



INCORPORATED VILLAGE OF
SANDS POINT
PO BOX 188/26 TIBBITS LANE
PORT WASHINGTON, NY 11050
PH: (516) 883-3044 FAX: (516)767-3691
www.sandspoint.org

December 13, 2016

Re: Landscaper Permit Renewal Notice

Enclosed is an application for your 2017 (one-year) permit to provide landscaping services within the Village of Sands Point. The application must be **complete** and **include all** information requested - incomplete applications will **not** be accepted.

In order to legally work in the Village, **each and every motor vehicle/trailer** must have a valid permit sticker.

A copy of our Local Law is enclosed for your review - please read carefully.

As a reminder please be aware of the following re working on Saturdays:

1. Each resident may request two Saturday exceptions as follows:
May 15th through October 1st - 2 (two) exceptions
October 2nd through May 14th - 2 (two) exceptions
2. Saturday hours are 9:00 a.m. to 2:00 p.m.
3. No work on Sundays, Holidays or observed Holidays. New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day and Christmas Day. **In addition, the Village respectfully requests no work on Good Friday, Rosh Hashanah and Yom Kippur.**

Regarding payment - please be aware that the Village **cannot accept more than \$250.00 in cash** - if more than \$250. payment must be made with a check and/or money order. The Village does not accept credit cards.

If you have any questions or require assistance, please call me at 516-883-3044.

Very truly yours,

Liz Gaynor, RMC
Village Clerk



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APPLICATION FOR LANDSCAPER'S/TREE SERVICES PERMIT – 2017
January 1, 2017 through December 31, 2017

Date: _____

Name Owner/Contact: _____

Company: _____

P.O. Box: _____ Street: _____
(required)

Town: _____ Zip: _____

Phone: _____ Cell phone: _____

Email address: _____

Number of vehicles: _____

License Plate Numbers: _____

Applications MUST BE COMPLETE and INCLUDE ALL of the following:

- 1) Fees are due by February 1, 2017 – (A late fee of \$50.00 will be applied after that date)
 - a. Permit Fee \$200.00 includes sticker for 1st vehicle (one sticker)
 - b. Fee for additional vehicles and trailers: \$25.00 – any vehicle, which is required to have a license plate, is also required to have a sticker.

2) Copy of Consumer Affairs License

3) Insurance and Indemnification:

Applicant shall maintain at a minimum the following insurance coverages, **giving evidence of same to the Inc. Village of Sands Point, on the form of Certificates of Insurance including a copy of the Additional Insured Endorsement, providing 30 days notice of cancellation, non-renewal or material change.** New York State licensed carrier is preferred; any non-licensed carriers will be accepted at the Municipalities discretion. The insurance carrier must have an A.M. Best Rating of at least A- IX. All subcontractors must adhere to the same insurance requirements.

I. WORKER'S COMPENSATION AND NYS DISABILITY – Statutory Coverage

Required Form for Workers Comp: C105.2 – certificate of NYS Workers Compensation Insurance Coverage OR if you are insured with the State Insurance Fund, form SI-26.3 – State Insurance Fund Certificate of Workers Compensation Insurance

Required Form for NYS Disability: DB120.1 – Certificate of Disability Benefits Insurance

NOTE: Workers Compensation and NYS Disability

- I. If you do not maintain Workers Compensation and NYS Disability due to a valid exemption, the following form must be submitted to the Municipality:
CE-200 – Certificate of Attestation of Exemption from NYS Workers Compensation and/or Disability Benefits Insurance Coverage.

Starting January 1, 2010, ONLY applicants eligible for exemptions must file a new CE-200 for each and every new or renewed permit, license or contract issued by a government agency. You can obtain this form from the Workers Compensation Boards' website, <http://www.wcb.state.ny.us/>.

II. COMMERCIAL GENERAL LIABILITY – Including Contractual liability extending to Hold Harmless/Indemnification

Limits	General Aggregate	\$2,000,000
	Products-Comp/Ops Aggregate	\$1,000,000
	Personal. & Advertising. Injury	\$1,000,000
	Each Occurrence	\$1,000,000
	Fire Legal (Any one Fire)	\$ 50,000
	Medical Exp. (Any one Person)	\$ 5,000
Additional Insured	Inc. Village of Sands Point and all appointed and elected officials, employees and volunteers Using ISO form CG2012 or CG2026 or equivalent	

III. AUTOMOBILE INSURANCE

Limits	Minimum Limit - \$1,000,000 CSL
Additional Insured	Inc. Village of Sands Point and all appointed and elected officials, employees and volunteers

IV. UMBRELLA LIABILITY – RECOMMENDED (Excess over primary General and Auto Liability)

Limit	\$2,000,000
Additional Insured	Inc. Village of Sands Point and all appointed and elected officials, employees and volunteers

HOLD HARMLESS/INDEMNIFICATION AGREEMENT

The applicant shall indemnify and hold the Inc. Village of Sands Point harmless against any claim of liability or loss including the cost of defense for personal injury or property damage resulting from or arising directly or indirectly out of, or resulting from, the permit holder's or Licensee's operations within the Inc. Village of Sands Point, including losses arising out of the negligent acts or omissions of the applicant, its servants or agents, and any subcontractors, its servants or agents.

