LOCAL LAW 6 OF 2019

A LOCAL LAW Amending Chapter 32 Public Hearings for Local Laws, Chapter 143 Fire Prevention and Life Safety, and Chapter 262 Taxicabs and Taxicab Drivers to Update Outdated Provisions and Add New Language Reflective of Current Practices.

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

SECTION 1. Chapter 32, Local Laws, Public Hearings for, of the Code of the Village of Hastings-on-Hudson, is hereby amended to read as follows:

§ 32-1. Public hearings required.

Before voting upon the proposed enactment of a local law, the Board of Trustees shall fix a day, within 30 days after the presentation of a local law to it, for a public hearing thereon, and, presented to it, shall cause a notice of the time and place of such hearing to be given. Such public notice shall be given by the Village Clerk by causing the same to be published once in the official newspaper at least three days prior to the day fixed for such hearing. In case there is at any time no official newspaper, the Board of Trustees shall designate the manner of giving such public notice. Such notice shall also contain the title of the proposed local law and a brief explanatory statement thereof prepared by the Manager and approved by the Village Attorney.

§ 32-2. Time, place and attendance of hearing.

The Board of Trustees shall attend at the time and place appointed for such hearing, which shall be within the village and reasonable of access and at a reasonable hour, and shall afford an opportunity for a public hearing concerning such proposed local law.

§ 32-3. Proof of publication of notice to be filed.

Proof of publication of such notice of public hearing shall be filed in the office of the Village Clerk.

SECTION 2. Article I, Inflammable Material, of Chapter 143, Fire Prevention and Life Safety, of the Code of the Village of Hastings-on-Hudson, Sections 143-1 and 143-2 are hereby repealed and reserved.

SECTION 3. Section 143-8, Penalties for offenses, of Chapter 143, Fire Prevention and Life Safety, of the Code of the Village of Hastings-on-Hudson, is hereby amended in its entirety as follows:

§ 143-8. Penalties for offenses.

Any person who violates any provision of this article shall be punished subject to the penalties prescribed by §1-13 of the Village Code.

SECTION 4. Section 143-23, Penalties for offenses, of Chapter 143, Fire Prevention and Life Safety, of the Code of the Village of Hastings-on-Hudson, is hereby amended in its entirety as follows:

§ 143-23. Penalties for offenses.

Any person who violates any provision of this article shall be punished subject to the penalties prescribed by §1-13 of the Village Code.

SECTION 5. Section 262-11, Fingerprints of taxicab driver, of Chapter 262, Taxicab and Taxicab Drivers, of the Code of the Village of Hastings-on-Hudson, is hereby amended as follows:

§ 262-11. Fingerprints of taxicab driver.

Each applicant for a taxicab driver's license shall be fingerprinted by a third-party agency under contract with the New York State Division of Criminal Justice Services (DCJS). Applicants shall be responsible for the fingerprinting fee, the processing fee, and all other associated fingerprinting fees. The third-party agency will then submit the fingerprints to the DCJS for a criminal background investigation.

SECTION 6. Section 262-15, Renewal of taxicab driver’s license, of Chapter 262, Taxicab and Taxicab Drivers, of the Code of the Village of Hastings-on-Hudson, is hereby amended as follows:

§ 262-15. Renewal of taxicab driver’s license.

The Mayor, upon payment of the fee prescribed for renewal, may renew a taxicab driver's license from year to year by appropriate endorsement thereon, subject to the same requirements for the issuance of such license as are provided in § 262-9 and § 262-11 of this chapter. A taxicab driver, in applying for a renewal of such license, shall make such application not less than 30 days next preceding its expiration, upon a form to be supplied by the Chief of Police and containing such information as the Chief of Police may require.

SECTION 7. Section 262-20.A(1), within Taxicab service and conduct of taxicab drivers, in Chapter 262, Taxicab and Taxicab Drivers, of the Code of the Village of Hastings-on-Hudson, is hereby amended as follows:

§ 262-20. Taxicab service and conduct of taxicab drivers.

A(1). All persons engaged in the taxicab business in the Village, operating under the provisions of this chapter, shall render service to the public desiring to use taxicabs. Holders of taxicab licenses shall maintain a central place of business, which shall be open to the public for business every day, for the purpose of receiving calls and dispatching cabs. They shall answer all calls received by them for services inside the corporate limits of the Village as soon as they can do so; if such services cannot be rendered within a reasonable time, they shall then notify the prospective passengers how long it will be before the call can be answered and give the reason therefor. Any holder of a taxicab license who shall refuse to accept a call anywhere in the corporate limits of the Village at any time when such holder

has available cabs, or who shall fail or refuse to give overall service, shall be deemed a violator of this chapter and the license granted to such holder shall be revoked at the discretion of the Board of Trustees.

SECTION 8. Section 262-20.A(8), within Taxicab service and conduct of taxicab drivers, in Chapter 262, Taxicab and Taxicab Drivers, of the Code of the Village of Hastings-on-Hudson, is hereby amended as follows:

§ 262-20. Taxicab service and conduct of taxicab drivers.

A(8). Every owner shall furnish suitable chains for the drive wheels, or snow tires, or all-weather tires on~~f~~ each taxicab owned by him and, if opting to use chains, the driver of each taxicab shall use these chains on such wheels whenever snow or ice conditions make it advisable to do so or at the direction of a law enforcement official.

SECTION 9. Section 262-21, Taxicab stands, of Chapter 262, Taxicab and Taxicab Drivers, of the Code of the Village of Hastings-on-Hudson, is hereby amended as follows:

§ 262-21. Taxicab stands.

The Board of Trustees is hereby authorized to establish taxicab stands upon the streets of the Village in such places as, in its discretion, it deems proper for the convenience of passengers.

SECTION 10. Section 262-23, Penalties for offenses, of Chapter 262, Taxicab and Taxicab Drivers, of the Code of the Village of Hastings-on-Hudson, is hereby amended in its entirety as follows:

§ 262-23. Penalties for offenses.

Any person who violates any provision of this chapter shall be punished subject to the penalties prescribed by §1-13 of the Village Code.

SECTION 11. SEVERABILITY

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

SECTION 12. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.