

CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 10 OF 2022

A LOCAL LAW AMENDING SECTION 535-87 OF THE CITY CODE OF THE CITY OF PORT JERVIS, NEW YORK TO ADD A SUPPLEMENTARY REQUIREMENT THAT MOTOR VEHICLE SERVICE STATIONS MUST BE REGISTERED WITH THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES AS A SITE DEVELOPMENT PLAN CONDITION

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

Section 1. Statement of Intent

This Local Law is enacted to amend Port Jervis City Code Chapter 535 in order to require motor vehicle service stations within the City to be registered as a repair facility with the New York State Department of Motor Vehicles in accordance with New York State Vehicle and Traffic Law §215 and Part 82 of the Regulations of the New York State Commissioner of Motor Vehicles as a condition to site plan approval. The registration requirement for service stations is in the overall best interests of the health, safety and general welfare of the public as such facilities must abide by New York State requirements prior to maintaining and repairing vehicles that traverse local roads.

Section 2. Chapter 535, Article XVI Amended

The City of Port Jervis Code, Chapter 535-Zoning, Article XVI-Conditional Use Standards, §535-87 entitled “Motor Vehicle Service Stations” is hereby amended to add the following subsection “F”:

“F. It shall be a condition noted on every site development plan that no operations shall commence at the motor vehicle service station until the owner or operator of the station provides documentary evidence to the appropriate City officials (i.e. Building Department and/or Fire Inspector) that the station has been properly registered with the New York State Department of Motor Vehicles as a repair facility in accordance with New York State Vehicle and Traffic Law §215 and Part 82 of the Regulations of the New York State Commissioner of Motor Vehicles. This condition shall also apply to any subsequent individual or entity that utilizes the site as a motor vehicle service station following initial approval. Any such successor operator of the site shall have ninety (90) days from the date of transfer from the prior owner/operator to provide evidence of registration to the City.”

Section 3. Separability

If any part or 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 6. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 7. 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.