- 4) Copy of Waste Disposal Permit or copy of current billing statement with account number

We will not accept incomplete applications. Permit stickers will be issued only when all of the above requirements are fulfilled.

I have received, read, and understand the Village of Sands Point Landscaper Law:
(The local law can also be viewed at www.sandspoint.org under Village Code – Chapter 103)

Date: _____

Signature: _____

Print Name: _____

THE VILLAGE CLERK MAY REVOKE OR SUSPEND ANY LICENSE UPON RECEIVING INFORMATION OF ANY VIOLATION OF THE VILLAGE LANDSCAPING LAW, OR ANY OTHER LAW OF THE VILLAGE OF SANDS POINT. THESE VIOLATIONS INCLUDE BUT ARE NOT LIMITED TO:

- *Illegal Dumping*
- *Littering*
- *Parking Violations*
- *Traffic Violations*

IN ADDITION, ANY VIOLATION OF THE LANDSCAPER LAW MAY RESULT IN A FINE OF NOT LESS THAN TWO HUNDRED DOLLARS (\$200.00), AND NOT MORE THAN TWO HUNDRED FIFTY (\$250.00).

AMOUNT RECEIVED: _____

DATE PAID: _____

STICKERS ISSUED: _____

Village of Sands Point, NY
Friday, December 2, 2016

Chapter 103. Licensed Occupations

[HISTORY: Adopted by the Board of Trustees of the Village of Sands Point as indicated in article histories. Amendments noted where applicable.]

Article I. Landscapers

[Adopted 12-20-2011 by L.L. No. 2-2012]

§ 103-1. License and vehicle permit sticker required.

Except as provided herein, all persons, companies or corporations (collectively referred to as "landscaper") who perform any landscaping functions in the Village of Sands Point shall be licensed in accordance with this chapter. In addition, each vehicle and truck used in connection with any landscaping business conducted within the Village shall be required to have a landscaping permit sticker affixed and displayed on the driver's side of the vehicle or truck.

§ 103-2. Exemptions.

- A. Landscaping functions may be performed without a license as follows:
- (1) By the owner or occupant of the property on which the work is being performed.
 - (2) On property used by country clubs or not-for-profit institutions, provided that such work is performed by the caretakers or employees of the club or institution where such work is performed.
 - (3) By caretakers and employees who regularly reside at the property where such work is performed.
 - (4) By any person (excluding any firm, association or corporate entity) who does not utilize motor vehicles in connection with performing such work and is not ordinarily engaged in the business of providing professional landscaping services.
- B. In addition, commercial nurseries or growers that deliver plant stock to properties within the Village of Sands Point shall not be deemed to be performing landscaping functions within the scope of this law, and thus, do not require a license or permit.

§ 103-3. Activities regulated.

For purposes of this chapter, a landscaping function shall include, but not be limited to, the cultivation, fertilization, seeding, planting, cutting, trimming, pruning or maintenance of grass, shrubs, plants, trees or other foliage.

§ 103-4. Work done without license prohibited; responsibility for license.

No landscaper shall perform any landscaping function within the Village of Sands Point without first obtaining a license to do so from the Village Clerk. All landscaping work by an unlicensed landscaper is hereby prohibited. Licenses shall be obtained by the proprietor of the landscaping business or by a corporate officer.

§ 103-5. Fees.

- A. A fee of \$200 shall be charged to each applicant for issuance of a landscaping license.
- B. A fee of \$25 shall be charged for each landscaping permit sticker.

§ 103-6. Expiration of license and permit sticker; renewal.

- A. All licenses and permit stickers issued pursuant to this chapter shall expire on the last day of December in the year in which they have been issued.
- B. Licenses may be renewed via mail or at Village Hall upon payment of an annual fee of \$200 before February 1 of the year succeeding the expiration of the license. Licensees that fail to submit a timely application for renewal shall be required to pay the annual fee of \$200 and an additional renewal late fee of \$50.
- C. Permit stickers may be renewed upon payment of an annual fee of \$25 for each landscaping permit sticker.

§ 103-7. Rules and regulations.

