

Local Law Filing

(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.

~~County~~
~~City~~
of Walden
~~Town~~
Village

Local Law No. 2 of the year 2021

A local law Amending Chapter 256 of the Code of the Village of Walden entitled “Streets and Sidewalks” to the extent of amending Article VI, entitled “Snow and Ice Removal” by amending Sections 256-22 and 256-25.
(Insert Title)

Be it enacted by the Village Board
(Name of Legislative Body)

of the
~~County~~
~~City~~
of Walden as follows:
~~Town~~
Village

Section 1. Title

1.1 A local law amending Chapter 256 of the Code of the Village of Walden entitled “Streets and Sidewalks” to the extent of amending Article VI, entitled “Snow and Ice Removal” by amending Sections 256-22 and 256-25.

Section 2. Purpose and Intent:

2.1 The purpose of the snow and ice removal provisions in the Village Code are set forth in the existing Code Section 256-20. This amendment is intended to provide clarification regarding the process by which snow and ice removal costs incurred by the Village may be recovered from the property occupants and/or owners.

Section 3. Amendment to Chapter 256, Article VI, Section 256-22

- 3.1 The existing Code Section 256-22 is deleted in its entirety and replaced with the following:

256-22. Time Limit for Removal.

Snow and ice shall be removed within 24 hours after the end of the weather event causing the accumulation of snow and/or ice. In the event that snow and ice are not removed within said 24 hour period, the Village may remove the said snow and ice as provided in Section 256-24 hereof and assess the cost for removal as set forth in Section 256-25 hereof.

Section 4. Amendment to Chapter 256, Article VI, Section 256-25

- 4.1 The existing Code Section 256-25 is hereby amended by the addition of the following language, to be inserted at the end of the existing Section:

Said owner or occupant shall have the right to appeal the costs assessed by the Village. Said appeal must be made in writing to the Village Manager within 15-days of receipt of the notification provided by this Section. The appeal shall contain all facts, arguments, and evidence pursuant to which the owner or occupant seeks to overturn the determination of the Village. The Village Manager shall thereafter have 15-days to issue a written determination on the appeal. The determination of the Village Manager shall be deemed to be a final determination.

Section 5. SEQRA:

5.1 This local law is an unlisted action pursuant to the implementing regulations of the *Environmental Conservation Law* as set forth at *6 NYCRR 617 et.seq.* There are no other involved agencies, coordinated review is not required and Board of Trustees shall act as Lead Agency in connection with this local law.

Section 6. Severability

6.1 If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 7. 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.