

PUBLIC HEARING

Dec. 14, 1945

Town Clerk's Office

2:30 P.M.

Present: Mr. Schmersahl

Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Mr. Blauvelt opened the public hearing by stating that it was being held to consider an application of Davies Farms, Inc. for a change of the zoning of their property from Residence A. to Business B. district. He then said that the hearing had been duly published in the Nyack Journal-News as required by law, and he requested the reading of the notice, which was done by Deputy Town Clerk Cora M. Martling.

Mr. Blauvelt then said that the Board was now ready to listen to all persons who wished to speak either for or against the change in zoning, and he requested that they kindly give their names and residences.

Mr. Adolf Milich, Pres. of Davies Farms, Inc. then presented to the Board a statement setting forth his reasons for desiring the change in the zoning from residence to business district. This statement was read to all present, and was then filed with the Board. In the statement, Mr. Milich pointed out that he wishes to have only 15 acres of his property consisting of 80 acres re-zoned, that he wishes to enlarge his present non-conforming use by an addition of a restaurant to an existing building now being used as a refreshment stand, that he plans to erect on said premises, hotel buildings for the accomodation of approximately 50 to 60 guests, and that he sought this change of zoning on the recommendation of the Board of Appeals, who advised a change of zoning rather than a variance.

Mr. Oscar Larsen of New City Park said that he had no objection to the change of the zoning of Davies Farms, Inc.

Mr. Otto Schweiss of New City Park said that he can see no reason to object to the change in the zoning requested by Mr. Milich.

Mrs. Peter Huyer of Red Hill Rd., New City, said that she has property almost adjoining Davies Farms, Inc., and that she has no objection to the change in zoning.

Mr. Mangar Gunnerson of New City said that he has no objection to the change of zoning.

Mr. Norman Baker of New City Park said that he opposed any change to business of the Davies Farms, Inc. He told the Board that he lives a short distance north of the property in question, and that the noise from the crowds can be clearly heard at his home, and that any extension of the present use would only aggravate the present use. He further told the Board that the property in question is adjacent to one of the finest residential districts in the township - New City Park - and that such a change to business would affect these properties adversely. He pointed out the fact that in the near future the new super highway passing near where the change of zoning has been requested will make property desirable for homes if zoning is maintained. Mr. Baker said that the changing of small areas to business constitutes what is known as spot zoning, which is an evil that sometimes does a great deal of harm.

Mr. Roy Wanvig of New City Park said that he lives about 1/8 of a mile from the property for which the change of zoning has been requested, and that he opposes such a change, as he does not want the residential status of New City Park changed. He said he also felt that it would set a precedent for future times. He then presented signed petitions protesting the rezoning of this property.

A letter was then read from the New City Park Civic Association, Lillian Selb, Secretary, requesting the Board to deny the application of Davies Farms, Inc. to change certain of their lands from Res. A zone to Bus. B zone.

Mr. Lagatella appeared to protest the change of zoning of the Davies Farms, Inc. and presented a petition signed by residents and taxpayers in the area of the proposed change, opposing the change to business B district.

Miss Carrie Cropsey said that she opposed the change in zoning. She said she owns property to the east and west of Davies Farms, Inc. and that the noise and confusion from the crowds going there is very bad now, and it would even be worse if the use of the property were extended.

Mr. Niles Serhus of New City Park objected to the change in zoning because of the noise there in the summertime. He said he left a good job in the city to come to the country to get peace. Any extension of the present use would only make matters worse. He said he respected Mr. Milich very much, but objected to changing the present status of the property.

Mrs. George Link said that her property joins Davies Farms, Inc. and that while there is nothing personal in her feeling against Mr. Milich, she

doesn't want business brought into her neighborhood. She said that last year she wasn't bothered with people, but that the year before she was bothered by people walking through the woods and coming out in her backyard. Mrs. Link said that she wants the woods left free for the use of the boys and other local people. She said she didn't like the idea of the zoning laws being changed in New City, as we worked hard to get them. Mrs. Link said that she feels it takes away from the value of her property to have so many people near her home, because of the noise and confusion.

Mrs. Polhemus said that her property adjoins Davies Farms, and that there is a great deal of noise there at all times. She said that if you have a hotel, you will have more than 50 or 60 people. Mrs. Polhemus said that unfortunately people from the city consider the country a park and a playground, and many times they make themselves quite obnoxious by teasing her dog, running on her lawns, etc.

Mr. Benjamin said that he felt obliged to protest against any change in the present zoning of the Davies Farms, Inc. He said that from his observations of surrounding areas, especially New City Park, that the people who live there have thought to protect one of the most beautiful neighborhoods anywhere around. The homes and set-ups of the streets are something worthy of all protection that can be given it.

Mrs. Irma Stone of New City said she objected to the change because of the people who would undoubtedly come for the week-ends. Mrs. Stone said she lived alone, and because of this fact felt the matter should be considered very carefully.

Mr. Krauthamer of New City said that he was the property owner of two parcels near New Valley Rd. He said that he has worked very hard mentally and physically to clean up the woods and get his place in such a condition that he can live there in peace and quiet with his family. However, due to the crowds at Davies Farms, Inc. there is no privacy except during the week. He said that he personally, his family and the neighbors ask that no bigger crowds be allowed.

Mrs. Alice Peterson of New City said that she objected to the proposed change of zoning.

Mrs. Link said that she would like to add that in her opinion the proposed boarding house would not assist the housing situation, since it would only be for summer guests.

Miss Cropsey said that it is not pleasant to live near a place where the noise keeps you awake at night.

Mrs. Dorothy Baker said that she felt that if the change were granted allowing one hotel building that it would open the way for other buildings going up.

Mr. Wanvig said that he was under the impression that Business B might permit small industry, which he opposed.

Mr. Cowles, representing the Hackensack Water Company and Board of Water Commissioners of the Village of Nyack, appeared to protest the application of Mr. Milich. He said that the stream in that vicinity was one of the streams used for public water supply, and that the Water Company and Water Commissioners together with the St. Dept. of Health, the Town Board of Health, and the Health Officer were obliged and required to keep pollution out of the stream. Naturally they have been following the situation at Davies Farms ever since the property was taken over in 1936 and the small stream was enlarged. Mr. Cowles said that none of his remarks are to be construed as unfriendly to Mr. Milich, but there are several pertinent points that must be brought out. He said that the sewerage disposal for the hotel, bathhouse and refreshment stand were initially unsatisfactory. Dr. DeBaun, Health Officer, at the time held up the matter until an engineer could prepare plans, and the plans provided for 200 persons and not 2000. He said that the use of the lake was discussed with Mr. Milich at that time, and there was a definite inference that the body of water was not be wide open for public use. Neither was it to be restricted to persons who purchased lots. Mr. Cowles told the Board that the lake has a limited capacity without the installation of chlorination or infiltration. It was further pointed out by Mr. Cowles that this lake was operated in 1945 without any permit from the State Dept. of Health, possibly through an oversight. In 1944 the permit covered 200 bathers. In addition there are several privies in the vicinity of the lake, which probably are not on Davies Farms property, which are a violation. All this, he pointed out, is very interesting to people who use the water. Mr. Cowles said that the soil conditions in that vicinity are not too good. Mr. Milich provided for acre plots, and has considerable place for sewerage disposal. Mr. Cowles told the Board that it would not be advisable in his opinion to grant this change of zoning, since it was obvious that if Mr. Milich could not control the people coming there now, how could he control more people coming, especially with regard to sewerage disposal. Mr. Cowles said that he understood that practically

anything excepting heavy industry could be permitted in Business B. district. He also said that he feels this change would be creating spot zoning, which is a very bad precedent to set. He concluded his remarks by telling the Board that he saw no justification on Mr. Milich's part for this change to Bus. B. and that he was very much opposed to it.

