

## EXCAVATIONS

### **S 19-1. Conformity required.**

### **S 19-2. Written permit required.**

### **S 19-3. Exception for cemeteries.**

### **S 19-4. Violations and penalties.**

### **S 19-5. When effective.**

**[HISTORY: Adopted by Attica Village Board 1-5-67.]**

### **S 19-1. Conformity required.**

No excavation, removal or storage of earth, sand, gravel, rock, topsoil or other similar material (excluding wood), other than excavation, removal or storage necessary in connection with the construction of buildings, structures, retaining walls, fences, private drives, parking lots, public improvements and public or private utilities, shall be commenced in the Village of Attica, except in conformity with the provisions of this ordinance.

### **S 19-2. Written permit required.**

Before the excavation, removal or storage of any of the materials mentioned in S 19-1, the owner or lessee of such premises or tract of land shall obtain a written permit therefore, to be issued by the Village Clerk of the Village of Attica, upon the authorization of the Village Board in its discretion, after a written request has been filed by the owner or lessee, or their agent.

### **S 19-3. Exception for cemeteries.**

Nothing herein contained shall prevent a cemetery from excavating for a grave, headstone or monument and removing or storing the surplus dirt or material resulting from such excavation.

### **S 19-4. Violations and penalties.**

A violation of this ordinance or of any provision or part by any person, firm or corporation is hereby declared to be an offense punishable by a fine not exceeding one hundred dollars (\$100.) or by imprisonment for a period not to exceed six (6) months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this ordinance, or any provision or

part thereof, shall be deemed misdemeanors, and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each day's continued violation shall constitute a separate additional violation. Notwithstanding the penalties herein provided, the Village of Attica may enforce obedience to this ordinance, or any part thereof by injunction to restrain the violation thereof.

**S 19-5. When effective.**

This ordinance shall take effect after due posting and publication pursuant to Section 95 of the Village Law.