

LOCAL LAW NO. 6 OF 2024

VILLAGE OF SCARSDALE

BOARD OF TRUSTEES

**A LOCAL LAW TO AMEND THE SCARSDALE VILLAGE CODE
CONCERNING SANDWICH BOARD SIGNS ON STREETS, SIDEWALKS, AND
PUBLIC PLACES**

A LOCAL LAW to amend Chapter 256 of the Scarsdale Village Code to authorize the placement of an A-frame sandwich board sign in connection with a validly issued Public Sidewalk permit.

BE IT ENACTED by the Board of Trustees of the Village of Scarsdale as follows:

Section 1. Chapter 256 of the Code of the Village of Scarsdale, Article I, Section 256-1 entitled “Permit required to obstruct” is hereby amended as follows:

§ **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 under their control 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, an A-frame sandwich board describing the items for sale provided such sign is no larger than thirty-six (36) inches in height and fifteen (15) inches in width, wares or merchandise, food and beverages subject to such owner or lessee obtaining a revocable permit for same from the Village Engineer at the Village Engineer's sole discretion. Further, any owner or lessee of any nonresidential use occupying any space above a ground floor shall be permitted to place, on or directly above any sidewalk or other public space, a table for the pickup or dropoff of goods, wares or merchandise, provided such table shall not impede the view of or access to any ground floor establishment as referenced hereinabove, and subject to such owner or lessee obtaining a revocable permit for same from the Village Engineer at the Village Engineer's sole discretion. Any such permit issued shall be subject to such regulations and restrictions as the Village Engineer deems reasonably necessary for the safe and orderly procession of pedestrian traffic and the general health, safety and welfare of the Village. 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.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 256 of the Village of Scarsdale Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification.

It is the intention of the Village of Scarsdale and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Scarsdale; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date.

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