

Mayor
Ralph Ekstrand
Deputy Mayor
Patricia A. Christiansen
Trustees
William A. Barrett
Cheryl L. Parisi
Walter Priestley

Village of Farmingdale

P.O. Box 220 • 361 Main Street • Farmingdale, New York 11735
Tel: 516-249-0093 • Fax: 516-249-0355
www.farmingdalevillage.com

Village Administrator –
Village Clerk/Treasurer
Brian Hartly
Village Attorney
Claudio DeBellis
Superintendent of Public Works
Andrew F. Fisch

February 2023

RE: 2023 Landscape Permit New/Renewal

Dear Landscaping Contractor,

Enclosed please find an application for your 2023 landscaping permit within the Village of Farmingdale. We require the enclosed application be completed and **mailed** to Village Hall prior to the March 31, 2023 deadline.

The following check list of all the items that must be submitted each year to ensure the timely issuance of your permit(s).

Check List:

- Notarized application**
- Include copies of all truck and trailer registrations**
- Proof of Liability Insurance**
- Nassau County Consumer Affairs license**
- Certificate of Workers' Compensation Insurance**

OR

Certificate of Attestation of Exemption from New York State Workers' Compensation (if Sole Proprietor)

You can apply for this form (CE-200) at www.wcb.ny.gov

- Pesticide Applicator Business Registration (if applicable)**
- Check or Money Order for appropriate amount made to:
Village of Farmingdale**

Thank you,

Inc. Village of Farmingdale
Permit Department

PLEASE NOTE THAT WE NO LONGER HAVE NOTARY SERVICES AVAILABLE

CHAPTER 57 LANDSCAPING AND SPRAYING

Section I The Code of the Village of Farmingdale is hereby amended by amending Sections 57-1 and 57-2 to read as follows:

57-1 LICENSE REQUIRED

No person shall perform any landscaping functions in the Village of Farmingdale without a license obtained from the Board of Trustees of the Village in accordance with this chapter. Landscaping functions, however, may be performed without a license by the owner or occupant of the property on which the work is performed or by the agent or employee of such owner or occupant.

57-2 ACTIVITIES REGULATED

The landscaping functions referred to herein shall include but are not limited to the cutting and maintenance of grass, the trimming, pruning and maintenance of shrubs, plants, trees or other foliage, the spraying of chemicals and the removal of trees and/or tree stumps. A person who engages in such landscaping functions shall hereinafter be referred to as a landscaper.

Section II This Local Law shall become effective immediately as provided by law.

57-3 WORK DONE WITHOUT LICENSE PROHIBITED; RESPONSIBILITY FOR LICENSE

No landscaper shall perform any landscaping functions within the Village of Farmingdale without first obtaining a license to do so from the Village Board of Trustees. All landscaping work by an unlicensed landscaper is prohibited. No property owner or occupant shall permit any unlicensed landscaper to perform any landscaping function on his or her property. Licenses shall be obtained by the proprietor of the landscape business or by a corporate officer.

57-4 APPLICATION PROCEDURE

Any landscaper desiring a license in accordance with this Article shall make application on forms prescribed by the Village Board of Trustees of the Inc. Village of Farmingdale or their designees.

57-5 FEES

Each applicant for a license shall pay a non-refundable application fee with the application in an amount to be established by duly adopted resolution of the Village Board. The applicant shall also pay to the Village Clerk or his or her designee upon the issuance of the license or license fee in an amount to be established by a duly adopted resolution of the Village Board.

57-6 EXPIRATION OF LICENSE; RENEWAL

All licenses issued pursuant to this Article shall expire March 31. Licenses may be renewed upon payment of an annual renewal fee in an amount to be established by duly adopted resolution of the Village Board. If the licensee fails to make proper, timely application for renewal, he or she shall be required to reapply and pay the additional license application fee as set forth in the preceding subsection as a non-refundable application fee with the application and the license fee referred to in the above subsection upon the issuance of the license.

