

(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.

Village of Clayton

Local Law No. 3 of the year 2021

**A local law to amend and restate Article V of Chapter 110 of the Code
of the Village of Clayton, Snow Removal**

Be it enacted by the Village Board of the Village of Clayton as follows:

Section 1. Authority.

This local law is adopted pursuant to the authority granted by § 7-700 of the New York state Village Law, § 922 of the New York state Executive Law, § 10 of the Municipal Home Rule Law and Section IX of the New York State Constitution.

Section 2. Statement of Purpose. The Board of Trustees of the Village of Clayton finds that Article V of Chapter 110 of the Code of The Village of Clayton is not sufficient to keep sidewalks clear of snow and ice and provide access during winter months when the Postal Service, delivery services and emergency vehicles have difficulty traversing sidewalks blocked by snow, ice and other obstructions

Section 3. Enactment.

Article V of Chapter 110 of the Code of the Village of Clayton shall be amended and restated in its entirety as follows:

Article V. Snow Removal

§ 110-25. Removal from Sidewalks Required.

No owner of real property within the Village of Clayton that has a sidewalk located between the property and the improved street margin shall allow that portion of the sidewalk to remain obstructed by snow or ice not later than by 6:00 p.m. daily, whether the snow accumulation is by snowfall, wind, plowing, or any other means. The duty imposed on a property owner by this section to remove snow and ice from the sidewalk shall apply regardless of whether the sidewalk is located within the owner's property boundary line or inside the street right-of-way.

§110-26. Placement of Snow and Ice in Streets.

Snow and ice removed from sidewalks and driveways shall not be placed in the streets of the Village.

§ 110-27. Removal by Village Upon Noncompliance by Owner; Collection of Costs.

After 6:00p.m. daily the Village of Clayton shall have the option of removing snow and ice accumulated on sidewalks and not removed by the property owner as required by this local law and charging the expenses thereof against the property owner at such rates as shall be established by the Board of Trustees. In the event that the billing for such snow removal is not paid to the Village of Clayton on or before the first day of May each year, such amounts shall be added to the Village taxes assessed against the property and shall be collected under the same provisions as provided for the collection of the Village taxes.

§ 110-28. Penalties for offenses; liability for injuries or damages.

A. Any violation of the provisions of this article shall be punishable by a fine not exceeding \$250 or imprisonment for a term not exceeding 15 days, or both.

Section 3. SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this local law shall be adjudged invalid, such judgment shall apply only to such section, paragraph, subdivision, clause or provision so adjudged, and shall not affect, impair, or invalidate any other part or portion of this local law.

Section 4. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State.

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

