

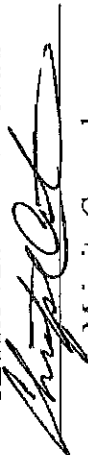
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AMENDMENT IN THE NATURE OF A SUBSTITUTION – Clerk Item Number 91-18

ORDINANCE NO. 20-2018

AN ORDINANCE to require owners, lessees, tenants, and occupants of business or commercial real property that abut county roads to remove snow and ice from paved sidewalks and prohibit such owner, lessees, tenants and occupants of business or commercial real property from depositing snow and ice onto county roads.

APPROVED AS TO FORM


Majority Counsel

Passed by Nassau County Legislature
on 10/15/18
votes for 19; votes against 0; Abstained 0; Recused 1
Became an ordinance on 10/16/18
With the approval of the Deputy County
Executive acting for the County Executive

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. Every owner, lessee, tenant, occupant, or other person in charge of real property that is categorized as Class Four pursuant to New York State Real Property Tax Law § 1802(1)(a) that abuts county roads with paved sidewalks outside of villages or cities shall remove snow or ice from those paved sidewalks within four hours after snow and/or ice ceases to fall. No such removal is required between the hours of 9:00 p.m. and 7:00 a.m., and if the time between the cessation of snow and/or ice precipitation and any hour between 9:00 p.m. and 7:00

a.m. is less than four hours, the owner, lessee, tenant, occupant, or other person in charge of real property as described above shall have until 11:00 a.m. to remove the snow or ice.

§ 2. If snow and/or ice on county road paved sidewalks abutting business and commercial real property outside of villages and cities is frozen in such a manner that it cannot be removed without causing damage to the sidewalk, any person required to remove snow and/or ice pursuant to section 1 of this ordinance must apply sand, sawdust, or other material that causes snow and/or ice to melt or become less slippery to pedestrians within the time specified by section 1 of this ordinance. Paved sidewalks that are covered with this material must be cleaned as soon as the weather permits.

§3. No owner, lessee, tenant, occupant, or other person in charge of real property that is categorized as Class Four pursuant to New York State Real Property Tax Law § 1802(1)(a) that abuts county roads shall shovel, blow, sweep, direct, push, place, throw or otherwise deposit or cause or permit any contractor, employee, agent or other person to shovel, blow, sweep, direct, push, place, throw or otherwise deposit snow, ice, or slush onto a county road whether such be a county road as defined in this title or a county road constructed pursuant to article six of the Highway Law.

§ 4. A violation of this ordinance is punishable by a fine not exceeding \$250 for the first offense, not exceeding \$500 for a second offense, and not exceed \$1500 for each subsequent offense. Each day that a violation is committed or is permitted to continue constitutes a separate offense and is punishable as such.

§5. This ordinance shall be enforced by the Nassau County Department of Consumer Affairs.

§ 6. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 7. This ordinance shall take effect immediately.

APPROVED

County Executive
DATE 10/26/18