57-7 CONSPICUOUS POSTING OF THE VILLAGE DECAL

- A. Each applicant shall fix to and display on the **LEFT FRONT FENDER** of each vehicle and on the **LEFT REAR FENDER** of any trailer regularly used in the course of its business an identification decal issued by the Village Clerk.
- B. Every vehicle and/or trailer used by the applicant must display identification decals.
- C. Additional identification decals for vehicles and/or trailers registered to the applicant and used for the purposes as described under this code may be obtained from the Village Clerk for a fee in an amount to be established by a duly adopted resolution of the Village Board.

57-8 REGULATIONS

The following rules and regulations shall apply:

- A. No person shall engage in the application of pesticides and insecticides unless that person has in his possession his certificate, duly issued by the New York State Department of Environmental Control, authorizing him to engage in such activity.
- B. Application of pesticides and insecticides by anyone by means of engine-powered spraying or dusting devices shall take place on any day that landscaping work is permitted. (Monday through Saturday, 8:00 a.m. to 7:30 p.m.)
- C. Landscaping work may be performed by landscapers only during the hours of 8:00 a.m. through 7:30 p.m., Monday through Saturday. **NO LANDSCAPING WORK IS PERMITTED ON SUNDAY'S.**
- D. **NO LANDSCAPER SHALL SCATTER, NOR IN USING ANY MECHANICAL OR ELECTRICAL BLOWER, CAUSE TO BE SCATTERED, ANY GARBAGE, REFUSE, CUTTINGS, LEAVES OR OTHER WASTE MATERIALS ON ANY PUBLIC STREET, ROAD OR PUBLIC PROPERTY WITHOUT REMOVING AND/OR CLEANING THE SAME IMMEDIATELY; NOR SHALL ANY OF SUCH MATERIAL BE ALLOWED TO ENTER ANY STORM DRAINS.**
- E. No one shall spill or dump oil, gasoline or other petroleum products or any pesticides on a public street, road or highway or right-of-way or 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.
- F. All vehicles and trailers are to be properly parked at a minimum of thirty (30) feet from the corner of any intersection. Hazard warning cones are to be placed at the front and rear of any landscaping vehicles and/or trailers that are parked in or alongside the roadway.

57-9 PENALTIES FOR OFFENSES

Each and every violation of any provision of this Article or any of the Rules and Regulations promulgated hereunder shall be punishable by a mandatory minimum fine of not less than one hundred dollars (\$100.) for each and every separate offense relating to a violation of this Article. The mandatory minimum fine shall be doubled for each repeated offense.

57-10 REVOCATION AND SUSPENSION OF LICENSE

In addition to the penalties set forth in 57-9 of this Article, the Village Board of Trustees may revoke or suspend any license issued pursuant to this Article for good cause shown after notice to the licensee and a public hearing.

57-11 LICENSE TO BE IN POSSESSION OF PERSON PERFORMING WORK

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

§ 333-1 Permit required.

[Amended 7-26-2001 by L.L. No. 1-2001]

No person shall perform any landscaping functions in the Village of Farmingdale without a permit obtained from the Board of Trustees of the Village in accordance with this article. Landscaping functions, however, may be performed without a permit by the owner or occupant of the property on which the work is performed or by the agent or employee of such owner or occupant.

§ 333-2Activities regulated.

[Amended 7-26-2001 by L.L. No. 1-2001]

The landscaping functions referred to herein shall include but are not limited to the cutting and maintenance of grass, the trimming, pruning and maintenance of shrubs, plants, trees or other foliage, the spraying of chemicals and the removal of trees and/or tree stumps. A person who engages in such landscaping functions shall hereinafter be referred to as a landscaper.

§ 333-3Work done without permit prohibited; responsibility for permit.

No landscaper shall perform any landscaping functions within the Village of Farmingdale without first obtaining a permit to do so from the Village Board of Trustees. All landscaping work by a landscaper without a permit is prohibited. No property owner or occupant shall permit any landscaper without a permit to perform any landscaping function on his or her property. Permits shall be obtained by the proprietor of the landscape business or by a corporate officer.