Mr. Dickenman said that as a member of the Town Board he wished to voice his opinion. He said he always felt that zoning was meant to be a protection, and that because of this he would oppose the change in Mr. Milich's property from Res. to Business B. district.

Mr. Milich then presented to the Board two lists of property owners and residents of New City, favoring the granting of Mr. Milich's application. Mr. Milich then said that Mr. Krauthamer had complained of the noise from the crowds at the lake. He said that Mr. Krauthamer rents his property and expects him to give his tenants free lake privileges. In regard to Mr. Baker, Mr. Milich said he felt that he hears more noise from New City Park than he does from his place, since New City Park is in his backyard. In regard to Mr. Lagatella, Mr. Milich asked him what he intended to do with his own place, as it wasn't very ornamental as it is now.

Mr. Lagatella then told Mr. Milich that he never asked any favors of him, and that he would continue to operate his place of business as he saw fit, and that it was none of his business when he cleaned it up.

Mr. Blauvelt then asked that no personalities be brought into the matter.

Mr. Baker then said that the people did not want their property values affected adversely by business coming into a residential district, and they didn't want any more noise there. It is now one of the finest residential neighborhoods in New City. He said that if the Board wishes to consider the matter in Executive Session, the people would be willing to wait for their decision.

Mr. Dornbush of Bardonia then asked as a point of information if it were necessary to notify adjoining property owners when a change is contemplated, and if so within how many feet.

Mr. Blauvelt told him that this is done only when a variance is requested of the Zoning Board of Appeals.

Mr. Cowles then told the Board that whatever they decide in the matter, the Water Company must live with the situation. He said that

he wasn't quite clear regarding a variance being requested of the Board of Appeals in this matter.

Mr. Roepe, Town Attorney, then said that he would like to report on this, as he was present at the Board of Appeals meeting when Mr. Milich applied for a variation. He said that Mr. Milich's original application was for a variance to put a restaurant and hotel building there. The Zoning Board of Appeals decided that the proper thing for that area would be business and recommended that he ask the Town Board specifically for a change to Bus. B. He said that Mr. Milich would have been satisfied to have his property put in Business A.

Mr. Cowles then said that the Water Company would also be opposed to a change of this property to Bus.A district.

Mr. Larsen then said he believed that Mr. Milich would build something that would be a credit to the community, as he always did a good job.

Mr. Baker said he felt too that Mr. Milich would do a good job, but that the people must think of the future, as Mr. Milich would not live forever, and it was their duty to think of the future.

There were no other persons who wished to be heard, so the Board conferred together regarding the matter.

Mr. Blauvelt told those present that the Town Board had listened very carefully to all those who had presented their cases both for and against the proposed change and that they were no ready to take action.

Mr. Dickenman moved that the application of Davies Farms, Inc. for a change of the zoning of their property from Residence A to Business B district be denied.

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Baker thanked the Board on behalf of the people present for their consideration and action. He said that there was nothing personal in their action against Mr. Milich, as they thought well of him, but they could not approve the change he requested.

Mr. Blauvelt then said that the Board in taking the action they did had been guided by the fact that the people were not in favor of the change, and that there was nothing personal in their feelings against Mr. Milich, as they respected him very much.

Mr. Eberling moved adjournment.

Seconded by Mr. McIntyre

Carried

Hearing adjourned.

KATE BUCHENAU,
Town Clerk of Clarkstown

By *Carroll M. Marthing*
Deputy Town Clerk

TOWN BOARD MEETING

Dec. 14th, 1945

Town Clerk's Office

3:30 P.M.

Present: Mr. Schmersahl

Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Mr. Blauvelt called the meeting to order.

Mr. Samuel Gunn, representing Mrs. Louis Forni of Nanuet, wife of John Forni, appeared before the Board regarding the continuation of Englewood Ave. in Nanuet. Mr. Gunn pointed out to the Board that the Fornis have a substantial development on the west side of Middletown Rd. in Nanuet, and that in the past streets have been dedicated to the Town. He further pointed out that in 1939, Englewood Ave. was submitted to the Town Board for acceptance, and that at that time the Town Board took only a portion of the street, namely, 350 feet. He said that at this time Mrs. Forni would like to have the Town Board continue Englewood Ave. westerly a distance of 573.86 feet, and that the road is 50 feet wide, the bed of the street is now in, and that it only requires the care of the Town from now on. Mr. Gunn then submitted a deed to the Board for their approval and acceptance.

The Board then discussed the matter at length, after which the following resolution was moved by Mr. Eberling.

RESOLVED, that if the deed of Louise Forni to the Town of Clarkstown for the continuation of Englewood Ave. in Nanuet is found to be in proper form, and if the Supt. of Highways approves acceptance of this continuation by the Town, and if a Certificate of Title from a recognized source is furnished, that the Town of Clarkstown accept the continuation of Englewood Ave. in Nanuet.

Seconded by Mr. McIntyre	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt then announced that Dr. Hopper had telephoned him that she could not be present for the regular Board of Health Meeting.

Mr. Blanch of Spring Valley, when advised that Dr. Hopper would not be present and that no Board of Health Meeting would be held, presented the Board with a letter protesting the sewerage conditions existing on the property of Mrs. Weinberg.

Mr. L. Dornbush of Bardonia then appeared before the Board regarding a question of zoning, particularly along Route 304 in Bardonia. He told the Board that he believed a business district should have been put in the ordinance to cover from Ludvigh Rd. running north to past the Monterey pool, and he said he felt that a change in the zoning should now be made. He told the Board that he has acquired property in Bardonia recently on the east side of the highway, the property formerly being known as the Haerle property, and that he understands he can only build on 15% of the land. He told the Board that he would like to build on this property not only houses but also stores which would take care of the needs of the community. He asked that the zoning be changed from a residence to a business district.

Mr. Blauvelt informed Mr. Dornbush that he must present a petition to the Board showing the property he wishes changed, with a description of the property and a map, and that a public hearing will be held. After the hearing the Board can then take action on his request. Mr. Blauvelt further advised Mr. Dornbush that if he desires to have an area in Bardonia re-zoned, then he should ask his neighbors to join with him and petition the Board to change the zoning of their properties.

Mr. Blauvelt then advised the Board that a Dog Enumerator would have to be appointed for 1946.

Mr. Schmersahl moved that Charles Draudt be appointed Dog Enumerator for a period of one year.

Seconded by Mr. McIntyre	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickerman	Yes
	Mr. Blauvelt	Yes

Mr. Klein, Supt. of Highways, then appeared before the Board, and they conferred with him on Englewood Ave. in Nanuet, advising that they had approved the acceptance of this road pending his approval.

