

CITY OF PORT JERVIS

Introductory Local Law No. 4 of 2021
A LOCAL LAW AMENDING THE CITY OF PORT JERVIS' PROPERTY
MAINTENANCE CODE ARTICLE II, SECTION 417-5

Be it enacted by the City Council of the City of Port Jervis, County of Orange, State of New York as follows:

Section 1 Intent & Purpose.

The purpose of this local law is to update and amend the City of Port Jervis' Property Maintenance Code such that it is in conformity with the terms of the City's Zoning Code as it relates to suitable materials for sidewalks in residential areas. In order to better implement the City's Property Maintenance Code and promote the health, safety and welfare of the community, it is necessary to ensure that all sections of the City's Code are consistent throughout.

Section 2 Amendment.

The City of Port Jervis Property Maintenance Code, Article II, Section 417-5, entitled "Blacktop and other paving materials prohibited", shall be replaced with the following:

§ 417-5. Blacktop and other paving materials prohibited.

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, walkways from the front sidewalk to the front door or other doors of residential buildings or public sidewalk areas located between the front yard of the subject premises and the street parallel thereto except that the front yard shall remain green space. The City actions for noncompliance with this section and penalties for offenses of this section shall be the same as those set forth in §§ 417-3 and 417-4 of Article I of Chapter 417 of the Port Jervis City Code. "Front yard" is defined in § 535-4 of Article II of Chapter 535 of the Port Jervis City Code.

Section 3. Severability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.