

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 PORT JERVIS

Local Law No. _____ of the year 20 16

A local law AMENDING CHAPTER 417 OF THE PORT JERVIS CITY CODE ENTITLED
(Insert Title)
"PROPERTY MAINTENANCE" AND PROHIBITING THE PAVING OF FRONT YARDS
AT ALL RESIDENTIAL PARCELS LOCATED WITHIN THE CITY

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of PORT JERVIS as follows:

SEE ANNEXED PAGES.

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

CITY OF PORT JERVIS, ORANGE COUNTY, NEW YORK
LOCAL LAW NO. OF 2016

A LOCAL LAW AMENDING CHAPTER 417 OF THE
PORT JERVIS CITY CODE ENTITLED "PROPERTY MAINTENANCE"
AND PROHIBITING THE PAVING OF FRONT YARDS
AT ALL RESIDENTIAL PARCELS LOCATED WITHIN THE CITY

1. **Purpose.** The Common Council of the City of Port Jervis believes that paving of residential front yards throughout the City is aesthetically unpleasing detrimental to property values throughout the City's residential neighborhoods. Accordingly, the Common Council wishes to prohibit the paving of residential front yards with blacktop, concrete, or other road surface material throughout the City of Port Jervis.

2. **Legislation.** Chapter 417 of the Port Jervis City Code shall be amended so as to create an Article II. Article II shall be entitled "Prohibition Against Use of Blacktop or Other Road Paving Materials for Front Yards of Residential Properties and Prohibition of Blacktop as Sidewalk Material Throughout the City of Port Jervis". A new Section 417-5 of the Port Jervis City Code under Chapter 417, Article II, shall state as follows:

Use of blacktop or other road materials such as concrete, gravel, chips, and crushed stone shall be prohibited as cover for front yards on residential lots in the City of Port Jervis. Blacktopping or other road materials shall not be permitted between the front line and the front elevation of the principal building in all residential districts. This prohibition shall not apply to driveways or walkways from the front sidewalk to the front door or other doors of residential buildings. The City actions for non-compliance with this Section and penalties for offenses of this Section shall be the same as those set forth in Sections 417-3 and 417-4 of Article I of Chapter 417 of the Port Jervis City Code. Front yards are defined in Section 535-4 of Article II of Chapter 535 of the Port Jervis City Code.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.

(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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

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. 9 of 20 16 of the ~~(County)(City)(Town)(Village)~~ of PORT JERVIS COMMON COUNCIL was duly passed by the _____ on _____ 20 16, and was (approved)(not approved) (repassed after disapproval) by the MAYOR _____ and was deemed duly adopted on _____ 20 16, in accordance with the applicable provisions of law.

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____.

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.

* 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 _____ above.

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

Date: _____

(Seal)