

LOCAL LAW 5 OF 2019

A LOCAL AMENDING CHAPTER 256 OF THE CODE OF THE VILLAGE OF WALDEN ENTITLED “STREETS AND SIDEWALKS” TO THE EXTENT OF AMENDING SECTIONS 256-24 and 256-25

BE IT ENACTED by the Village Board of the Village of Walden as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law Amending Chapter 256 of the Code of the Village of Walden entitled “Streets and Sidewalks” to the extent of amending Sections 256-24 and 256-25.”

SECTION 2 – PURPOSE & INTENT

The purpose of this Local Law is to provide both clarity and flexibility in terms of the authorization of the appropriate Village of Walden official who may direct the owner or occupant of any parcel of real estate adjoining a public sidewalk to remove the snow and ice from such sidewalk in accordance with the Village Code and to provide for the Village to be reimbursed for such removal.

SECTION 3 – AMENDMENT TO TEXT OF CODE SECTION 256-24.

Existing Village Code Section 256-24 is hereby deleted and replaced with the following:

§ 256-24. Removal by Village.

Wherever the owner or occupant of any parcel of real estate adjoining a public sidewalk fails to remove the snow and ice from such sidewalk adjoining such property within the time specified in this article, the Village may remove or cause to be removed said snow and ice from such sidewalk and thereafter duly record the expense incurred by the amount of labor, equipment and materials used.

SECTION 4 – AMENDMENT TO TEXT OF CODE SECTION 256-25.

§ 256-25. Cost of removal by Village.

Existing Village Code Section 256-25 is hereby deleted and replaced with the following:

Within 30 days of receiving notification from the Village of snow and ice being removed from sidewalks pursuant to §256-24, the Village shall present to the owner or occupant of each parcel a bill for the removal of snow and ice as certified by the Village. If not paid

within 30 days of presentment, the cost thereof shall be assessed against the property and become a lien thereon, collectible in the same manner as delinquent Village taxes.

SECTION 5 - VALIDITY

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

SECTION 6 - EFFECTIVE DATE

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