

TOWN OF SOUTHPORT TIMBER HARVESTING RULES

PURPOSE:

The Town of Southport encourages the responsible use of timber as a renewable resource. This section applies to timber harvesting operations within the Town of Southport, and is intended to protect the landowner, the timber harvester, and the public.

DEFINITIONS:

Harvesting: Any cutting of trees for timber, lumber, or firewood

Timber or Timber Products: Trees cut from the stump for any use

Commercial Harvesting: Harvesting for profit or payment

Curb Cut: Any opening of a new road, driveway, or laneway onto a public roadway.

Property: Privately or publicly owned land within the Town of Southport

Public Roadway: Any road or highway which is publicly or privately owned or maintained and which is accessed and regularly used by the public.

Stream: Any stream, creek, river, or other flowing body of water.

Clear Cut: Any timber harvesting operation where all timber larger than four inches in diameter is harvested

Erosion Control Plan: A compilation of maps and documents demonstrating steps to be taken to prevent the erosion of soil on and from a property during and after timber harvesting operations

Code Enforcement Officer: The official designated by the Town Board to enforce the provisions of this Chapter.

“Best Management Practices During Timber Harvesting Operations”: Refers to a publication produced by the Chemung County Soil and Conservation District in 1997, or its successor document.

RULES:

- A. Unless a stream is crossed or a new curb cut is made, no Permit or Registration is required for the following:**
- 1. Harvesting of timber or timber products by the owner or resident of any property for use by that owner or resident, or**
 - 2. The commercial harvesting and removal from any property of not more than three ten wheel or tri-axle loads, or not more than two tractor trailer loads, of timber or timber products per 100 acres of land per calendar year.**
- B. Registration by the owner of any property will be required when the limits of part “A” of this section are exceeded or anticipated to be exceeded, but not more than 8 ten wheel or tri-axle loads, or 5 tractor trailer loads, are removed per 100 acres of property, or when any property exceeding 5 acres is “clear cut”. Such Registration shall be filed with the Code Enforcement Officer**
- 1. No permit fee or registration fee is required**
 - 2. A completed registration document shall contain the following information:**
 - a. Name, address, and phone number of the property owner**
 - b. Name, address, and phone number of the owner’s agent, if any**
 - c. Name, address, and phone number of the logger**
 - d. Address and tax map identification number of the property to be harvested**
 - e. The date of registration**
 - f. The approximate date that the harvesting is to commence**
 - g. The approximate date that the harvesting operation is to be completed**
 - h. The state, county, and local roads within the Town of Southport that are expected to be used to transport harvested timber from the logging site to market**
 - i. The signature of the property owner and the date signed**
 - j. The signature of the logger and the date signed**
 - 3. The logger shall submit to the Code Enforcement Officer proof of not less than five hundred thousand dollars (\$500,000) of general aggregate liability insurance.**
 - 4. A copy of the Chemung County Soil & Water Conservation District publication “Best Management Practices During Timber Harvesting**

Operations” will be given to the property owner with a recommendation that the Soil & Water Conservation District and the Code Enforcement Officer be contacted for advice.

- 5. If damage to adjacent property, runoff, or depositing a significant or measurable amount of mud or debris on any public roadway occurs, the timber harvesting operation shall stop and the requirements of Part “C” of this section shall apply.**
- 6. No harvesting of timber pursuant to this Part shall commence prior to the filing of a completed registration.**
- 7. The property owner or the owner’s agent shall notify the Code Enforcement Officer when the harvesting is complete.**

C. A revocable permit shall be required when the limits of part “B” of this section are exceeded, or when any property exceeding ten acres is “clear cut”. In addition to the provisions of Part “B”, the following conditions shall apply:

- 1. An erosion control plan shall be developed and filed with the application for a permit. The erosion control plan will be reviewed by the Code Enforcement Officer using the “Best Management Practices” contained within the Chemung County Soil and Water Conservation District’s publication “Best Management Practices During Timber Harvesting Operations” as a reference.**
- 2. The harvesting of timber pursuant to this part shall not commence until the Code Enforcement Officer has approved the erosion control plan and issued a permit, and may not continue after a permit has been revoked.**
- 3. Any deviation from the erosion control plan, or any damage to adjacent property, runoff, or depositing of mud or debris on any public roadway or in a stream shall cause a revocation of the permit, and will cause all harvesting to stop. The permit may be re-issued by the Code Enforcement Officer after a resolution of the problem causing the revocation of the permit and the adjudication of any related enforcement action.**

D. Enforcement

This ordinance shall be enforceable pursuant to the provisions of §1.10 of the Town of Southport Municipal Code.