Mr. Klein told the Board that as he last saw the road, it did not meet the requirements necessary for the acceptance of property conveyed to

the Town for highway purposes. However, he advised that he would investigate again and report back his findings.

Mr. Blauvelt then read a letter from Wm. Schmidt of New City, applying for the position of Attendance Officer left vacant by the death of Ernest Griffin.

There was no action taken in the matter.

Mr. Blauvelt then read a letter from Carworth Farms, Inc. recommending that Cora M. Martling be reimbursed by the Board in lieu of her vacation, which it was impossible for her to take because of Mrs. Buchenau's absence from the Town Clerk's office, and also recommending that Miss Martling be given a vote of thanks for a job successfully accomplished without assistance.

Mr. Blauvelt then said that the Board appreciated Miss Martling's work, but that there was no way they could reimburse her for her vacation, as there was no account from which the funds could be taken.

Mr. Blauvelt then read a letter from W. Reginald Herdman, Chairman of the Zoning Board of Appeals, recommending the adoption of a Building Code. A list of suggested minimum requirements for such a Building Code was attached to the letter.

There was no action taken.

Mr. Blauvelt read a letter from the State Traffic Commission advising that an investigation is now being made regarding the necessity for a signal light at the six-corners on Route 303, Valley Cottage, and that a report of their findings will be furnished to the Board.

Mr. Blauvelt read a letter from the New York Central Railroad Co. in which they advise that repairs to the crossing at Congers will be made, and that every effort will be made to eliminate unnecessary smoke from their locomotives.

Mr. Blauvelt then read a letter from the State Insurance Fund advising that revised rates applicable to the policy of the Town carried with the State Insurance Fund will be reduced by the State Fund advance discount of 25%.

Mr. Blauvelt then read a letter from the Interstate Commerce Commission, advising that the time limit within which petitions for reconsideration, rehearing or reargument in the matter of Rockland Coaches, Inc. and Spring Valley Motor Coach Co. for extended bus service has been extended to

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December 24th, 1945.

Mr. Blauvelt presented a petition from citizens and taxpayers of Congers, requesting the installation of a street light on Pole #2, Westview Ave., Congers.

Mr. Eberling moved the following resolution:-

RESOLVED, that a street light be installed on Pole #2 on Westview Ave., Congers, N.Y. and that the Rockland Light & Power Company be requested to proceed with the necessary installation.

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt read a letter from the Civic Board of Clarkstown recommending that street lights be mounted on every third pole instead of every second one, unless the second pole is at an intersection or near a dangerous condition such as a turn.

There was no action taken regarding this recommendation.

The question of a street light on Freemont Ave. was then discussed by the Board, after which Mr. Eberling moved the following resolution:

RESOLVED, that a street light be installed on Freemont Ave. in Nanuet, on Pole #54, and that the Rockland Light & Power Company proceed with the necessary installation, and further

RESOLVED, that the Rockland Light & Power Co. be requested to give the Town Board information as to what must be done in order to get lights on First Ave. in Nanuet.

Seconded by Mr. McIntyre	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickerman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt then read letters from Walter Kavanagh and Carworth Farms, Inc. both commending the Board of Assessors as being competent, able, fair, honest and courteous. Mr. Blauvelt then read letters from Carl Marcum and Harry Gerken in which they commend Victor Smith as an

Assessor, stating that they have found him to be trustworthy, competent, courteous and sincere in their dealings with him.

Mr. Blauvelt then told the Board that he would like a resolution adopted to reduce the tax rate, establishing the rate at \$2.18 per one hundred dollars.

Mr. Schmersahl moved the following resolution:-

WHEREAS, there is a balance in the Account of Current Surplus and

WHEREAS, it is lawful to expend this accrued surplus for any lawful purpose, be it

RESOLVED, that the Supervisor is hereby authorized to pay to the County Treasurer the sum of \$13,700.00 in order to reduce the tax rate, thereby establishing it at \$2.18 per one hundred dollars.

Seconded by Mr. Dickenman	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt presented the reports of the following town officials for the month of November, 1945.

Town Clerk

Building Inspector

Welfare Officer

Yearly report of Veterans Welfare Officer

Mr. Dickenman moved the reports be approved and accepted.

Seconded by Mr. Schmersahl Carried

Supt. of Highways Emil Klein reported to the Board that it had been impossible for him to get the snow loader.

The Board then discussed the proposed ordinances, after which Mr. Eberling moved the following resolution:-

RESOLVED that the following be added as Section 4 of Article VI of the proposed ordinances of the Town of Clarkstown, viz:-

Section 4. All night parking on any of the streets, roads and highways of the Town is prohibited. All night parking is hereby defined as continuous parking between midnight and sunrise.

FURTHER RESOLVED, that Article V, Section 3 be amended as follows: to the fourth sentence thereof shall be added after the words "deposit with the Supervisor" the words "a sum to be fixed by the said Superintendent not to exceed"; the words "of One Hundred Dollars" in the sixth sentence thereof shall be stricken out.

FURTHER RESOLVED, that the word "snow" in Article II, Section 1 and the last two sentences of said section be eliminated.

FURTHER RESOLVED, that the proposed ordinances as hereby amended be and the same are hereby approved and adopted and that the Town Clerk and Town Attorney have the same duly published and posted according to law.

TOWN OF CLARKSTOWN

ORDINANCES

ARTICLE I DEFINITIONS. When used in these ordinances, the term "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing.

"Chief of Police" is that member of the Department of Police of the Town of Clarkstown, designated by the Town Board to be in charge of said Department and its members.

"Town" is the Town of Clarkstown.

"Town Board" is the Town Board of the Town of Clarkstown.

"Town Clerk" is the Clerk of the Town of Clarkstown.

"Superintendent of Highways" is the Superintendent of Highways of the Town of Clarkstown.

"Health Officer" is the Health Officer of the Town of Clarkstown.

"Street" is every way set apart for public travel, except alleyways, bridlepaths and footpaths.

"Sidewalks" is that portion of the street between the physically established curb lines and the designated property lines.

"Vehicle" shall include any conveyance by which any person or property is or may be transported or drawn upon the street.

"Park", "Parking" or "Parked" shall mean the stopping upon any public highway and leaving a motor vehicle or motorcycle unattended by a person capable of operating it.

"House Trailer" shall be construed to mean any vehicle used or capable of being used as sleeping or living quarters, mounted on wheels and propelled either by its own power or a power driven vehicle to which

it may be attached, and includes an automobile trailer equipped with living quarters or sleeping facilities and a house car.

"Trailer Camp" as used in this ordinance, shall be defined as any lot, piece or parcel of ground whereon three or more house trailers, house cars, or automobile trailers equipped with sleeping or living quarters are located or parked otherwise than for the purpose of loading and unloading or discharge or the entrance of occupants or passengers.

"Tourist Camp" as used in this ordinance, shall be defined as any lot, piece or parcel of ground whereon are located or placed, one or more camp cottages, tent houses, cabins, or other buildings, designed, intended or used for temporary living quarters.

