

LOCAL LAW NO.: 4 - 2010

OF

APRIL 26, 2010

**A LOCAL LAW AMENDING ARTICLE IX OF THE CITY CHARTER
ENTITLED “DEPARTMENT OF PUBLIC WORKS” SECTION C9.30, “DUTY
OF ABUTTING OWNER TO REPAIR AND MAINTAIN SIDEWALK AND FOR
REMOVAL OF SNOW AND ICE”
WITHIN THE CODE OF THE CITY OF NEWBURGH**

BE IT ENACTED by the City Council of the City of Newburgh as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law amending Article IX of the City Charter entitled “Department of Public Works” Section C9.30, “Duty of abutting owner to repair and maintain sidewalk and for removal of snow and ice” within the Code of the City of Newburgh.

SECTION 2 - AMENDMENT

Article IX, Section C9.30, “Duty of abutting owner to repair and maintain sidewalk and for removal of snow and ice” shall be amended to read as follows:

§ C9.30. Duty of abutting owner to repair and maintain sidewalks and curbs and for removal of snow and ice; transfer of liability to abutting owner.

It shall be the duty of the owner [or occupant] of property abutting a street, highway, travelled road, public lane, alley or space to make, maintain and repair the sidewalks and curbs adjoining his or her land and keep such sidewalks, curbs and the adjoining gutters free and clear of snow and ice and other obstructions. Such owner [or occupant shall and each of them] shall be liable [for] to any persons injur[y]ed [or] and property damage by reason of commission, failure or negligence to make, maintain and repair such sidewalks and curbs and to keep such sidewalks, curbs, and adjoining gutters free and clear of snow and ice and other obstructions, and the City of Newburgh shall not be liable.

SECTION 3 - VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 4 - 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.

Underlining denotes additions
[Brackets] denote deletions