

# ***Local Law Filing***

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**(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.

## **Village of FRANKLIN**

### **Local Law No. 2 of the year 2024**

**A local law adopted to address snow removal within the Village of Franklin, NY**

**Be it enacted by the Board of Trustees of the Village of Franklin of the County of Delaware as follows:**

#### **Section 1. Local Law No. 2 of 2024 – Village of Franklin Snow Removal**

##### **Purpose and Intent**

To ensure the safety and well-being of all who traverse on public sidewalks that border real property within the Village of Franklin.

##### **Section 2: Removal of Snow**

It shall be the duty of the owner of any parcel of real property, occupied or unoccupied, that borders a public sidewalk, to remove any amount of snow and ice within 12 hours after the end of snowfall. Sidewalks must be free of snow and ice for the full width of the sidewalk. No person, firm, corporation or property owner shall remove snow and ice from one property and place it on another parcel without written consent of said property owner. Snow and ice may not be deposited on a public roadway. Sidewalks in front of a business or public gathering place shall be clear of snow and ice by 9 am each day, regardless of when snowfall ends, and shall remain free of snow and ice for the duration of business hours.

##### **Section 3: Notice to Remove, Removal by Village, Liability for Cost, Liability for Property Damage**

A: Notice: Whenever the owner of a parcel of real property bordering a public sidewalk fails to remove the snow and ice from such sidewalk adjoining said property within the specified timeframe, the Village Superintendent of Public Works shall hand deliver a notice to remove.

B: Removal by the Village of Franklin: If the snow and/or ice is not removed by the following day, it shall be the duty of the Village Superintendent of Public Works or a designee (snow removal service) to remove said ice and/or snow.

C. Liability for Cost: The property owner will be billed a snow removal fee of no less than \$75 and an administrative fee of \$25 for each violation or such other amounts that shall be passed from time to time by the Village Board. Snow and ice that is deposited

on a public roadway will result in the property owner being billed for a removal fee of \$75 as well as an administrative fee of \$25 or such other amounts that shall be passed from time to time by the Village Board. This bill must be paid within 30 days and, if unpaid, the cost will be levied against the owner's property taxes.

D. Liability for Property Damage: The Village of Franklin will not be liable for any property damage incurred, in the event that the Village or its designee is required to remove said ice and snow from an owner's real property. The Village Superintendent of Public Works will take before and after photographs to document snow removal.

**Section 4: Effective Date**

The law will take effect immediately upon filing in the office of the New York State 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 2024 of the (Village) of Franklin was duly passed by the Board of Trustees 10-11 on   , 2024, in accordance with ~~the Board of Trustees~~ 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 20   of the (County)(City)(Town)(Village) of    was duly passed by the    on    20  , and was (approved)(not approved) ~~(Name of Legislative body)~~ (repassed after disapproval)    by the    and was deemed duly adopted   
 ~~(Elective Chief Executive Officer\*)~~   
 on    20  , in accordance with the applicable provisions of law.~~

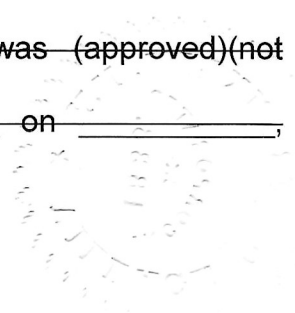
**3. (Final adoption by referendum.)**

~~I hereby certify that the local law annexed hereto, designated as local law No.    of 20   of the (County)(City)(Town)(Village) of    was duly passed by the    on    20  , and was (approved)(not approved) ~~(Name of Legislative body)~~ (repassed after disapproval)    on   , 20     
 ~~(Elective Chief Executive Officer\*)~~~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on 20  , 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 20   of the (County)(City)(Town)(Village)    of was duly passed by the    on    20  , and was (approved)(not approved) ~~(Name of Legislative body)~~ (repassed after disapproval)    on   , 20     
 ~~(Elective Chief Executive Officer\*)~~~~





Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, 20\_\_\_\_, 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 Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ 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 (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, 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 \_\_\_\_\_, above.

(Seal)

*Paula Neuback*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 10/11/2024

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