ARTICLE II SIDEWALKS. Section 1. Every owner, lessee, tenant, occupant or other person having charge or control of any building or lot of land abutting upon any street or public place where the sidewalk is flagged, concreted, or otherwise paved or laid, shall keep the sidewalk in front of the premises owned or occupied by them clean and free from paper, rags, scraps, sticks, fruit skins, earth and all manner of rubbish and refuse. No papers, rags, scraps, sticks, fruit skins, dirt or rubbish or refuse of any kind shall be swept onto the sidewalk, gutter or street, nor shall any person permit overflow from cesspools or septic tanks nor shall waste or dirty water be poured or dumped on any part of the sidewalk, gutter or street.

Section 2. Any encroachment upon or encumbrance of any part of the sidewalk by any stock of food, merchandise, produce, waste material or any other article or thing that obstructs the sidewalk is prohibited.

ARTICLE III FIRE PREVENTION. Section 1. No person shall wilfully give any false alarm of fire nor tamper, meddle, or interfere with any station or signal box of any fire-alarm, telegraph system, or any auxiliary fire appliance, nor break, injure, deface or remove any such box or station, nor break, injure, destroy, or disturb any of the wires, poles or other supports and appliances connected with or forming a part of any fire-alarm, telegraph system or any auxiliary fire appliance.

ARTICLE IV NUISANCES. Section 1. No person shall hereafter be permitted to abandon, leave, dump, make a pile of or store any automobile or part thereof, or any waste material, garbage, refuse, rubbish, papers or paper products, bottles, cans, metal or other substance upon any public street or in any public place, or on any privately owned property in the Town.

Section 2. The owner, tenant or occupant of property located within the Town is hereby required to remove all nuisances, dangerous hazards and fire hazards existing on or in connection with the property owned or occupied by them other than a building when ordered so to do in writing by the Chief of Police or the Chief of any Fire Department in the Town. Failure to comply with the orders of the Chief of Police or the Chief of any such Fire Department within forty-eight hours, shall constitute a violation of this ordinance.

ARTICLE V STREETS AND ROADS. Section 1. No building material shall be placed upon any highway without a permit from the Superintendent of Highways. Such permit shall be for a period no longer than three months and shall not authorize the obstruction of any sidewalk or gutter or of more than one-third of the roadway immediately opposite the lot upon which the building is to be erected, and shall be revocable for cause by the Superintendent of Highways or the Town Board. The holder of such permit shall so guard such material with red lights at night, so as to avoid accidents. Upon revocation of such permit all materials deposited pursuant to such permit shall be removed within forty-eight hours and the highway restored to its original condition.

Section 2. No person shall open, expose or interfere with any electric conduit, water pipe, hydrant, basin pool or other construction except by permission of the Superintendent of Highways.

Section 3. No person shall have the right to make any opening in any street, road or highway, including any sidewalk, and all such openings in streets, roads, highways or sidewalks must be made under the supervision of the Superintendent of Highways. Any person desiring to make or to have made an opening in a street or highway, shall make written application to the Superintendent of Highways. The Superintendent of Highways in his discretion shall determine whether the opening shall be made by Town employees or may be made by the applicant. If the Superintendent of Highways shall direct that the work be done by the applicant then before a permit is issued, the applicant shall deposit with the Supervisor a sum to be fixed by the said Superintendent not to exceed One Hundred Dollars in cash, or certified check to the order of the Supervisor and a duly executed surety company bond in an amount determined by the Supervisor and in form approved by the Town Attorney to protect the Town against all liability or expense of whatsoever kind or nature by reason of any act or omission of the applicant, his or its agents or servants or any contractor employed by him, his or its agents, or servants in or about the excavation for which the permit is granted. No work shall be commenced

under any such permit until the same has been approved by the Superintendent of Highways. The Superintendent of Highways shall see that all substructures are protected and all surfaces properly supported and restored, for which supervision by the Superintendent of Highways there shall be a charge of Five Dollars per day for each day of supervision, the total sum of which charge shall be deducted from the sum deposited with the Supervisor and the balance, upon certification by the Superintendent of Highways that the work is completed to his satisfaction, shall be returned to the applicant. If the applicant fail or refuse to complete the work to the satisfaction of the Superintendent of Highways the Supervisor shall retain such sum estimated to be sufficient to properly complete the work. All openings in highways shall be properly guarded and shall between sundown and sunrise be plainly lighted with red lights. When the work is not done by Town employees every applicant obtaining a permit to open a highway shall be solely responsible for the protection and function of all drains, sewers, basins, gas and water pipes, telephone and electric wires and conduits. The surface of the highway opened shall be restored to as good condition as previous to the excavation.

Section 4. No person shall attach or string any electric or other wire or adjust or carry the same into or over any street, road, highway or public place except with permission of the Superintendent of Highways.

Section 5. No person shall erect, maintain or cause to be erected or maintained any post, pole, guy line or attachment thereto for the purpose of supporting a sign or other display advertising device, which is placed in, upon or over any sidewalk, square, public place, street or gutter or attached or connected thereto in any manner whatever, or string or suspend across any street, square or public place within said Town any banner, sign or other device or any ropes, guy lines or attachment thereto without first obtaining permission from the Town Clerk, which permission shall be approved in writing by the Chief of Police.

Section 6. It shall be unlawful to hang any sign or other device or to attach the same to a building or other structure or support in such a way that any part of the same to any extent extends over any part of the sidewalk or public road without a license therefor from the Town Clerk and the furnishing of insurance to the Town in an amount determined by the Supervisor to protect the Town against all damages, including death claims, which might arise out of the erection or maintenance of said sign. Such insurance shall be kept in force by the licensee as long as said sign shall be erected, and proof thereof furnished to the Town Clerk. A written plan must accompany each application showing type of sign, its dimensions,

elevation from sidewalk and distance back from the curb.

Section 7. No person shall be permitted to flush or wash out the inside of any truck or vehicle used to convey garbage or refuse on the public streets of the Town. No person shall park or operate any vehicle on the public streets of the Town which discharges or drops refuse, garbage, ashes, papers, sand, gravel, rubbish or other material whatsoever from said vehicle onto the streets of the Town. All vehicles conveying garbage, ashes, sand and/or refuse of any kind, junk or paper, shall be covered or so contained that no part of same can fall or be blown off said vehicle.

Section 8. No person shall wilfully throw, drop or place, or shall wilfully cause or procure to be thrown, dropped or placed, in or upon any cycle path, avenue, street, sidewalk, alley, road, highway or public way or place, any glass, tacks, nails, pieces of metal, briar, thorn or other substance which may injure any animal or puncture any tire used on a vehicle, or which may wound, disable or injure any person using such way, nor wilfully deposit within the limits of any highway, any snow, garbage, refuse or other rubbish.

Section 9. All owners, tenants, and/or occupants in charge of premises at any corner formed by the intersection of highways shall within fifteen days of the receipt from the Chief of Police of written notice to do so, trim, prune and if necessary remove all hedges, brush, shrubs, and overhanging limbs of trees or any obstacle upon such part of the premises as is specified in said notice, to the end that persons driving vehicles upon either of such intersecting highways, for a distance of at least twenty feet from such intersection, measured along such highways, shall have clear and unobstructed vision.

Section 10. No person over the age of fifteen years shall be permitted to appear in a bathing costume, shorts or in any other than the customary street attire, upon any public street or thoroughfare in the Town

ARTICLE VI PARKING. Section 1. No vehicle shall be parked in front of any private driveway or in front of or within five feet, measured along the curb, of the entrance to any theatre, auditorium, church or other public building of any fire house, except for such reasonable time as may be necessary for taking on or discharging passengers or merchandise.

