

Local Law no. 1 of 2009

New subsection (b) to Village Code 138-17.

Section 1. The location of any basketball hoops (permanent or portable), net, supporting apparatus, structures or other obstructions is hereby prohibited on all highway, streets, roads, shoulders, sidewalks and right of way within the Village. Pursuant to New York general municipal law, municipal home rule and village law, the Village Superintendent of Public Works or other duly designated village representative is hereby authorized to cause any basketball hoop, net supporting apparatus structure or other obstruction found on any highway, road, public street, shoulder, sidewalk or right of way in the Village of Schuylerville be removed. The Village shall not be liable for any damages to the basketball hoop or other property resulting from the non negligent removal of the hoop, apparatus or other property. Nothing herein shall prevent officials from notifying residents of the implementation and imposition of penalties.

In addition to the fine specified in Section 2, the Village is also authorized to change the owner of such basketball hoop or other structure or obstruction for the actual and reasonable cost and expense of removing and storing such basketball hoop or structure or other obstruction. Such charge shall be determined by the Village Board pursuant to a village board resolution.

Section 2. A violation of this local law is an offense punishable by a fine not to exceed amount as set forth in 138-19. In addition thereto, the Village of Schuylerville shall have such other remedies as are provided by law to restrain, correct or abate any violation of this local law.

Section 3. No recourse, and or cause of action shall be had or be available against the village. Its officers, employees or agents for damage, injury, or loss arising directly or indirectly from the removal of the any basketball hoop, net supporting apparatus, structure, or sidewalk, or right of way right.

Section 4. This Local Law shall become effective immediately upon filing in the Office of the Secretary of State.