

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Yorktown

Local Law No. 15 of the year 2011

A local law To Repeal Section 216-10 of the Code of the Town of Yorktown, in the Chapter Entitled
(Insert Title)
"PEACE AND GOOD ORDER," Pertaining to Sow Removal, and to Enact a New
Article Entitled "Snow and Ice Removal" in Chapter 250, Entitled "STREETS AND
SIDEWALKS," Creating Snow Removal Districts.

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Yorktown as follows:

Section I. Section 216-10, as added by local law number 18 of 1999, is hereby repealed.

Section II. Chapter 250 of the Code of the Town of Yorktown, entitled, "STREETS AND SIDEWALKS" is hereby amended by the addition of a new Article VI, to be entitled "Snow and Ice Removal," to read in its entirety as follows:

§ 250-31 Definitions.

SNOW REMOVAL DISTRICT means a snow removal district as shown on the town's Snow Removal District Map.

§250-32 Snow removal district map adopted.

The Snow Removal District Map identified and entitled "Snow Removal District Map," showing Town of Yorktown Snow Removal Districts, dated October 18, 2011, together with all of the explanatory matter thereon, is hereby adopted for the Town of Yorktown.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

§ 250-33 Snow removal requirements.

- A. In a Snow Removal District, within twelve (12) hours after a precipitation event has concluded, the owner and or occupant of premises abutting or bordering on paved sidewalks along a town street shall remove all snow and ice from such sidewalks, or in the cases where the snow and ice on the sidewalks cannot be removed without injury to the sidewalks, shall thoroughly cover the sidewalk with sand, salt or other suitable material so as to make the sidewalk safe for public use. The requirements of this section 250-33A shall not apply to commercial establishments or parking lots, regardless of location.
- B. The owner and or occupant of a commercial establishment or parking lot, regardless of location in or outside of a Snow Removal District, shall remove all snow and ice from the sidewalks abutting such commercial establishment or parking lot, or, in the cases where the snow and ice on the sidewalks cannot be removed without injury to the sidewalks, shall thoroughly cover the sidewalk with sand, salt or other suitable material so as to make the sidewalk safe for public use between the hours of 9:00 a.m. and 6:00 p.m.
- C. Notwithstanding any other provision in the Town Code to the contrary, an owner or occupant of residential premises abutting or bordering on paved sidewalks along a town street is not required to remove snow and ice from such sidewalks, or cover such sidewalk with sand, salt or other suitable material, if such residential premises not situated within any Snow Removal District.

§ 250-34. Penalties for offenses.

Any person committing an offense against any provision of this Article shall be guilty of a violation punishable by imprisonment for a term not exceeding 15 days or by a fine not exceeding \$250, or by both such fine and imprisonment. The continuation of an offense against the provisions of this Article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

§ 250-35. Enforcement.

This Article may be enforced by the Building Department Code Enforcement Officer, the Yorktown Fire Marshal and/or the Yorktown Police Department.

Section II. Conflicting law superseded.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of Yorktown, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section III. Severability.

The invalidity of any work, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section IV. Effective date.

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 15 of 2011 of the (County)(City)(Town)(Village) of Yorktown was duly passed by the Town Board on October 18, 2011, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

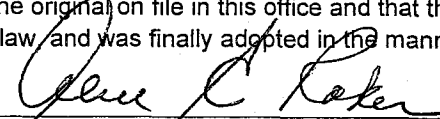
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law and was finally adopted in the manner indicated in paragraph 1 _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 11/2/2011

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF _____

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title

County _____
City of _____
Town _____
Village _____

Date: _____