Section 2. The parking of unlicensed automobiles upon any part of the public street is hereby prohibited.

Section 3. The Chief of Police may declare certain areas in the Town restricted to parking of motor vehicles on the streets, roads and

highways of the Township in said areas and said Chief of Police may designate the length of time for parking motor vehicles in said areas and he shall erect and maintain appropriate signs or markers. The owner and operator of any motor vehicle parked in violation of such regulation shall be guilty of unlawful parking and shall be liable for the expenses incurred by the Town in towing said unlawfully parked motor vehicle from any such street, road or highway.

Section 4. All night parking on any of the streets, roads and highways of the Town is prohibited. All night parking is hereby defined as continuous parking between midnight and sunrise.

ARTICLE VII BICYCLES. Section 1. No bicyclist, while riding on any of the streets, in the Town, shall carry upon his bicycle any person.

Section 2. No bicycle shall be ridden upon the sidewalks of any street.

Section 3. No person shall operate a bicycle, tricycle, velocipede or other vehicle propelled by foot or hand power, along or upon any public highway between sundown and sunrise unless such vehicle shall conspicuously display a red rear light or red rear reflector, not less than one and one-half inches in diameter.

ARTICLE VIII ANIMALS. Section 1. No person shall permit to run at large any horse, cattle, sheep, swine, fowl or other animal on the roads, streets or highways of the Town or on property of persons other than the owner or owners of said animals or fowl.

Section 2. All animals, birds and fowl may be apprehended and impounded and sold for costs of keeping, proceedings and penalty, in violation of this ordinance on any highway, street, or road or premises not owned or occupied by the owner of said animal or fowl.

Section 3. The owner, custodian, or person in charge of any animal, bird or fowl, which has been impounded pursuant to any provision of this ordinance, shall be subject to the penalty hereinafter prescribed.

Section 4. A justice of the peace, who, upon written complaint and after a hearing upon due notice to each owner, custodian or person in charge of any animal, bird or fowl, shall find that noise, damage, or injury to property made by such animal, bird or fowl, to be a public nuisance, shall direct that such animal, bird or fowl shall be forthwith impounded unless the owner, custodian or person in charge shall give assurance satisfactory to such justice of the peace that such nuisance shall be forthwith abated. If such assurance is violated, the animal, bird or fowl shall forthwith be impounded.

ARTICLE IX PEACE, GOOD ORDER AND SAFETY. Section 1. Any person who with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned, commits any of the following acts shall be deemed to have committed the offense of disorderly conduct:

(a) Uses offensive, disorderly, threatening, abusive or insulting language, conduct or behavior;

(b) Acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others;

(c) By his actions causes a crowd to collect, except when lawfully addressing such a crowd;

(d) Shouts or makes a noise either outside or inside a building during the night time to the annoyance or disturbance of any considerable number of persons;

(e) Interferes with any person in any place by jostling against such person or unnecessarily crowding him or by placing a hand in the proximity of such person's pocket, pocketbook or handbag;

(f) Stations himself on the public street or follows pedestrians for the purpose of soliciting alms, or who solicits alms on the public streets unlawfully;

(g) Frequents or loiters about any public place soliciting for the purpose of committing a crime against nature or other lewdness or for the purpose of prostitution;

(h) Causes a disturbance in any street car, railroad car, omnibus or other public conveyance, by running through it, climbing through the windows or upon the seats or otherwise annoying passengers or employees therein;

(i) Stands on sidewalks or street corners and makes insulting remarks to or about passing pedestrians or annoys such pedestrians;

(j) Is engaged in some illegal occupation or who bears an evil reputation and with an unlawful purpose consorts with thieves and criminals or frequents unlawful resorts;

(k) In any prosecution under subdivision (j) of this section the fact the defendant is engaged in an illegal occupation or bears an evil reputation and is found consorting with persons of like evil reputation, thieves or criminals shall be prima facie evidence that such consorting was for an unlawful purpose.

Section 2. No person shall take part in, join, aid or abet any riotous or tumultuous assemblage or unnecessary crowds upon the streets, or in the doorways, or stairways adjacent thereto, or in or on any public

place or highway or loiter about such places.

Section 3. It shall be illegal for any minor under sixteen years of age to be on the street or in any public place between the hours of 10:00 o'clock P.M. and 6:00 o'clock A.M. during the months of June, July and August, and between the hours of 9:30 o'clock P.M. and 6:00 o'clock A.M. during the balance of the year, unless accompanied by some legal adult custodian. This ordinance shall not apply if such minor is on an errand or duty directed by the parent, guardian or other person having the care of such minor or if the minor's lawful employment makes it necessary for such minor to be on the streets.

Section 4. It shall be unlawful for any person to have in his possession, or under his control, or to permit to be placed, maintained or kept in any room, space, enclosure or building owned, leased or occupied by him, or under his management or control, any machine, apparatus or device, commonly known as a "pin ball machine", or any machine, apparatus or device into which may be, or might have been, inserted any piece of money or other object, and in which machine, as the result of such an insertion, or as a result of such insertion and the application of physical or mechanical force, one or more marbles or balls may be caused to fall into slots or holes containing numbers, or into a trap containing no number, without having obtained a license therefor from the Town Clerk, the fee for which is hereby fixed at the sum of Twenty-Five Dollars per annum for each such machine.

Section 5. All unnecessary ringing of bells, blowing of horns and steam whistles, back firing of motor vehicles or motorcycles, hawking, boisterous shouting or any other unnecessary noises are hereby prohibited. This section shall not apply to the ringing of church bells or chimes.

Section 6. No person shall locate radios or similar devices or amplifiers thereof so as to, or that may project sound into highways or neighborhoods for advertising or business purposes; and no person owning, occupying or having charge of any building or premises or any part thereof in the Town shall cause, suffer or allow any loud or excessive noise in the operation or use of any radio, phonograph or other mechanical or electrical or reproducing device, instrument or machine.

ARTICLE X UNSAFE BUILDINGS AND COLLAPSED STRUCTURES. Section 1.
For the purpose of providing for the removal or repair of buildings in business, industrial and residential sections, that for any cause may now be or shall hereafter become dangerous or unsafe to the public:

The Building Inspector, Chief of the Fire Department in the district where such building or structure is located, and the Chief of Police, are

hereby appointed by the Town Board for the purpose of presently and hereafter, from time to time, inspecting the buildings, structures and premises located and existing within the limits of the Town and of the respective fire districts, and making and filing a written report with the Town Board, describing any building or buildings in said Town which is now or may hereafter become in such a dangerous or unsafe condition as to require, in the interests of the public, its removal or repair.

Section 2. Upon filing said report, the Town Board, if it is satisfied from said report that one or more buildings or structures referred to therein, are in such a dangerous or unsafe condition as to require to be served on the owners or some one of the owners, his executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in the real property described in said report, shall procure such notice to be served, as provided by law, which notice shall contain the following:

- (1) A description of the premises affected;
- (2) A statement of the particulars in which the building or structure is unsafe or dangerous;
- (3) An order requiring said premises to be made safe and secure or removed. Said order shall provide that work must commence to effect the securing or removal of the buildings or structures complained of not later than fifteen days from the date of said order; and that the work necessary to be done in order to make said building or structure safe and secure shall be completed not later than sixty days from the date of said order.

