

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 ☐ Town ☒ Village
(Select one:)

of Rockville Centre

Local Law No. 7 of the year 2014

A local law to amend the Code of the Village of Rockville Centre, in relation to

(Insert Title)

liability for failure to maintain or repair sidewalks

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of Rockville Centre **as follows:**

Section one. The title of section 287-9 of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

“§ 287-9. Sidewalk maintenance; penalties for offenses; civil liability.”

Section two. Section 287-9(A) of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

“A. The owner, occupant, agent, lessee or tenant of any premises or lot shall be jointly and severally responsible for keeping the contiguous sidewalks and the section of land, if any, between said contiguous sidewalk and the street clean and free from garbage, refuse, rubbish, litter, filth or other offensive matter, weeds and other obstructions or encumbrances. There shall be a rebuttable presumption that any person cited for a violation of this subsection shall have possessed knowledge of said violation and shall have failed to correct the same. “

Section three. Section 287-9 of the Code of the Village of Rockville Centre is hereby further amended, by adding thereto a new paragraph to be paragraph D, to read as follows:

“D. Civil liability. The owner or occupant of lands, other than land used for a one family or two family dwelling, shall be liable for any injury or damage caused to any person or property by

reason of such owner or occupant's omission, failure or negligence to make, maintain or repair such sidewalk or section of land, or to remove snow, ice or other obstructions therefrom, or for a violation or nonobservance of the provisions of this Code relating to making, maintaining and repairing such sidewalks and sections of land and the removal of snow, ice and other obstructions therefrom."

Section four. If any clause, sentence, paragraph, or section of this local law shall be held invalid by any court of competent jurisdiction, or the application of this local law to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or operation of this local law directly involved in the controversy in which the judgment shall have been rendered.

Section five. This law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)



(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. 7 of 2014 of the ~~(County)(City)(Town)~~(Village) of Rockville Centre was duly passed by the Board of Trustees on July 14 2014, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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) by the _____ 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) by the _____ on _____ 20__. Such local
(Elective Chief Executive Officer*)
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, 1 above.

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

(Seal)

Date: July 14, 2014

