

MEETING NOTICE

Village of Scarsdale

A Special Meeting of the Scarsdale Village Board of Trustees is scheduled for Friday, May 29, 2020 at 5:00 PM. The meeting will be held via Zoom video conferencing service. Members of the public wishing to participate in the meeting can do so via online link at <https://zoom.us/j/94504155974>, or call into the meeting at 1-929-436-2866 and entering the Meeting ID 945-0415-5974.

Agenda

1. The Village Board will convene to consider scheduling a public hearing on June 9, 2020 at 7:00PM via Zoom regarding a Draft Local Law Amending Village Code Section 256 -1 to allow for owners and lessees in the Village Center Area and Heathcote 5-Corners business districts to store, display and or sell goods, wares and merchandise on or directly above Village-owned rights-of-way.

A copy of the local law will be available on the Village website prior to the special meeting.

CS: 5-28-20

E-MAIL: Journal News (Lohud)
Scarsdale 10583
Scarsdale Hamlet Hub
Scarsdale Inquirer
The Daily Scarsdale

cc: Lobby Bulletin Board

**RESOLUTION RE: CALLING FOR A PUBLIC HEARING ON A
LOCAL LAW AMENDING CHAPTER 256 OF THE
SCARSDALE VILLAGE CODE ENTITLED
STREETS, SIDEWALKS AND PUBLIC PLACES**

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale at 7:00 PM on Tuesday, June 09, 2020, via Zoom video conferencing service to consider a proposed local law to amend Chapter 256 of the Scarsdale Village Code, entitled Streets, Sidewalks and Public Places, to add a new Section 256-1B allowing for owners and lessees in the Village Center or other owners or lessees of rental or food establishment properties in other areas of the Village, to store, display and or sell goods, wares and merchandise on or directly above Village-owned rights of way; and be it further

RESOLVED, that an [electronic copy](#) of the local law is available for public review on the [May 29, 2020, Village Board Agenda page](#) of the Village website at www.scarsdale.com; and be it further

RESOLVED, that members of the public wishing to present comments may do so online during the public comment phase of the hearing by accessing the meeting at <https://zoom.us/j/93602163034>, or by calling-in using 1-929-436-2866 and entering the Meeting ID, 936 0216 3034; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish notice of said hearing pursuant to Village Law.

Submitted by: Village Manager
Date: May 29, 2020
For: May 29, 2020

A LOCAL LAW TEMPORARILY
AMENDING CHAPTER 256 OF THE
CODE OF THE VILLAGE OF
SCARSDALE ENTITLED
“STREETS, SIDEWALKS AND
PUBLIC PLACES”

Final Draft

Additions shown in underline

Be it enacted by the Board of Trustees of the Village of Scarsdale as follows:

Section 1. The Code of the Village of Scarsdale is temporarily amended by repealing Section 256-1 thereof entitled “Permit Required to Obstruct” in its entirety and replacing same with the following:

“§ 256-1 Permit required to obstruct.

A. No person shall obstruct any street, sidewalk, public easement or other public place without first securing a written permit from the Village Engineer and complying with such regulations affecting obstructions as the Village Engineer may prescribe. The Village Engineer's decision to grant or deny a permit application shall be made within three business days after a completed permit application has been received by the Village. No owner or lessee of any premises in the Village shall permit any goods, wares or merchandise owned or controlled by him to be kept, stored, displayed or sold on or directly above any sidewalk adjoining such premises. No owner or lessee of any premises in the Village shall permit any refuse or waste from such premises to be kept or stored on or directly above any sidewalk adjoining such premises without first securing a written permit from the Village Manager and complying with such regulations and restrictions as may be prescribed in such written permit.

B. Notwithstanding anything contained in Chapter 245 of this Code or subsection A above to the contrary, any owner or lessee of any premises operated as a retail store, food service establishment or sidewalk café as such terms are defined in this Village Code, or as a nonresidential use occupying any ground floor street-facing space, located in the Village Center and/or adjacent to any retail or food service establishment property in other areas of the Village, shall be permitted to display and/or sell on or directly above any sidewalk or other public space its goods, wares or merchandise, food and beverages subject to such owner or lessee obtaining a revocable permit for same from the Village Engineer at his/her sole discretion. Such permit shall be subject to reasonable rules and conditions to be established by a committee comprised of two (2) members of the Village Board of Trustees

as designated by the Mayor, the Village Manager or his/her designee, the Village Planner and the Village Engineer. Such permit shall be subject to any limitations or conditions of any executive order or equivalent, issued by the Governor of New York or the Westchester County Executive.

C. This local law shall automatically expire on November 1, 2020, unless sooner repealed by the Board of Trustees.

Section 2. This local law shall automatically expire on November 1, 2020, unless sooner repealed by the Board of Trustees.

Section 3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 4. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.