§ 333-4Application procedure.

Any landscaper desiring a permit in accordance with this article shall make application on forms prescribed by the Village Board of Trustees of the Incorporated Village of Farmingdale or its designees.

§ 333-5Fees.

Each applicant for a permit shall pay a nonrefundable application fee with the application in an amount to be established by duly adopted resolution of the Village Board of Trustees. The applicant shall also pay to the Village Clerk-Treasurer or his or her designee upon the issuance of the permit a permit fee in an amount to be established by a duly adopted resolution of the Village Board of Trustees.

§ 333-6Expiration of permit; renewal.

All permits issued pursuant to this article shall expire one year from the date of issuance. Permits may be renewed upon payment of an annual renewal fee in an amount to be established by duly adopted resolution of the Village Board of Trustees. If the permit fails to make proper, timely application for renewal, he or she shall be required to reapply and pay the additional permit application fee as set forth in the preceding section as a nonrefundable application fee with the application and the permit fee referred to in the above section upon the issuance of the permit.

§ 333-7Conspicuous posting of Village decal.

A.

Each applicant shall fix to and display on the left front fender of each vehicle and on the left rear fender of any trailer regularly used in the course of its business an identification decal issued by the Village Clerk-Treasurer.

B.

Every vehicle and/or trailer used by the applicant must display identification decals.

C.

Additional identification decals for vehicles and/or trailers registered to the applicant and used for the purposes as described under this article may be obtained from the Village Clerk-Treasurer for a fee in an amount to be established by a duly adopted resolution of the Village Board of Trustees.

§ 333-8Regulations.

The following rules and regulations shall apply:

A.

No person shall engage in the application of pesticides and insecticides unless that person has in his possession his certificate, duly issued by the New York State Department of Environmental Control, authorizing him to engage in such activity.

B.

Application of pesticides and insecticides by anyone by means of engine-powered spraying or dusting devices shall not take place prior to 8:00 a.m. on any day that landscaping work is permitted.

C.

Landscaping work may be performed by landscapers only during the hours of 8:00 a.m. through 7:30 p.m., Monday through Saturday.

D.

No landscaper shall scatter, nor in using any mechanical or electrical blower, cause to be scattered, any garbage, refuse, cuttings, leaves or other waste materials on any public street, road or public property without removing and/or cleaning the same immediately; nor shall any of such material be allowed to enter any storm drains.

E.

No one shall spill or dump oil, gasoline or other petroleum products or any pesticides on a public street, road or highway or right-of-way or 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.

F.

All vehicles and trailers are to be properly parked at a minimum of 30 feet from the corner of any intersection. Hazard warning cones are to be placed at the front and rear of any landscaping vehicles and/or trailers that are parked in or alongside the roadway.

§ 333-9 Penalties for offenses. [1]

Each and every violation of any provision of this article or any of the rules and regulations promulgated hereunder shall be punishable by a penalty not exceeding \$250 or 15 days' imprisonment, or both, for each and every separate offense relating to a violation of this article.

[1]

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 333-10 Revocation and suspension of permit.

In addition to the penalties set forth in § 333-9 of this article, the Village Board of Trustees may revoke or suspend any permit issued pursuant to this article for good cause shown after notice to the permittee and a public hearing.

§ 333-11 Permit to be in possession of person performing work.

The permit issued pursuant to this article or a photocopy signed by the permittee shall be at all times in the actual possession of the person performing the work at the site.

New York State Department of Environmental Conservation

Division of Water

Bureau of Water Resource Management, 4th Floor

625 Broadway, Albany New York 12233-3508

Phone: (518) 402-8086 • Fax: (518) 402-9029

Website: www.dec.ny.gov

Joe Martens
Commissioner

Dear Municipality:

The 2010 NYS Dishwasher Detergent and Nutrient Runoff Law includes provisions covering the sale and use of fertilizers containing phosphorus which become effective on January 1, 2012.

