

Village of Hamilton, NY  
Monday, March 14, 2022

## Chapter 140. Streets and Sidewalks

### Article I. Sidewalks

#### § 140-7. Snow, ice and other obstructions.

- A. The owners of buildings or structures adjacent to public streets and sidewalks shall prevent the falling of snow, ice or water from such buildings upon Village streets or sidewalks.
- B. The owner or occupant of any lot or parcel of land, fronting or abutting on any street, public highway, lane or alley, shall keep the sidewalk along the same in front of such lot or parcel of land free from ice, dirt, filth, weeds, papers, leaves or other obstructions of any kind, so as to permit easy and safe use of such sidewalk. Every such owner or occupant shall, after every fall of snow, cause the same to be removed from such sidewalk as to provide for a reasonably safe and convenient passage of pedestrians. Occasional passage over such sidewalk of a Village-operated snowplow or snow-removal device is intended to assist such owner or occupant in this responsibility. Accordingly, every such owner or occupant shall, after passage of such snowplow or snow-removal device, cause any remaining snow or ice to be removed from such sidewalk so as to provide for a reasonably safe and convenient passage of pedestrians. Failure to complete the obligations set forth in this subsection within three hours from the time when such snow, ice, dirt, filth, weeds, papers, leaves or other obstructions shall have been deposited thereon shall constitute a violation under this article, and the Village may, at its discretion, cause such obstructions to be removed at the landowner's expense, in which event such expense times a multiple of 1.25 shall become a lien against the adjoining property and be billed to the property in the same fashion as annual Village real property taxes.
- C. No person shall place or pile any material, snow, rubbish or other things in such a fashion as to obstruct free passage on any sidewalk within the Village of Hamilton.
- D. No person or persons shall put up, erect or cause to remain any case, box, show case, basket or other things projecting into, remaining on or hanging over the street, sidewalk or area between such street and sidewalk, from the premises of such person, for the purpose of displaying any goods, wares or merchandise. The Village of Hamilton Board of Trustees may, from time to time, by resolution, grant exemptions to this section for sidewalk sales occasionally conducted in the central business district.
- E. No person shall alter the line or grade of any sidewalk, curb or gutter, and all such sidewalks, curbs or gutters hereafter constructed or repaired in the Village of Hamilton shall be built on lines and grades approved by the Village Engineer or his designee and in accordance with the Village of Hamilton sidewalk specification. The Village of Hamilton Board of Trustees shall establish the Village of Hamilton sidewalk specification by resolution.  
[Amended 1-14-1992 by L.L. No. 1-1992]
- F. The owner of a lot or parcel of land fronting or abutting on any public right-of-way is responsible for the proper construction and maintenance of the sidewalk along the public right-of-way in front of such lot or parcel in good and proper condition.
- G. Unless acting under a contract with the Village, it shall be unlawful for any person, other than a duly authorized Village official or employee in the course of his employment, to make or cause or

permit to be made any excavation or opening in or under any sidewalk or in or under any pavement of any street, alley or other public place within the limits of the Village, without first having obtained or having in force a permit to do so, as herein provided. In an emergency arising out of office hours, at night, on a Sunday or legal holiday, when an immediate excavation may be necessary, the same shall be reported to the Underground Fixtures Protective Organization (UFPO) (NOTE: UFPO, 1-800-962-7962) and the Village Engineer. The Village Engineer shall grant permission to make the necessary excavation upon the express condition that the application shall be made in the manner herein provided within the next 24 hours. All excavation shall be properly guarded by barriers and emergency lighting and shall conform to the requirements of the New York State Department of Motor Vehicle's Manual of Uniform Traffic Control Devices.

- H. It shall be unlawful for any person to obstruct passage on any sidewalk by parking a motor vehicle thereon.

*Village of Hamilton, NY  
Monday, March 14, 2022*

## Chapter 140. Streets and Sidewalks

### Article I. Sidewalks

#### § 140-8. Plowing of sidewalks by Village.

The Village of Hamilton may, from time to time, provide, as a service to its residents, a sidewalk snowplow to assist adjoining landowners and occupants in their responsibility to remove accumulations of snow. The Board of Trustees of the Village of Hamilton finds that this service is in the nature of assistance to the adjoining landowners and occupants in meeting their responsibility only and is not intended to serve as a substitute nor to completely remove all accumulations of snow or ice. Accordingly, it is the responsibility of adjoining landowners and occupants to complete proper snow and ice removal both before and after any sidewalk plowing as set forth at § **140-7B** above.