

At a Regular Meeting of the Common Council of the City of Plattsburgh, New York, held May 7th, 1954.

PRESENT: Aldermen Holland, Chasolen, Villoni, Laravia, Arbenger and Brewster.

ABSENT: Mayor Tyrell.

By Alderman Laravia; seconded by Alderman Arbenger:

LOCAL LAW NO. 4 OF 1954.

ENTITLED AN ACT IN RELATION TO STREETS, ROADS, WATER AND SEWER FACILITIES, SIDEWALKS, CURBS AND EXTENSIONS THEREOF AMENDING SECTION 45a OF CHAPTER 269 OF THE LAWS OF 1902 AS ADDED BY LOCAL LAW NO. 23 OF 1949 AND REPEALING SECTIONS 45b OF CHAPTER 269 OF THE LAWS OF 1902 AS ADDED BY LOCAL LAW NO. 24 OF 1949, SECTION 45c OF CHAPTER 269 OF THE LAWS OF 1902 AS ADDED BY LOCAL LAW NO. 25 OF 1949, SECTION 45d OF CHAPTER 269 OF THE LAWS OF 1902 AS ADDED BY LOCAL LAW NO. 26 OF 1949 AND SECTION 45e OF CHAPTER 269 OF THE LAWS OF 1902 AS ADDED BY LOCAL LAW NO. 27 OF 1949.

BE IT ENACTED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF PLATTSBURGH, NEW YORK AS FOLLOWS:

Section 1. Section 45a of Chapter 269 of the Laws of 1902 as added by Local Law No. 23 of 1949 is hereby amended to read as follows:

Section 45a. Streets, Roads, Water and Sewer Facilities and Sidewalks and Curbs and Extensions thereof.

Sub. 1. Whenever the Common Council shall intend to acquire, purchase or receive lands, or rights or easements therein, to open and construct new streets and roads or other public grounds, new water and sewer facilities or sidewalks and curbs, or to extend, widen or otherwise alter existing streets and roads or public grounds, water and sewer facilities or sidewalks and curbs, it shall require that the same be surveyed and monuments placed showing the lines thereof, and a map to be made of the same which shall be filed in the City Clerk's Office. And for that purpose, the Common Council and those acting under its direction shall have the right to enter upon any grounds in said City.

Sub. 2. In the event the Common Council is unable to agree with the owners for the purchase of such lands or rights or easements therein required for the purposes aforesaid, it may acquire the same by proceedings pursuant to the provisions of the Condemnation Law of the State of New York.

Sub. 3. Whenever any of the aforesaid projects are contemplated, the Common Council shall require the appropriate city official to cause proper plans and specifications and estimates of costs to be prepared, and such data shall be transmitted to the Common Council after which they will remain on file in the Office of the City Clerk.

Sub. 4. In the event that the Common Council shall determine that the work or construction under contemplation shall be accomplished, it shall record an authorization to that effect in its minutes together with an appropriation of funds necessary therefor, and shall cause to be trans-

Sub. 5. Expenses incurred in the opening and construction of new streets, roads or other public grounds, water and sewer facilities, or to widen, extend or otherwise alter existing streets, roads, public grounds, water and sewer facilities, may be a charge against the city, or said costs may be assessed against the properties benefited and, in the event any such project is authorized by the Common Council, it shall at the same time determine whether special assessments are to be imposed and in what proportion to the total cost of the project, or whether the expense shall be a charge against the city.

Sub. 6. For the construction of new sidewalks and curbs, or for the extension of existing sidewalks and curbs, each lot or parcel of land fronting thereon shall be assessed for one-half the expense of all such construction costs in front thereof. And it shall in all cases be the duty of the owner of any lot or piece of land within the city to remove or clean away snow, ice or other obstruction from the sidewalk fronting his land. The Public Works Department shall also have power to clean snow, ice or other obstruction from any sidewalk where the same shall have remained for twenty-four hours, and the expense of making such repairs or cleaning any sidewalks shall be a charge upon the property adjacent thereto, and no ordinance for the same shall be passed or a notice posted or published.

Sub. 7. Upon completion of the aforementioned projects for which assessments for benefit have been fixed and determined by the Common Council, and upon completion of any sidewalk, or curb, or of the work of clearing sidewalks, the Public Works Department shall submit to the City Chamberlain, for transmittal to the Common Council, a special assessment roll, listing the properties and the owners thereof opposite which such construction or work has been completed, together with a description of the work or improvement and the amount of the assessment against each parcel of property.

Sub. 8. Upon authorization by the Common Council, a warrant for the collection of such special assessments shall be executed by the Mayor and City Clerk and delivered, with the special assessment roll, to the City Chamberlain. The City Chamberlain shall cause to be published once in the official newspaper of the city a notice of the receipt by him of such assessment roll and warrant, and stating that such assessments are required to be paid at his office on or before the expiration of thirty days from the date of said publication. The City Chamberlain also shall mail to each property owner listed on such assessment roll an itemized statement covering the cost of the improvement or work assessed against his property.

Sub. 9. After the expiration of said thirty days, fees on the amounts of assessments remaining unpaid shall be charged and collected as provided in Section 153 of Chapter 269 of the Laws of 1902 as amended by Local Law No. 13 of 1949, and enforcement of collections shall be made pursuant to provisions of Section 167.

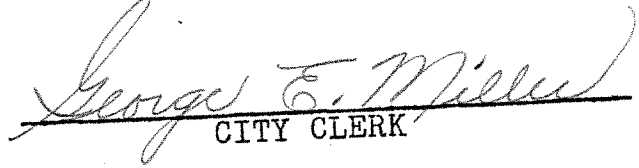
Section 2. Section 45b of Chapter 269 of the Laws of 1902 as added by Local Law No. 24 of 1949, Section 45c of Chapter 269 of the Laws of 1902 as added by Local Law No. 25 of 1949, Section 45d of Chapter 269 of the Laws of 1902 as added by Local Law No. 26 of 1949 and Section 45e of Chapter 269 of the Laws of 1902 as added by Local Law No. 27 of 1949 are hereby repealed.

Section 3. This Law shall take effect after public hearing and approval by the Mayor.

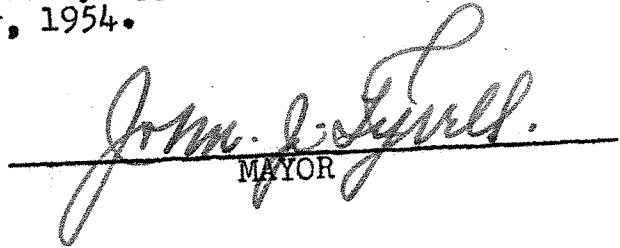
On roll call, Aldermen Holland, Chasolen, Villoni, Laravia, Arbenger and Brewster voted in the affirmative; no one in the negative, CARRIED.

Certified to the Mayor this 21st day of May, 1954.

(SEAL)


CITY CLERK

The foregoing Local Law is hereby approved after Public Hearing held this 21st day of May, 1954.


MAYOR

Published: May 13, 1954.