

INTRODUCTORY LOCAL LAW NO. 6 OF 2023

**A LOCAL LAW OF THE CITY OF PORT JERVIS, COUNTY OF ORANGE,
AMENDING SECTION 535-4 OF THE CITY CODE-ZONING**

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF PORT JERVIS AS FOLLOWS:

Section 1. **Purpose**

In connection with the continued utilization and effectiveness of the Comprehensive Zoning Plan for the City, and in the interest of the protection and promotion of the public health and safety, convenience, amenities and general welfare, the amendments to the City Zoning Code set forth in this Local Law have been established in consideration of the following specific criteria:

- A. The provision of varied businesses allowed under Chapter 535 within a Commercial Zone;

- B. Continued economic development;

- C. The encouragement of flexibility in the design and development of land in such a way as to promote the most appropriate use of lands to facilitate the adequate and economical provision of services to the public.

After due consideration, the Common Council is of the opinion that “kennel” as it is currently defined should not include dog grooming as dog grooming is not an essential service of a kennel, but rather, dog grooming is a personal service and as such shall be deemed so under Section 535-4(B)(170).

Section 2.

A. The City of Port Jervis, Section 535-4B (121) entitled “Word Usage and Definitions: Kennel”, shall be amended by deleting the word grooming.

B. The City of Port Jervis, Section 535-4B(170) entitled “Word Usage and Definitions: Personal Services”, shall be amended by adding the following highlighted language:

Commercial or business services provided to individuals or to other businesses, intended herein to include the cleaning of clothes, dropoff and pickup stations for laundry and dry-cleaning, repair of shoes or other personal effects, hair grooming, **pet grooming** physical therapy and health aid, and printing, copying, design, typing and computer services, as well as studios for the production of arts and crafts. Such definition shall exclude automotive services, retail and general business and industrial uses.

Section 3. 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 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. 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.