

**VILLAGE OF COLD SPRING
LOCAL LAW NO. ____ OF 2015**

**A LOCAL LAW AMENDING THE VILLAGE CODE OF THE
VILLAGE OF COLD SPRING REGULATING STREETS AND SIDEWALKS TO
ADDRESS REMOVAL OF SNOW AND ICE FROM VILLAGE SIDEWALKS**

BE IT ENACTED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF
COLD SPRING, COUNTY OF PUTNAM, STATE OF NEW YORK, AS FOLLOWS:

Section 1. Purpose.

This local law amends the requirements for the cleaning of sidewalks in the Village of Cold Spring and establishes certain regulations for the removal of snow and ice from the sidewalks of the Village in order to protect the public health, safety, and general welfare by providing safe walkways for pedestrians along streets and roads in the Village. No environmental resources in the Village will be affected. This local law is adopted pursuant to Section 10 of Article 2 of the Municipal Home Rule Law.

Section 2. Amendment of Code.

The Village Code, Chapter 108, entitled “Streets and Sidewalks”, is hereby amended at Section 108-21, entitled “Cleaning of Sidewalks”, by deleting the current text of that Section and replacing it with the following:

“§ 108-21. Cleaning of Sidewalks; snow and ice removal.

- A. General. The owner or owners and occupant or occupants of each and every building and lot of ground in the Village shall at all times keep the sidewalk in front of their respective houses, buildings and lots free from weeds and rubbish of every kind.
- B. Snow and ice removal. The owner or owners and occupant or occupants of each and every building and lot of ground in the Village shall at all times during the season of frost keep the sidewalk in front of their respective houses, buildings and lots free of snow and ice.
- C. Time limit for snow and ice removal. Snow and ice shall be removed within 18 hours after the end of a snowfall. Sidewalks in front of commercial establishments and commercial parking lots shall be kept free of snow and ice at all times between the hours of 10 a.m. and 5:00 p.m.
- D. Use of sand **or other material**. In the event snow or ice on any sidewalk cannot be removed, it shall, within the time frame specified in §108-21(C), **be covered with sand and other materials not detrimental to the concrete such as calcium chloride, in such a manner as will enable persons to walk thereon with safety. Rock salt or salt based materials shall not be used.** As soon as practical thereafter, the sidewalk shall be

completely cleared of snow, ice and other materials strewn thereon.

- E. Snow, ice and water falling from buildings. The owner or owners and occupant or occupants of buildings adjacent to public sidewalks and walkways shall take reasonably adequate measures to protect the public from the falling snow, ice or water from such buildings upon those sidewalks.
- F. Deposit on Streets. No individual or entity of any kind shall deposit, throw, place or strew, nor shall any individual or entity cause to be deposited, thrown, placed or strewn, any snow or ice upon any street, avenue or roadway within the Village of Cold Spring.
- G. Penalties for offenses. Notwithstanding any provision for penalties for other violations within this Article, any person, firm, corporation or property owner who or which shall violate any provision of this local law shall, upon conviction thereof, be subject to a fine of not less than twenty-five dollars (\$25) nor more than two-hundred and fifty dollars (\$250) for each offense. Each day that a violation continues shall be considered a separate offense.
- H. Enforcement. **The Police Department of the Village of Cold Spring or any other Police Department then servicing the Village of Cold Spring and/or the Building Inspector or Code Enforcement Officer for the Village of Cold Spring shall have the power, right and authority to issue an appearance ticket, as the same is defined in Article 150 of the Criminal Procedure Law (CPL) of New York State, for the violation of this section. The appearance ticket may be served in the manner proscribed in CPL §150.40.2, which authorizes service under §308 of the Civil Practice Law and Rules of New York State.”**

Section 3. Separability.

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 Village Board of Trustees of the Village of Cold Spring 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 Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.