

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED

JUL 22 2003

Village of Deposit

Local Law No. 2 of the year 2003.

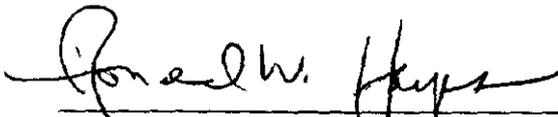
**MISCELLANEOUS
& STATE RECORDS**

A local law Amending Chapter 113 Entitled, Streets and Sidewalks, of the Code of the Village of Deposit

Be it enacted by the Village Board of Trustees of the

Village of Deposit as follows:

See attached sheets.



Ronald W. Hayes, President, Board of Trustees

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

**A LOCAL LAW AMENDING CHAPTER 113
ENTITLED, STREETS AND SIDEWALKS,
OF THE CODE OF THE VILLAGE OF DEPOSIT**

Section 1.

Chapter 113 entitled, Streets and Sidewalks, of the Code of the Village of Deposit, is hereby amended as follows:

1. Article I, Snow, Ice and Other Obstructions, is hereby amended as follows:

a. §113-1, is amended as follows:

The owner or occupant of every property shall keep and maintain the existing sidewalks adjoining his premises in a safe, passable condition and the sidewalk free from snow, ice, dirt, filth, weeds and other obstructions.

b. §113-2 entitled, Removal of obstructions by owners or occupants; failure to remove; removal by village, is hereby amended as follows:

1. Any owner or occupant of premises who has been notified by the Village Clerk or Code Enforcement Officer that the contiguous sidewalks are in violation of Section 113-1, except as regard to snow and ice, and who shall fail to correct the condition within sixty (60) days of the sending of such notice to his last known address by mail shall be in violation of this section. In addition to the penalties otherwise enforceable for general violation of this chapter, the village may thereafter correct the prohibited condition and assess the cost thereof against the owner of the adjacent property. Such cost, if not paid within thirty (30) days, shall be assessable against the property as a tax thereon.

2. In the case of snow and ice, no such sixty-day notice is required and if, within twenty four (24) hours after the cessation of every fall of snow or the formation of any ice, the owner or occupant of any premises shall fail to clear such sidewalk of snow and ice, he shall

be in violation of this section unless such time period be extended by the Code Enforcement Officer of the Village by reason of the fact that such ice is too thick to be removed within such twenty four (24) hour period, in which event such ice must be removed within such reasonable time as determined by the Code Enforcement Officer. In addition, the Village may clear such sidewalks of snow and ice without notice if they are not cleared by the owner or occupant within the said twenty four (24) hours and assess the cost thereof against the owner of the adjacent property. Such cost, if not paid within thirty (30) days, shall be assessable against the property as a tax thereon.

Section 2.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this Local Law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this Local Law that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 3.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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 2 of 2003 of the Village of Deposit was duly passed by the Village Board of Trustees on July 8, 2003, 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. _____ of the _____ of _____ was duly passed by the _____, and was _____ by the _____ and was deemed duly adopted on _____, 2003, 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 2003 of the _____ of _____ was duly passed by the _____ on _____ and was _____ by the _____ on _____. Such local law was submitted to the people by reason of a _____ referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the _____ election held on _____, 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 2003 of the _____ of _____ was duly passed by the _____ on _____ and was _____ by the _____ on _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 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 Chaner revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of _____ 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 _____ election held on _____ 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 2003 of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 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 1 above.

Dated: July 15, 2003

Meg Hungerford
Clerk of the County legislative body, City, Town or village Clerk or officer designated by local legislative body
Meg Hungerford, Village Clerk

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK :
: SS:
COUNTY OF BROOME :

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Catherine C. Schaeve
Catherine C. Schaeve, Esq.

Attorney for the Village
Title

Village of Deposit

Date: July 16, 2003