



## NOTICE OF PUBLIC HEARING

**PLEASE TAKE NOTICE** that the WILMINGTON TOWN BOARD will hold a **PUBLIC HEARING** on October 8, 2024 at 6:45 pm at the Community Center, 7 Community Circle Drive, Wilmington, New York 12997 to consider the following:

***Local Law No. 4 of 2024 entitled a Local Law to regulate noise due to construction activities. Copies of said local law are available at the Town Clerk's office and on the town website ([www.townofwilmington.org](http://www.townofwilmington.org)).***

Public comment will be available to members of the public who attend the meeting in person as well as those who attend the meeting remotely. If you would like the opportunity to comment in writing, please send an email to [townsupervisor@townofwilmington.org](mailto:townsupervisor@townofwilmington.org) identifying yourself by name, address and telephone number.

To join the virtual meeting please go to <https://meet.goto.com/townofwilmington> or join by phone by dialing 1-408- 650-3123 Access Code: 377-399-733.

Dated: September 17, 2024

TOWN OF WILMINGTON

By:  /s Favor J. Smith

Favor J. Smith

*Dawn Stevens*  
Dawn Stevens  
Town Clerk

**Town of Wilmington**

**Local Law No. 4 of the year 2024**

**A Local Law to regulate noise due to construction activities**

**Be it enacted by the Town Board of the Town of Wilmington as follows:**

Article 1. - Authority. The Town Board of the Town of Wilmington, pursuant to the authority granted it under Section 130 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Town Board has determined that it would be beneficial for the Town to control and regulate the hours of operation for commercial construction, logging, and activity within the Town to mitigate the noise created by such activities. The provisions of this Local Law are intended to preserve and protect the health, character, safety, and general welfare of the residential neighborhoods and rural areas where such noise outside reasonable hours of operation produces adverse effects.

Article 3. - Enactment. No person shall perform, nor hire, direct, permit, allow or license another to perform, any construction work, or erect, demolish, assemble, alter, install or equip any building or structure, private or public highway, road, premise, park, utility line or other property, including but not limited to related activities such as land clearing, grading, earthmoving, excavating, filling and landscaping, performed outside of a fully enclosed structure after 7:00 p.m. or before 7:00 a.m., unless the Code Enforcement Officer determines that there is an imminent danger to life or property.

Article 4. Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

Article 5. Effective Date. This local law shall be effective immediately upon the filing of same with the Secretary of State of the State of New York.