Section 3. In the event that the person served with the notice provided for in this ordinance shall neglect or refuse to comply with the same within the time provided for in said notice, a further survey of said building or other structure shall be made, and if said building or structure be again reported unsafe or dangerous, the Town Board may make application at a Special Term of the Supreme Court, in the Judicial District, in which the property is located, for an order determining the building or other structure to be a nuisance and directing that it be repaired or secured or taken down or removed. A signed copy of the report of survey provided for herein shall be posted on the building affected thereby. The surveyors shall be paid suitable compensation for their work to be fixed by resolution of the Town Board.

Section 4. The Town Board shall assess all cost and expense incurred by the Town in connection with the proceedings to remove or secure said building or structure, including the cost of actually removing said building or structure against the land on which said building or structure

is located, and said costs and charges when duly filed shall become a lien against said land.

ARTICLE XI TRESPASS. Section 1. No person shall trespass on any public or private property located within the Town.

Section 2. The injury to or destruction of Town property or property of a public utility is prohibited.

Section 3. No person shall cut, break, destroy, or in any way injure or deface any tree, shrub, plant, grass, fence, post, railing, chain, lamp, lamp-post sign, sign-post, tree-guard, building, bridge, structure or any other property in or upon the streets, roads, highways or public places of the Town, nor shall any fallen trees or branches be cut or removed except by direction of the Superintendent of Highways or the Chief of Police.

Section 4. A person, who intrudes upon any lot or piece of land within the bounds of the Town, without authority from the owner thereof, or who erects or occupies thereon any structure whatever without such authority; and a person who places erects, or occupies within the bounds of any street or avenue of the Town, any structure, without lawful authority, shall be subject to the penalties herein provided.

ARTICLE XII JUNK DEALERS. Section 1. No person, association, partnership or corporation shall engage in the business of buying or selling old metal, junk, or other second-hand articles anywhere within the Town of Clarkstown without obtaining a license from the Town Clerk of the Town of Clarkstown. The license shall run from January 1st to December 31st and the fee therefor shall be Five Dollars per year.

Section 2. A junk dealer operating more than one vehicle in connection with such business, shall obtain a separate license and pay a license fee for each vehicle so operated.

Section 3. No license shall be issued to a person who has heretofore been convicted of a crime or a violation of Article VI of the General Business Law.

Section 4. Each license shall be separately numbered and the licensee shall display the number of such license in a prominent position upon the vehicle for which the license has been issued and such licensee, his agents, or servants shall, whenever, such vehicle is operated, carry such license.

Section 5. As a condition of receiving such license each applicant must agree to record in a book the date of purchase, the time and place of purchase and the name and address of the person from whom

each article is purchased.

Where a junk dealer operates a junk yard a record book must be kept for that yard, which will remain continually at the yard and will record, as above set forth, all purchases made thereat.

Where a junk dealer operates one or more vehicles a record book must be kept for and carried on each vehicle, which will remain continually on such vehicle and will record, as above set forth, all purchases made through the operator of said vehicle.

All record books must be open to inspection by any police officer at all reasonable times. The record of any transaction required to be recorded shall be preserved for two years.

ARTICLE XIII PEDDLERS. Section 1. No person shall hawk, peddle, sell or offer for sale from any stand, cart or vehicle, or in any manner in any public street, square or public place in said Town, any goods, wares or merchandise of any description, except fruit, vegetables and farm produce, when offered by farmers and persons who produce such commodities, without first having obtained a license from the Town Clerk. Such license shall only be granted upon the payment to the said Town Clerk of a fee of Fifty Dollars per annum, or Ten Dollars per day for each day that such person shall hawk, or peddle goods, wares or merchandise. Nothing herein contained, however, shall prohibit hawking, or peddling by an honorably discharged soldier, sailor or marine who is crippled as a result of injuries received while in the naval or military services of the United States or the holder of a license granted pursuant to Section 32 of the General Business Law.

ARTICLE XIV HAND BILLS AND POSTERS. Section 1. No person shall distribute hand bills, placards, posters or commercial matter at any time within the Town without obtaining a license from the Town Clerk and paying a fee of Five Dollars a day or Fifty Dollars annually. Churches, church organizations, political parties, candidates for public offices, volunteer fire companies of the Town, any department or official of the Town, County, State or Federal Government or those employed by or acting for same, are excepted from the provisions hereof. No person shall litter, clutter or throw on the public streets, roads, or public places hand bills, placards, or posters.

Section 2. No person shall post any hand bill, placard, poster, notice or advertisement of any kind whatsoever, or print, paint, stamp or otherwise mark any words, letters, figures, signs or tokens of any sort or kind for advertising purposes on any flagstone, curbstone, sidewalk, telegraph, telephone or electric light pole, shade trees, or

fence or any public property of the Town. This section shall not apply to the posting of legal notices, notices of churches, church organizations, volunteer fire companies of the Town, public notices by any department or official of the Town, County State or Federal Government, bona fide political party or bona fide local or national charity.

ARTICLE XV HOUSE TRAILERS, TRAILER CAMPS AND TOURIST CAMPS. Section 1. It shall be unlawful for any person to park any house trailer on any street or highway in the Town for a period longer than three hours, except for the purpose of repair. Any such house trailer undergoing repairs shall not, during such period, be used by any person as a dwelling or sleeping place.

Section 2. No house trailer shall be located upon any land or premises within the Town other than trailer camps unless such land or premises has erected thereon, conveniently accessible to such house trailer, adequate sanitary facilities, and an approved water supply.

Section 3. No such house trailer shall be permitted to park or otherwise locate, except in a duly licensed trailer camp, on a lot or parcel of land containing less than 2,500 square feet, and such house trailer shall not be parked or located nearer than six (6) feet to the side line of such lot or parcel of land.

Section 4. No such house trailer shall be permitted to remain upon any premises other than a duly licensed trailer camp, for a longer period than two (2) weeks in any twelve (12) months period.

Section 5. No person shall use or permit the use of premises for the parking, storage, or location of a house trailer within the Town, without a permit obtained as hereinafter provided; nor shall any person park, store, or locate said house trailer upon any premises within the Town without obtaining a permit therefor as hereinafter provided.

Section 6. The application for a permit shall state the name of the applicant, his residence address, the name and make of house trailer, the registration number of such house trailer, the state in which registered, the year of issue of registration, and if such house trailer be propelled by another power driven vehicle to which it may be attached, the application for such permit shall also state the make, registration number, state and year of registration and the name of the owner of such other vehicle; the street and number where such house trailer is or is to be located, a statement of the estimated duration of stay in such proposed location, and whether or not such proposed location is a duly licensed trailer camp, and if not, the consent in writing of the owner of the premises to such use of the land must be presented with the application.

Section 7. The Building Inspector of the Town, upon proper written application and upon receipt of the permit fee therefor, may issue a permit to continue in force for the term specified therein, but no longer than two (2) weeks from the date of issuance thereof to any owner or operator of a house trailer, parked or located upon premises in the Town other than a duly licensed trailer camp.

