

LOCAL LAW NO. 5 OF 2016

**A LOCAL LAW REGARDING AMENDMENTS TO SECTION 464-43
OF THE PORT JERVIS CITY CODE DEALING WITH SNOW
AND ICE REMOVAL ON CITY SIDEWALKS AND FIRE
HYDRANTS ADJACENT TO REAL PROPERTY
WITHIN THE CITY OF PORT JERVIS,
ORANGE COUNTY, NEW YORK**

1. Purpose.

A. Article IV, Section 464-43, deals with the duty of any owner, lessee or occupant or other person having control of any occupied or unoccupied lot, land, dwelling or other building or structure in the City of Port Jervis to maintain a clear path, clear of ice or snow, along the sidewalk areas adjacent to said property and to clear snow from around any fire hydrants adjacent to any such property. The current Code Section requires that paths on sidewalk areas be cleared to a width of two (2') feet and does not specify the specific areas to be cleared from around fire hydrants. The purpose of this legislation is to increase the width of clearing along sidewalks from two (2') feet to thirty-six (36") inches and to specify the necessity to clear snow from around fire hydrants to twelve (12") inches on each and every side of the fire hydrant.

2. Legislation. Article IV, Section 464-43, of the Port Jervis City Code is hereby amended as follows:

A. Section 464-43A in lines three and four as they now appear in the existing Port Jervis City Code Book shall be amended and changed to provide that owners, lessees, or occupants or other persons having control of any occupied or unoccupied lot, land, dwelling or other building or structure within the City of Port Jervis, in the event of ice or snow accumulation, must maintain a clear path, clear of ice and snow, at least thirty-six (36") inches wide along the sidewalk areas adjacent to said lot, land, dwelling or structure. This amendment or change increases the width of clearing from the existing two (2') feet wide requirement to a thirty-six (36") inches wide clearing width.

In addition, the requirement currently set forth in the 6th and 7th lines of Article IV, Section 464-43A of the Port Jervis City Code Book setting forth the duty of property owners to clear snow from any fire hydrants adjacent to their properties shall be amended to state that the property owner shall clear snow to a width of twelve (12") inches on each and every side of any fire hydrants adjacent to their property.

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.