrants.

No person shall interfere with any hydrant in said Town nor place any obstruction near the same so that it will impede or hinder the free access to said hydrant at any time, nor shall any person place any snow, ashes or other substance on or against any such hydrants.

Nails, glass or other injurious substances in streets.

No person shall throw, place or deposit any glass, nails, tacks or other articles injurious to horses, automobiles or other vehicles in any of the streets, alleys, roads or driveways in said Town.

Article II Rules of Conduct

Riotous assembly.

No person shall take part in or join or aid, assist or abet any riotous or tumultuous assemblage or unnecessary crowds upon the streets or in doorways or stairways adjacent thereto or loiter about such places.

Article III Noise

Legislative intent.

The making and creating of disturbing, offensive or excessive noise within the jurisdictional limits of the Town of Coeymans is a condition that is a detriment to the public health, comfort, convenience, safety and welfare of the citizens. This article is to be construed liberally but is not intended to discourage the enjoyment by resident and visitors of normal, reasonable and usual activities.

Prohibited acts.

No person shall make or create or allow any unreasonable noise that causes public inconvenience, annoyance or alarm, or recklessly creates a risk thereof. Unreasonable noise is any disturbing, excessive or offensive sound of such level and duration as to be or tend to be injurious to the health or welfare of individuals, or which would unreasonably interfere with the enjoyment of life or property, or that disturbs a reasonable person of normal sensitivities, between the hours of 11:00p.m. and 7:00a.m.

The provisions of this section shall not apply to the following acts:

A. The emission of sound for the purpose of alerting persons to the existence of an emergency or noise generated as a result of the emergency operations of a municipality, the Police Department, Fire Department or rescue squad.

B. Noise from municipally sponsored celebrations or events.

C. Noise generated by the installation and maintenance of utilities.

D. The operation or use of any organ, radio, bell, chime or other instrument, apparatus or device by any church, synagogue or school licensed or chartered by the State of New York, provided such operation or use does not occur between the hours of 11:00 p.m. and 7:00 a.m.

E. Noise from domestic power tools, lawn mowers, snowblowers and other agricultural equipment, when such is equipped, when applicable, with properly functioning mufflers.

F. Noise from a gas-powered portable electric generator providing emergency power to a home or business, and only during the duration of the power outage or emergency.

G. Continuous noise generated from industrial operations within an industrially zoned area, which does not exceed 72 Decibels.

Article IV Enforcement

Administration and Enforcement.

The requirements established by this chapter shall be administered and enforced by any law enforcement agency that has jurisdiction in the Town of Coeymans and any other employee as authorized by the Town of Coeymans Town Board.

Penalties for offenses.

Any person committing an offense against any of the provisions of this chapter shall be guilty of a violation and, upon conviction thereof, shall be punishable for each offense by a fine of not more than \$200 or by imprisonment for not more than 15 days, or both.

Effective Date.

This chapter shall take effect immediately.