Section 8. Each such applicant shall pay at the time of issuance of such permit, a fee of fifty cents for each such house trailer.

Section 9. Any permit issued to the owner or operator of a house trailer, may be revoked by the Building Inspector for any violation of any of the provisions of this ordinance by the owner, operator or occupant of such house trailer. Notice of such revocation shall be given to the owner or operator of such house trailer and to the owner of the premises where such house trailer is located.

Section 10. No person shall operate or conduct a trailer camp, or tourist camp upon any premises within the Town or use or permit the use of any land or premises in the Town as a tourist camp or trailer camp without a license from the Town Clerk.

Section 11. The Town Clerk, upon written application and upon receipt of the license fee, may with the written approval of the Health Officer and the Zoning Board of Appeals of the Town, issue a license to become effective from the date thereof and to continue in force for the term specified therein, but not in any event longer than through the 31st day of December next succeeding, for the use of the premises therein specified as a trailer camp or tourist camp. Such license shall not be transferable or assignable.

Section 12. The application for such license shall state the name and address of the applicant, if an individual, the name and address of the partners if a partnership, and the names and addresses of the principal officers, if a corporation; the name and address of the owner of the premises, upon which the trailer or tourist camp is to be located and if such applicant be not the owner of such premises, the nature of the interest of such applicant in said premises; a description of the land or premises upon which the proposed trailer camp or tourist camp is to be located; a complete plan of the proposed trailer camp or tourist camp including a plot plan of the property and a proposed layout showing the extent and area to be used for such camp purposes; the proposed roadways and driveways; the proposed location or site for each house trailer, camp cottage, tent house, cabin, or other building or structure and the

construction of all proposed sanitary conveniences, laundry buildings and slop sinks; the proposed method of sewage disposal or removal; the plan for the water supply and electric light and the plan for proposed toilets, wash rooms and laundry. Such application shall, when presented to the Town Clerk, be immediately referred to the Zoning Board of Appeals, for approval or rejection. The Zoning Board of Appeals within thirty days after the receipt of such application from the Town Clerk, shall approve or reject the said application and its decision shall be filed with the Town Clerk and a copy thereof furnished to the applicant. Before issuing any license the Town Clerk shall submit the application to the Health Officer for approval or rejection. Such approval or rejection shall be in writing. Any applicant, who has been refused a license by the Town Clerk, may apply to the Town Board therefor.

Section 13. The applicant shall, at the time of the issuance of such license, pay to the Town Clerk a fee in accordance with the following schedule:

Trailer camps having a capacity of not more than five house trailers or tourist camps with living quarters for not more than fifteen persons, including children.

..... \$25.00

Trailer camps having a capacity of not more than ten house trailers or tourist camps with living quarters for not more than thirty persons, including children.

..... \$50.00

Trailer camps having a capacity of not more than fifteen house trailers or tourist camps with living quarters for not more than forty-five persons, including children.

..... \$75.00

Trailer camps having a capacity of not more than twenty house trailers or tourist camps with living quarters for not more than sixty persons, including children.

..... \$ 100.00

Trailer camps having a capacity of more than twenty house trailers or tourist camps with living quarters for more than sixty persons, including children.

..... \$ 250.00

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Section 14. All land used as a trailer camp or tourist camp, shall be well-drained, of ample size, free from heavy or dense growth to insure rapid drainage during and following rain and shall at all time be drained so as to be free from stagnant pools of water.

Section 15. Each such trailer camp or tourist camp shall provide not less than eight hundred seventy-five square feet for each house trailer, camp cottage, tent house, cabin or any other building or structure other than a building or structure regulated under the Building Zone Ordinance of the Town, provided that each house trailer, camp cottage, tent house, cabin or other building or structure designed for living quarters or sleeping quarters other than a building or structure regulated under the Building Zone Ordinance of the Town shall not be less than ten (10) feet from any other house trailer or camp cottage, tent house, cabin, or other building or structure. A trailer camp shall be subdivided into rectangular shaped lots, grouped in blocks with camp streets at least twenty (20) feet wide between each block. No house trailer, camp cottage, tent house, cabin or other building or structure other than a building or structure regulated under the Building Zone Ordinance of the Town shall be located within thirty (30) feet of any highway or street line nor within twenty (20) feet of any adjacent property line. Such trailer camp or tourist camp shall be surrounded by a suitable woven wire, open metal or wooden fence not less than five (5) feet nor more than six (6) feet high, having only necessary openings for entrance and exit facilities. Barbed wire shall not be used for such fences. All entrances and exits from any trailer camp or tourist camp shall be well marked and so arranged as not to constitute a traffic hazard. All driveways within such camps shall be hard surfaced, well marked in the day time and lighted at night.

Section 16. Any camp cottage, tent house, cabin or other building or structure designed for living quarters or sleeping quarters other than houses, buildings and structures regulated under the Building Zone Ordinance of the Town shall be so constructed and arranged as to provide broad and easy exit in case of fire or other emergency and each such camp cottage, tent house, cabin or other building or structure designed for living quarters or sleeping quarters shall be equipped with at least one fire extinguisher for every 3,000 square feet of floor space or fraction thereof. In trailer camps there shall be at least one fire extinguisher for each three (3) trailers, which extinguisher shall be readily accessible to such trailers and be at all times in useable condition.

Section 17. Each trailer camp or tourist camp shall be provided with approved sewer and water connections to existing public sanitary

sewer and water systems of the Town or of any district therein. No trailer camp or tourist camp shall be permitted in any area of the Town where public sanitary sewer, water service and fire hydrants are not available.

Section 18. Kitchens, dining rooms, mess halls and toilet facilities located in trailer camps and tourist camps, shall be properly ventilated and be provided with adequate methods of excluding flies.

Section 19. Every trailer camp and tourist camp shall be provided with sanitary facilities in accordance with the following schedule:

(a) One toilet for each sex for every thirty persons or fraction thereof.

(b) Each toilet room for men to have one urinal stall.

(c) Each toilet room to have at least one sink or lavatory for every three toilets or fraction thereof.

(d) One shower for each sex for each thirty persons or fraction thereof.

(e) Laundry tubs and slop sinks or basins with water supply to serve each thirty persons or fraction thereof.

(f) Toilet buildings shall be well lighted at all times, well ventilated with screened openings and constructed of such moisture proof material as shall permit rapid and satisfactory cleaning, scouring and washing. Floors shall be of concrete or similar materials, elevated not less than four inches above grade and shall slope to a floor drain located in each room.

(g) The use of toilets located in house trailers is prohibited.

(h) All plumbing installations, except as herein provided, shall be approved by the Building Inspector. Kitchen sink waste water from any house trailer may be discharged to suitable leaching pits of such size and construction as may be approved by the Building Inspector, and the Health Officer.

(i) No water supply not approved by the Health Officer shall be used at any trailer camp or tourist camp. A bacteriological analysis by a laboratory approved by the Health Officer shall be made weekly at the expense of the licensee and filed with the Health Officer within twenty-four hours of completion of analysis.

(j) Where toilet and bathing facilities are provided for both sexes in the same building, a tight, sound-proof wall shall be constructed between the male and female sections.

(k) A covered metal fly-tight garbage pail and a covered metal rubbish container of adequate size shall be provided for each six persons or fraction thereof.

