

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☒ City ☐ Town ☐ Village
(select one)

of Port Jervis

Local Law No. 6 of the year 2025

**A LOCAL LAW AMENDING CHAPTER 398 OF THE CITY CODE OF PORT JERVIS
TO PROVIDE FOR THE PROHIBITION OF CAMPING AND SLEEPING ON PUBLIC
PROPERTY**

Be it enacted by the Common Council of the City of Port Jervis as follows:

See attached.

FILED
STATE RECORDS
MAY 08 2026
DEPARTMENT OF STATE
LOCAL LAWS INDEX NUMBER 1
OF THE YEAR 20 26

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**CITY OF PORT JERVIS
INTRODUCTORY LOCAL LAW NO. 6 OF 2025**

**A LOCAL LAW AMENDING CHAPTER 398 OF THE CITY CODE OF PORT JERVIS
TO PROVIDE FOR THE PROHIBITION OF CAMPING AND SLEEPING ON PUBLIC
PROPERTY**

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York as follows:

Section 1. Purpose and Intent.

It is the opinion of the Common Council that it is appropriate to amend the City Code to supplement current regulations governing permitted conduct in public places of the City to include prohibitions against sleeping and camping in such public places.

Pursuant to the statutory powers vested in the Common Council to regulate and control land use and to protect the health, safety and welfare of its residents, the Common Council of the City of Port Jervis enacts this local law.

Section 2. Amendment

The City of Port Jervis Code, Chapter 398 entitled: "Peace and Good Order, shall be amended as follows by adding a new Article III entitled "Camping Prohibited":

Article III Camping Prohibited

§ 398-13 Definitions. As used in this chapter, the following terms shall have the meanings indicated:

PUBLIC PLACES, CITY LANDS

Any lands, roads, streets, highways, alleys, sidewalks, drives or park facilities located within the boundaries of the City of Port Jervis, Orange County, State of New York.

CITY

All lands, areas etc. located within the boundaries of the City of Port Jervis, Orange County, State of New York, whether privately or publicly owned.

§ 398-14 Camping Prohibited. No person or persons shall sleep, establish encampments, erect tents, utilize sleeping bags or other sleeping equipment, park recreational vehicles, campers or any type of vehicles at, on, or within public places or City lands unless such activity is authorized by a City Official.

§ 398-15. Penalties for offenses.

Penalties for offenses. Any person who violates any provision of this Article shall be guilty of a violation and, upon conviction thereof, shall be fined in the following manner:

- (1) First offense: a fine of not less than \$100 nor more than \$250 or to be imprisoned for a period not to exceed 15 days, or by both such fine and imprisonment.
- (2) Second offense: if the second offense occurs within six months of the first offense, the fine of not less than \$200 nor more than \$500 or imprisonment not to exceed 15 days, or by such fine and imprisonment.

Section 3. Conflict with Other Laws

To the extent this law may conflict with applicable portions of the General City Law of the State of New York, it is the stated intention of the City Common Council to exercise its authority to supersede and amend, as granted under the Municipal Home Rule Law of the State of New York, Section 10. The City Common Council hereby provides notice that it is exercising its authority to supersede and amend pursuant to Municipal Home Rule Law of the State of New York, Section 22.

Section 4. Separability

If any provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. 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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

~~I hereby certify that the local law annexed hereto, designated as _____ of the (County)(City)(Village)(Village) of Port Jervis was duly passed by the Common Council of the City of Port Jervis on _____, in accordance with the applicable provisions of law.~~

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2025 of the (County)(City)(Village)(Village) of Port Jervis was duly passed by the Common Council on April ____ 2025, and was (approved)(not approved) (repassed after disapproval) by the Mayor and was deemed duly adopted on April ____ 2025 in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Village)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.~~
~~(Name of Legislative body)~~
~~(Elective Chief Executive Officer*)~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Village)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.~~
~~(Name of Legislative body)~~
~~(Elective Chief Executive Officer*)~~

~~Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a Village where such officer is vested with the power to approve or veto local laws or ordinances.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

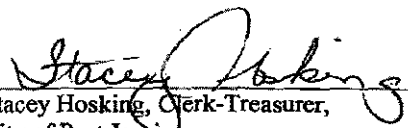
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. ~~(County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the Villages of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.


Stacey Hosking, Clerk-Treasurer,
City of Port Jervis,
Clerk of the county legislative body, City, Village or Village
Clerk or officer designated by local legislative body

(Seal)

Date: April 14, 2025