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**TOWN OF HARRISON
VILLAGE OF HARRISON
ATTORNEY'S OFFICE**

MEMORANDUM

TO: Ronald Belmont, Supervisor
Members of the Town Board

FROM: Frank P. Allegretti, Town Attorney 

DATE: March 7, 2014

RE: Proposed Local Law No. ___ of 2014

**Amending Chapter 201 entitled "Streets and Sidewalks"
Article III, Section 201-22, "Obstructions, prohibited, exceptions" and
amending Chapter 47 entitled "Appearance Tickets", Section 47-D.
"Public servants authorized to serve appearance tickets."**

Attached herewith is a proposed local law regarding the above referenced matter.

If acceptable, please schedule this matter for a Public Hearing for the May 1, 2014 Town Board meeting.

If you have any questions or comments, please contact me.

FPA:ap
Attachment

PUBLIC NOTICE

Proposed Local Law No. ____ of 2014

**Amending Chapter 201 entitled "Streets and Sidewalks"
Article III, Section 201-22, "Obstructions, prohibited, exceptions"
and amending Chapter 47 entitled "Appearance Tickets",
Section 47-2, D. "Public servants authorized to serve appearance tickets."**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Harrison, at its meeting to be held at 7:30 P.M., on Thursday, May 1, 2014, at the Municipal Building, 1 Heineman Place, Harrison, New York, will hold a Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, to amend Chapter 201 entitled "Streets and Sidewalks," Section 201-22, "Obstructions prohibited; exceptions" and Chapter 47 entitled "Appearance Tickets" Section 47-2. D., "Public servants authorized to serve appearance tickets," in the Town Code of the Town of Harrison as follows: (new material is underlined).

§ 201-22. Obstructions prohibited; exceptions.

No person shall obstruct or encumber any street, sidewalk or other public place with any article or thing whatsoever, and any obstruction or encumbrance on said street, sidewalk or public place shall be removed therefrom by the police under the direction of the Superintendent of Highways, but this section shall not be construed to authorize the removal of any such obstruction or encumbrance necessarily incident to the work of regulating, grading, paving or repaving any street or public place or the doing of any public work, nor to any obstruction or encumbrance permitted by the Superintendent of Highways or by any ordinance or resolution of the Town Board provided that the regulations and conditions of such ordinance or resolution or the contract under which the work is being performed shall be fully complied with; nor shall this article be construed so as to prevent the moving or removing of any article in the course of trade

or business or for the use of any family from or to any building when the same shall be moved or removed without unnecessary delay and so as to leave a passage both on the sidewalk for pedestrians and on the carriageway for vehicles to pass or repass; nor shall the same be construed so as to prevent the loading or unloading of passengers from any public or private conveyance or such vehicles waiting a reasonable time for such purpose. It shall be a violation of this Chapter for any person, firm or entity to pipe a sum pump, roof or footing drains, or other water source, directly onto or directed from a point source towards or onto the streets, sidewalks or rights of way.

Section 47-2. Public servants authorized to serve appearance tickets.

D. Commissioner of Public Works and the respective managers and foremen of the Highways and Streetlighting Division, Code Enforcement Officer, Sanitation Division and Parks and Building Maintenance Division: streets, highways, roads, sidewalks, garbage, refuse, recycling or waste, maintenance and rehabilitation of all park facilities and building owned or leased by the town and village.

This law shall take effect immediately upon filing with the Secretary of the State of New York.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO
ATTEND AND BE HEARD.

BY ORDER OF THE VILLAGE BOARD OF THE TOWN/VILLAGE OF HARRISON.

Jacqueline Greer
Town Clerk

Dated: Harrison New York
March 7, 2014