

**Village of Croton-on-Hudson
Board of Trustees**

LOCAL LAW INTRODUCTORY NO. 1 2011

**A LOCAL LAW REVISING REQUIREMENTS FOR SNOW AND ICE REMOVAL
FROM SIDEWALKS WITHIN THE VILLAGE**

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One. Section 197-15 of Chapter 197 of the Code of the Village of Croton-on-Hudson, last amended by Local Law 1-2000, is hereby amended in its entirety to read as follows:

§ 197-15. Snow and ice on sidewalks.

- A. Purpose. The purpose of this section shall be to preserve public peace and good order in the Village, and to contribute to the public welfare, safety and good order of its people by establishing certain regulations for the removal of snow and ice from the streets and sidewalks of the Village.
- B. Duty to clear or make safe. Except as otherwise provided herein, it shall be the duty, jointly, of the owner, occupant, lessee, or person having charge or control of any parcel of real estate adjoining a public sidewalk, whether the parcel is improved or unimproved, to keep such sidewalks free from snow and ice for the full paved width of such sidewalk; provided, however, that in case the snow or ice on any such sidewalk shall be frozen so hard that it cannot be removed without injury to the sidewalk, the owner, occupant, lessee, or person having charge or control shall, within the time specified in this section, cause such sidewalk to be covered and strewn with sifted ashes, sand or other suitable material so as to be no longer dangerous to life and limb, and, as soon as practical thereafter, shall cause such sidewalk to be completely cleared of snow, ice, and other materials strewn thereon.

- (1) Exemptions. Because imposing the duty to clear or make safe would, due to geographical circumstances and limitations, create an undue burden on those charged with such duty, the following sidewalks or portions thereof are exempt from the requirements of this section 197-15:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
<u>Old Post Road South</u>	<u>East Side</u>	<u>From the intersection of Cleveland Drive for a distance of 825 feet north thereof</u>
<u>Radnor Avenue</u>	<u>North Side</u>	<u>From the intersection</u>

		<u>of Old Post Road South for a distance of 50 feet West thereof</u>
<u>Cleveland Drive</u>	<u>East Side</u>	<u>From the intersection of Old Post Road South to the intersection of Alexander Lane</u>
<u>Cleveland Drive</u>	<u>East Side</u>	<u>From the intersection of Alexander Lane for a distance of 213 feet North thereof</u>
<u>South Riverside Avenue</u>	<u>East Side</u>	<u>From the intersection of Bungalow Road for a distance of 1024 feet south thereof</u>
<u>Brook Street</u>	<u>North Side</u>	<u>From the point beginning 365 feet from the intersection of South Riverside Avenue for a distance of 435 feet East thereof</u>

Notwithstanding the foregoing, should anyone other than a Village employee or contractor choose to clear or make safe such exempted sidewalks or portions thereof, such person shall comply with paragraphs F. and G. of this section.

- C. Time limit. Snow and ice shall be removed from sidewalks within twenty-four (24¹⁸) hours after the end of a snowfall. In addition, sidewalks adjoining commercial establishments and commercial parking lots shall be kept free of snow and ice at all times between the hours of 9:00 a.m. and 5:00 p.m.
- D. Removal by Village. Whenever any person having a duty to clear pursuant to this section fails to remove the snow and ice from a sidewalk within the time specified above or within six (6) hours after written notice from a Village Police Officer, Code Enforcement Officer, Superintendent of Public Works, the Village Manager, or their designees, to remove same, the Village may cause such snow and ice to be removed or such sidewalk to be covered as provided above, and the cost and expense of doing such work shall be reported to the Village Clerk.
- E. Collection of Costs for Removal by Village. The Village shall promptly present to the owner or occupant of each parcel a bill for the removal of snow and ice, or covering of a sidewalk as provided herein, as certified by the Superintendent of Public Works. If not

paid within thirty (30) days, the cost thereof shall be assessed against the property, added to their tax bill, and become a lien thereon, collectible in the same manner as delinquent Village taxes and assessments.

- F. Depositing on Streets. No person, firm or corporation shall deposit, throw, place or strew, nor shall any person, firm or corporation cause to be deposited, thrown, placed or strewn, any snow or ice upon any street, avenue or roadway within the Village.
- G. Placing of Snow and Ice on Another's Property. No person firm, corporation, property owner or occupant shall remove snow or ice from any parcel of real estate and place it upon another parcel of real estate without the express permission of the owner of the latter.
- H. Penalties for Offenses. Any person violating any provisions of this section shall be liable to a penalty as provided in § 1-12 of Chapter 1, General Provisions.

Section Two. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three. This local law shall take effect immediately upon filing with the Secretary of State.