The law:

- Prohibits use of fertilizer containing phosphorus on non-agricultural lawns and turf, except where a new lawn is being established or where a soil test indicates the need for additional phosphorus.
- Prohibits application of any fertilizer for non-farm use between December 1st and April 1st
Restricts application of any fertilizer within 20 feet of a water body or on paved surfaces, with limited exceptions.
- Requires that retailers display phosphorus-containing fertilizers separately from non-phosphorus fertilizers and post an educational sign where the phosphorus fertilizer is displayed.

The provisions of this new law may require a change in municipal best management practices, and operating procedures. DEC encourages municipal staff to familiarize themselves with the law and plan ahead to comply.

Phosphorus causes impairments in over 100 waterbodies in New York State. These requirements will result in reducing the amount of phosphorus in stormwater runoff and improve water quality in these affected waterbodies.

For full information about the law please visit <http://www.dec.ny.gov/chemical/67239.html>.

Sincerely,

Robert M. Capowski, P.E.
Watershed Implementation Section

Village of Farmingdale

LANDSCAPER PERMIT APPLICATION

- *Valid from April 1st to March 31st* -

Date _____

Permit #'s _____

Fee Paid _____

Receipt # _____

FEES: \$100 *plus* **VEHICLE FEE** \$25 PER TRUCK, \$25 PER TRAILER

Name of Company: _____ Tel: _____

Address: _____

Name of Applicant: _____ Tel: _____

Address: _____

Is the applicant, or if a co-partnership or corporation, are the partners or officers therein citizens of the United States?

Yes No If No, Explain: _____

Does Entity intend on using pesticides? Yes No

If Yes, a valid D.E.C. Certificate must be attached to application.

How many vehicles are presently owned and operated? _____

How many vehicles, owned by others, are operated by the applicant? _____

Locations the vehicles will be stored: _____

Has the applicant, or any partner or officer of the applicant ever been convicted of any felonies or misdemeanors?

Yes No If Yes, List and Explain (Use additional sheet if necessary): _____

PLEASE NOTE: A Certificate of Insurance naming the Village of Farmingdale as the additional insured must be included in the application. Insurance coverage must be for a minimum of \$1,000,000.

FOR CORPORATIONS: State of Incorporation _____ Date of Incorporation: _____

Name	Address	Date of Birth
President _____	_____	_____
Vice President _____	_____	_____
Secretary _____	_____	_____
Treasurer _____	_____	_____

FOR PARTNERSHIPS: List names and addresses of owners:

Name	Address	Date of Birth
_____	_____	_____
_____	_____	_____

FOR INDIVIDUAL PROPRIETORSHIPS: List name and address of owner:

Name	Address	Date of Birth
_____	_____	_____

In consideration of the granting of the Permit hereby applied for, the applicant agrees that service made by the Village of Farmingdale or any Department, thereof, upon the person to whom such permit is issued by leaving a copy of any such Paper, Notice, Letter, Summons, Complaint, or Legal Process at the address herewith given and it is further agreed by the Applicants that they will conform with all rules and regulations of the Village of Farmingdale governing Landscapers.

**STATE OF NEW YORK
COUNTY OF NASSAU**

I, _____ being duly sworn, deposes and says that (s)he is the _____
Name of Applicant Title
of _____ described in the foregoing application, and that (s)he makes the said
Name of Company
application on behalf of the Company/Corporation/Entity; that the answers to the questions and other
statements contained therein is true of his own knowledge and belief, and that he or she signed the
foregoing application, for, and on behalf of the said Company/Corporation/Entity.

Applicant's Signature

To be completed by a Notary Public

Sworn to before me this _____ day of _____, 20 _____

Notary Public

FOR OFFICE USE ONLY

Police Department Records Check: _____

Insurance certificate attached and appropriate: _____ D.E.C. Certificate attached

Yes _____ Not Applicable

At the Board of Trustees meeting held on _____, the application was

Approved: _____ Disapproved: _____

Approved with stipulations: _____

License number issued: _____ on _____

Decal Numbers issued: _____