- A. Landscapers shall comply with all state and local laws, rules and regulations in connection with the use and application of pesticides and insecticides.
- B. No landscaper shall perform landscaping work on Sunday.
- C. Landscaping work may be performed by landscapers only during the hours of 8:00 a.m. through 6:00 p.m., Monday through Friday, except on holidays, and 9:00 a.m. through 2:00 p.m. on Saturday. Notwithstanding the foregoing, the only landscaping work that shall be permitted to be performed by landscapers on Saturdays shall be such work that does not involve the use of power equipment that creates noise, which equipment includes, but is not limited to, leaf blowers, leaf vacuums, lawn mowers, lawn or sidewalk edging machines, rototillers, chain saws, log splitters, wood-chipping machines, and truck-borne spraying equipment, subject only to the following exceptions under which power equipment may be utilized on Saturdays from 9:00 a.m. to 2:00 p.m.:
[Amended 5-22-2012 by L.L. No. 4-2012; 2-24-2015 by L.L. No. 1-2015]
 - (1) At the specific request of a resident owner of property in the Village who desires to personally observe trimming work to be done on a Saturday, permission may be obtained from the Village to allow noise-producing power trimming equipment to be used at such owner's residence on no more than two Saturdays during the period from May 15 to October 1 of any year, and two Saturdays during the period from October 2 through May 14.

Permission may be obtained by notifying the Village Clerk's office, by telephonic notice or in person. The Village shall maintain a written log of all requests made during each year.

- (2) At the specific request of a resident owner of property in the Village who is planning a special weekend event at his or her residence, such as a wedding or social function, permission may be obtained from the Village to allow regular maintenance work, such as lawn mowing and leaf blowing, on the Saturday of or prior to the event. However, such permission shall only be granted on two Saturdays during the period from May 15 to October 1, and two Saturdays during the period from October 2 through May 14. Permission may be obtained by notifying the Village Clerk's office, by telephonic notice or in person. The Village shall maintain a written log of all requests made during each year.
 - (3) In the sole discretion of the authorized Village official, an inclement weather exception may be declared by the Village to allow landscapers to use all power equipment required for landscaping work anywhere in the Village on the Saturday following the making of such declaration from 9:00 a.m. to 2:00 p.m. The Village shall declare an inclement weather exception no later than 12:00 p.m. on a Friday. Landscapers or residents of the Village may contact the Village office by telephone or in person to determine whether an inclement weather exception has been declared. In addition, any such declaration shall be posted on the Village's website.
- D. No landscaper shall blow or rake leaves, grass or other debris onto the public highway or right-of-way or onto adjoining property nor operate leaf blowing equipment in excess of 65 dBA, as measured at a distance of 50 feet from the location of such equipment. All equipment operated by a landscaper shall be maintained in proper working order at all times.
 - E. As a condition precedent to the issuance of a license and to maintain and renew such license, a landscaper will be required to furnish proof that he, she or it has a permit to deposit leaves, grass clippings and other debris at a duly licensed facility or depository within the State of New York in conformity with all applicable laws, rules and regulations of the municipality in which the said facility or depository is located, and thereafter must maintain such landscape disposal permit at all times during the term of the license.
[Amended 3-27-2012 by L.L. No. 3-2012]
 - F. No landscaper shall spill or dump oil, gasoline or other petroleum products or any pesticides on the public highway or right-of-way or anywhere 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.
 - G. All work shall be performed and all motor vehicles used by landscapers shall be operated in accordance with the laws, ordinances and rules and regulations of the United States, New York State, Nassau County and the Village of Sands Point.
 - H. The Board of Trustees may promulgate, by resolution, such additional rules and regulations as it deems necessary to further the purposes of this chapter.

§ 103-8. Penalties for offenses.

Each and every violation of any provision of this chapter or of any of the rules and regulations promulgated hereunder shall be punishable by a fine of not less than \$200 and not more than \$250.

§ 103-9. Revocation and suspension of license.

- A. The Village Clerk may revoke or suspend any license issued pursuant to this chapter upon receiving information giving him/her reasonable cause to believe that the holder thereof has violated any section of this chapter, or has made a false statement or misrepresentation on their license application.
- B. The revocation or suspension of any license by the Village Clerk is reviewable by the Board of Trustees upon written application submitted to the Village Clerk within 20 days of the effective date of the revocation or suspension being appealed. The Board of Trustees, after a public hearing, may resolve to affirm or reverse the decision of the Village Clerk.

§ 103-10. License to be in possession of person performing work.

The license issued pursuant to this chapter, or a photocopy signed by the licensee, shall be in the actual possession of the person performing the work at the site.

§ 103-11. Proof of insurance.

All landscapers must provide sufficient proof of insurance as deemed appropriate by the Village Clerk to protect the interests of the Village.

§ 103-12. Procedure for review of actions revoking license.

Any review of the revocation of any license by the Board of Trustees shall be pursuant to Article 78 of the Civil Practice Law and Rules.