



PUBLIC HEARING MEETING AGENDA

Tuesday, February 4, 2025
6:15 PM
Common Council Chambers

City of Poughkeepsie Common Council Public Hearing;

NOTICE IS HEREBY GIVEN that pursuant to the Charter and Codes of the City of Poughkeepsie, one Common Council Public Hearing will be held on **Tuesday, February 4, 2025 at 6:15 pm** in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY for the purpose of receiving comments on: A Local Law to Amend the City's Administrative Code, Sections 15.02 and 15.03 Regarding the Requirement of Prior Written Notice of an Alleged Defect

- I.** Welcome
- II.** Roll Call
- III.** Public Participation
- IV.** Adjournment:

**CITY OF POUGHKEEPSIE, NEW YORK
COMMON COUNCIL
PUBLIC HEARINGS
TUESDAY, FEBRUARY 4, 2025**

NOTICE IS HEREBY GIVEN that pursuant to the Charter and Codes of the City of Poughkeepsie, one Common Council Public Hearing will be held on **Tuesday, February 4, 2025 at 6:00 pm** respectively, in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY for the purpose of receiving comments on:

1. A Local Law to Amend the City's Zoning Code to Remove the Footnote at Section 19-3.3(2)(C) Of the Zoning Code and to Correct Various Definitions

When: Tuesday, February 4, 2025, at 6:00 PM (EST)

Location: Common Council Chambers, 3rd FL, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY 12601

Dated: January 22, 2025

Respectfully submitted,

Jamar M. Cummings
City Chamberlain

**RESOLUTION
(R-25-14)**

**RESOLUTION INTRODUCING A LOCAL LAW TO AMEND THE CITY'S
ADMINISTRATIVE CODE, SECTIONS 15.02 AND 15.03 REGARDING THE
REQUIREMENT OF PRIOR WRITTEN NOTICE OF AN ALLEGED DEFECT**

**INTRODUCED BY COUNCILMEMBER SHOOK, PATTERSON THOMPSON, HENRY,
MENIST, BROWN, JAMES AND GRANT:**

BE IT RESOLVED that an introductory Local Law entitled, “ A LOCAL LAW TO AMEND
THE CITY’S ADMINISTRATIVE CODE, SECTIONS 15.02 AND 15.03 REGARDING THE
REQUIREMENT OF PRIOR WRITTEN NOTICE OF AN ALLEGED DEFECT” be and hereby
is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess
and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid
upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said
proposed local law to receive comment from the public on **Tuesday, February 4, 2025 at 6:15
pm** in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza,
Poughkeepsie, New York;

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public
notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5)
days prior thereto.

SECONDED BY COUNCILMEMBER _____ .

(LL 25-XX)

**A LOCAL LAW TO AMEND THE CITY'S ADMINISTRATIVE CODE,
SECTIONS 15.02 AND 15.03 REGARDING THE REQUIREMENT OF PRIOR
WRITTEN NOTICE OF AN ALLEGED DEFECT**

SPONSOR:

BE IT ENACTED, by the Common Council of the City of Poughkeepsie as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED LANGUAGE

SECTION 1: Administrative Code Section 15.02 is amended as follows:

Section 15.02. Action against city due to defective condition of streets, sidewalks; notice required.

~~No action shall be brought against the city because of injuries resulting from defective or slippery streets or sidewalks, or because of any obstruction upon any street or sidewalk, unless the party so injured, or someone in his or her behalf shall first within five days after the date of said injury, said date inclusive, file with the commissioner of public works of said city a notice of such injury specifying in a general way the kind of injury, together with the exact date thereof, and designating the street and the precise location of the defect, obstruction or other cause which produced the injury, and all actions on such claims shall be commenced within thirty days after the rejection thereof by the common council.~~

No civil action may be maintained against the city for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous, or obstructed unless, before the occurrence resulting in such damages or injury, (a) notice of the defective, unsafe, dangerous or obstructed condition was delivered to the Commissioner of Public Works at 26 Howard Street, Poughkeepsie, New York 12601 in the form of a written physical hard copy and (b) the city failed or neglected to repair or remove the defect, danger or obstruction within a reasonable time after being given such notice. No action may be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk, or street unless notice thereof relating to the particular place was delivered to the Commissioner of Public Works at 26 Howard Street, Poughkeepsie, New

York 12601 in the form of a written physical hard copy and (b) the city failed or neglected to cause such snow or ice to be removed or to otherwise reasonably make safe the place within a reasonable time after receiving the notice. Notice of a defect submitted via email, the city's website, any service, website, or application the city uses to allow the public to submit reports or service requests to the city, comments on social media page maintained by the city, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this section.

SECTION 2: Administrative Code Section 15.03 is deleted:

Section 15.03. ~~**Liability of city for defective streets, sidewalks, etc.; notice required.**~~

~~The city shall not be liable for the damage or injury sustained by any person in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk in said city being out of repair, unsafe, dangerous, or obstructed by snow, ice or otherwise, in any way or manner, unless written notice of the defective, unsafe, dangerous or obstructed condition of said street, highway, bridge, culvert, sidewalk or crosswalk shall have been given to the commissioner of public works of said city at least twenty-four hours previous to such damage or injury.~~ **RESERVED**

SECTION 3: This Local Law shall take effect immediately upon its adoption by the Common Council.

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER _____ :