

ARTICLE VII

Snow Plowing

[Added 3-22-2010 by L.L. No. 2-2010; amended 2-10-2020 by L.L. No. 2-2020;
4-25-2022 by L.L. No. 4-2022]

§ 187-25. Definitions.

As used in this article, the following terms shall have the meanings indicated:

VEHICLE — Any vehicle, as defined in the Vehicle and Traffic Law of the State of New York, licensed to operate on the highways of the State of New York and used to plow snow; but the term shall not include a vehicle used solely by a person, firm or corporation to plow snow within the confines of his or its own property, whether owned or leased or for no consideration.

§ 187-26. Permit required.

No person, firm or corporation shall plow snow or cause or allow same to be plowed by the use of any vehicle within the Village of Orchard Park unless a permit therefor as hereinafter prescribed, issued by the Village Code Enforcement Officer of the Village of Orchard Park, is in full force and effect and such permit is prominently displayed by affixing to the vehicle so as to be readily visible from the exterior thereof.

§ 187-26.1. Permit application, fee and conditions.

- A. Application for such permit shall be made to the Code Enforcement Officer of Orchard Park by the owner of the vehicle, in writing, upon forms to be furnished by said Code Enforcement Officer, which forms shall contain the owner's name and address, the vehicle identification number, the New York State license number attached thereto and such additional information as the Code Enforcement Officer shall require. The Village Code Enforcement Officer may require such documents and information as may be reasonably necessary to verify the facts stated in such application.
- B. The applicant shall, at the time of the filing of his application, pay a permit fee per the schedule of fees.
- C. If such application or applications shall be approved by the Code Enforcement Officer, a permit shall be issued by the Code Enforcement Officer to the applicant.
- D. Such permit shall commence July 1 and expire June 30 in each year and shall be in such form as the Village Code Enforcement Officer shall prescribe.
- E. Such permit shall not be transferable to another owner.

§ 187-26.2. Interference with public thoroughfares prohibited.

No person shall plow, shovel, sweep or pile snow, ice or other materials in or beyond the right-of-way of any street, public highway, or sidewalk, or place snow on any Village-owned property, or cause such to be done so as to interfere with the safety and

convenience of public travel.

§ 187-26.3. Enforcement.

This article shall be enforced by the members of the Orchard Park Police Department, the Manager of Public Works of the Village of Orchard Park, Code Enforcement Officer and such other persons as he shall designate.

§ 187-26.4. Revocation of permit; penalties.

- A. The Village Board may revoke the permit granted to any person, firm or corporation under the authority of this article or any law, ordinance, rule or regulation relating to snowplowing or snow removal.
- B. In addition to any other penalties that may be invoked under this article, any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty, of the Code of the Village of Orchard Park.
- C. Any person who takes part in or assists in any violation of this article shall also be subject to the penalties provided herein.

§ 187-26.5. Failure to comply; enforcement procedures.

If such owner or occupant fails, neglects or refuses to so comply within 24 hours of the date of notice, the Director of Public Works shall cause removal of snow. In any such case, the owner or occupant of such real property shall pay to the Village all costs in connection with such removal per the schedule of fees. Upon failure of such owner or occupant to pay such costs, the Village Clerk-Treasurer shall report same to the Board of Trustees, who shall certify such costs to the Assessor, and thereupon such costs shall become a lien upon the real property involved and shall be added to and become a part of the taxes next to be assessed and levied upon such real property and shall bear interest at the same rate as and be collected and enforced in the same manner as taxes.