

TOWN OF CHESTER
TOWN BOARD
LOCAL LAW 2 OF 2026,
A LOCAL LAW TO AMEND CHAPTER 81, "STREET EXCAVATIONS; DRIVEWAYS" TO
PROVIDE FOR THE REGULATION AND MAINTENANCE OF SIDEWALKS

BE IT ENACTED by the Town Board of the Town of Chester as follows:

Section 1. Legislative Intent

The Town Board of the Town of Chester desires to provide a regulatory framework for the maintenance of sidewalks by adjoining property owners and for a mechanism should such maintenance not occur in a timely manner for the health, safety and welfare of the public.

Section 2. Article 81, entitled "Street Excavations, Driveways" is hereby amended as follows:

Chapter 81 shall be renamed "Streets and Sidewalks"

A new Article IV, entitled "Maintenance of Sidewalks" shall be inserted to read as follows:

§ 81-19 – Responsibility for clearing and maintenance of sidewalks.

The owner or occupant of a property, whether occupied or not, in the Town shall keep any sidewalk adjoining such property free from the obstruction of snow and ice and free from dirt, filth and weeds or other obstructions including personal property and shall keep and maintain such sidewalk in safe and proper condition. No owner or occupant of a house or building adjacent to a street or sidewalk of the Town shall allow snow, ice or water to accumulate on such house or building, nor shall the owner or occupant of a house or building allow snow, ice or water to fall from such building upon a street or sidewalk of the Town. Leaders or drains erected to the side of a house or building shall be so placed that a flow of water therefrom shall not run over a street or sidewalk of the Town.

- A. It shall be the duty of the owner or occupant of a property to cause the sidewalk adjacent thereto to be cleared of snow and ice within 24 hours after snow shall cease falling.
- B. In case any sidewalk shall have ice thereon and the severity of weather shall be such that the same cannot be removed, it shall be the duty of such owner

or occupant of a house or building adjacent to said sidewalk to deposit sufficient quantities of salt, sand or some equally good substance as will render the passage of pedestrians thereon free from danger of slipping and falling.

- C. In the event an obstruction is due to weeds, dirt, debris or other items unrelated to snow, the Property Owner or Occupant shall remove such items within 5 calendar days of receiving a written notice by the Highway Department, Chester Police Department or Code Enforcement Officer.

§ 81-20 Removal by the Town

In the event snow or ice is not cleared from a sidewalk within 24 hours of the conclusion of a weather event, the Highway Department shall remove such snow and ice and shall apply sand or salt to the sidewalk. In the event weeds, dirt, debris or other items unrelated to snow are not removed within 5 days as per § 81-19(C), the Highway Department shall remove such matter. Removal by the Town of Chester shall not operate to excuse the property owner from maintaining sidewalks as per § 81-19.

§ 81-21 Cost of Removal by the Town

The Highway Superintendent shall notify the Town Clerk of any expense incurred by the quantity and rate of labor, equipment and materials used for any such removal. The Town Clerk shall promptly present to the owner and the cost of such removal shall be billed to the property owner as set forth on the last assessment roll of the Town of Chester. If not paid within 30 days, the cost thereof shall be assessed against the property and become a lien thereon, collectible in the same manner as delinquent Town taxes.

§ 81-22 Hearing as to Costs

A property owner may request a hearing before the Town Board to determine the justness of the actual expense of removal within 30 days of receiving notice of the charge.

The existing Article IV, entitled "Penalties" shall be renumbered as Article V.

§ 81-19, entitled "Penalties for offenses" shall be renumbered to § 81-23.

In all other respects, Chapter 81 shall remain unchanged.

Section 3. Authority.

This local law is adopted pursuant to the authority set forth in Town Law §§ 130(4) and 130(7).

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date.

This local law shall take effect upon filing with the Secretary of State.