



CITY OF MOUNT VERNON, N.Y.
DEPARTMENT of PUBLIC WORKS

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January 29th, 2025

Honorable City Council
The City of Mount Vernon
Mount Vernon, New York
(Through the Office of the Mayor)

Re: Amendment to City Code Chapter 227-38 (Permit Required; Exception _ Added Penalty Provision)

Dear Honorable City Council Members:

The Department of Public Works submits this referral for Council consideration of a targeted amendment to Chapter 227, §227-38 of the City Code regarding street and sidewalk obstructions.

Section 227-38 establishes the requirement to obtain a permit before occupying or obstructing a public street, highway, or sidewalk area. As written, the section does not include a specific penalty tied directly to violations of this requirement. In practice, that gap makes enforcement less direct than it should be.

This amendment adds a clear penalty provision to the section so that violations can be addressed consistently and without ambiguity. The underlying permit requirement and existing exception language remain unchanged.

Proposed Code Revision — §227-38

Current Language (no change):

[No person shall obstruct, encumber or occupy in any manner or for any purposes whatsoever any public street, highway or sidewalk area without first obtaining therefor from the Commissioner a written permit. No permit shall be required, however, for the placing of floral pieces along public thoroughfares in conjunction with any urban beautification program authorized by the City, except that such authorization for the placing of said items must be obtained from the City Council.]

New Language (to be added):

Any person who violates this section by obstructing, encumbering, or occupying a public street, highway, or sidewalk area without the required permit shall be subject to a fine of \$500 for each offense. Each day the violation continues shall constitute a separate offense.

Requested Action

DPW respectfully requests that the City Council approve the amendment to §227-38 to incorporate the penalty provision outlined above.

Thank you for your consideration.

Respectfully,



Damani L. Bush

Commissioner of Public Works

DB/db

“The Jewel of Westchester”