(l) Each toilet building shall be distinctly marked "MEN" or "WOMEN" in accordance with the sex for which provided.

Section 20. Every trailer camp or tourist camp shall be under the management of the licensee, who must be of good reputation and character and who shall manage such camp from an office located on the premises. There shall be maintained in such office, a bound book containing a record of the names of all persons accommodated at the camp, their home addresses, the time of their arrival and departure and the license number and make of their automobile or other vehicle. Such record shall at all reasonable times, be available for inspection by any police officer.

Section 21. It shall be the duty of the licensee of any trailer camp or tourist camp:

(a) To provide for the collection of garbage and other waste material.

(b) To prohibit the placing or storing of unsightly material or vehicles of any kind.

(c) To provide for the cleaning, painting, repairing and disinfecting of all buildings.

(d) To take and effect all measures deemed necessary by the Health Officer and the Chief of Police to preserve the health, comfort and safety of all persons accommodated in the camp and of the general public.

(e) To prevent any animal running at large within the camp.

(f) To report to the Health Officer all cases of communicable diseases or suspected cases of communicable diseases affecting any inmate of the camp.

(g) To prevent the committing of any nuisance on the camp premises and to report immediately to the proper authorities all acts of a disorderly character committed by any persons inside of the camp, and to that end to maintain proper policing thereof.

Section 22. Sleeping quarters in Tourist camps shall be properly ventilated and shall have not less than fifty square feet of floor area and five hundred cubic feet of space for each person.

Section 23. No common drinking cup shall be used in any trailer camp or tourist camp. Drinking fountains shall be of sanitary design and construction.

Section 24. Kitchen and dining room equipment in any trailer camp or tourist camp shall be of such material and so made or constructed as to facilitate cleaning, and shall be kept clean at all times. Adequate facilities, including a plentiful supply of hot water for the washing of dishes and utensils, shall be provided and dishes and utensils shall be washed and cleaned after each use.

Section 25. The Building Inspector, Chief of Police or Health Officer shall enforce all the provisions of this Article. The Building Inspector, Health Officer and Police Officers may at any time enter any trailer camp or tourist camp or any premises used for the parking or location of a house trailer or house trailers.

Section 26. The Building Inspector, Chief of Police or Health Officer shall serve upon the licensee or person in charge of any trailer camp or tourist camp not maintained in a clean and sanitary condition, or in accordance with this Article, an order in writing, directing that the conditions therein specified be remedied within five days after the service of such order. If, after the expiration of such period, such conditions remain unchanged, or are not corrected in accordance with the order of Building Inspector, Chief of Police or Health Officer, such officer shall serve a notice in writing upon the licensee or person in charge requiring the holder of such license to appear before the Town Board at a time to be specified in such notice, and show cause why such license should not be revoked. The Town Board may, after a hearing, revoke such license for sufficient cause. Upon the revocation of license, the premises shall forthwith cease to be used for the purposes of a trailer camp or tourist camp and all house trailers, camp cottages, tent houses, cabins or other buildings, designed for living or sleeping quarters other than houses, buildings or structures regulated under the Building Zone Ordinance shall be removed therefrom.

Section 27. The permanent attachment of a house trailer, camp cottage, tent house, cabin or other structure, to the ground in a manner to prevent the ready removal thereof, shall be construed as removing it from the requirements of this Article and converting it into a structure subject to the requirements of the Building Zone Ordinance of the Town.

Section 28. The owner, lessee, licensee, occupant of, or person accommodated in any trailer camp or tourist camp, or the owner, lessee or

occupant of any premises upon which a house trailer is located, who commits any act in violation of any of the provisions of this ordinance shall each be liable for any such violation and for the penalty therefor. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.

ARTICLE XVI PENALTIES. Section 1. Each and every violation of any of the provisions of this ordinance shall be punishable by a fine not to exceed one hundred dollars or by imprisonment of not more than six months or by both.

Section 2. In the case of a continuing violation, each day that such violation exists shall constitute a separate and distinct violation.

ARTICLE XVII REPEAL OF INCONSISTENT ORDINANCE, SAVING CLAUSE, TIME OF TAKING EFFECT. Section 1. All ordinances or parts of ordinances inconsistent herewith are hereby repealed except that such repeal shall not affect the validity of any criminal prosecution or civil action commenced or pending.

Section 2. This ordinance shall become effective immediately upon publishing and posting or upon personal service as provided in Section 133 of the Town Law.

Seconded by Mr. Dickenman	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt then discussed with the Board the annexation of property in Clarkstown by the Village of Spring Valley, and he asked if something couldn't be done about it.

In commenting on this matter to the Board, Mr. Roepe, Town Attorney, told the Board that there is a section in the Village Law that provides that when land adjoins a village and is wholly owned by the municipality, they can annex the property. Mr. Roepe further told the Board that the Village of Spring Valley went to the Town Board of Ramapo for their consent to annex this property, and that he believes this is correct. He pointed out that the land is not being removed out of Clarkstown, and it won't go off our assessment rolls, but it will be marked "Exempt". Mr. Roepe told the Board that in his opinion

there was nothing the Town Board could do about the matter.

Mr. Roepe informed the Board that they could look into the actual physical situation, that is, where the land actually is and whether it has access to the Village line. Mr. Roepe further told the Board that if they find the Village of Spring Valley hasn't complied with the law, they can start an action to restrain them from taking the land as Village property, or they can wait until the Board of Assessors meet on Grievance Day and reject their application to have the property declared "Exempt".

Mr. Blauvelt then said he felt that something should be done if possible so that the Town does not lose the assessment.

Mr. Blauvelt then informed the Board that he was calling the Annual Meeting of the Town Board for Dec. 28th, 1945 at 3:30 P.M.

Mr. Roepe reported that he had looked into the matter of the piece of property Mr. Klein contemplates purchasing from the county in back of the courthouse adjoining his highway barn. Mr. Roepe said that the County Attorney has made a search, and that he has checked the results of the search. He said he has looked at the deed for the property and that he considers the title good and would like to recommend that the Town pay the \$500. to the County.

Mr. Eberling moved that the Supervisor be authorized to pay \$500.00 to the County of Rockland for the acre of ground in back of the courthouse, and that the town accept the proper deed for this property.

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Liebert then asked if it was necessary for him to get bids for a new police car, as he wished to purchase one.

Mr. Roepe said he believed it was necessary, but that he would check up on the law to make sure.

Mr. Klein told the Board that at a recent convention, the Town Supts. of Highways went on record to give one week's vacation with pay to all men employed in their departments for one year or more. He said he would like to recommend that the Board pass a resolution to this effect for his men.

Mr. Schmersahl moved that highway employees with one year or more of service be granted one week's vacation with pay.

Seconded by Mr. Dickenman	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickerman	Yes
	Mr. Blauvelt	Yes

Bills Nos. 791 to 887 on Warrant #12, amounting to \$6,678.69 were audited and ordered paid.

There being no further business, Mr. Eberling moved the meeting be adjourned.

Seconded by Mr. Dickenman Carried

Meeting adjourned.

KATE BUCHENAU,
Town Clerk of Clarkstown

By *Cora M. Murtling*
Dep. Town Clerk