

**VILLAGE OF SPRING VALLEY**

**LOCAL LAW NO. \_\_\_ OF 2026**

**A Local Law Amending Chapter 229 of the Code of the Village of Spring Valley  
by Adding a New Article V Relating to Sidewalk Construction Requirements**

**§ 1. Legislative Authority**

This Local Law is adopted pursuant to the authority granted to villages under Village Law Articles 6 and 7, including but not limited to §§ 6-620, 6-622, 7-725-a, and 7-728, and pursuant to the Village’s police power to protect the public health, safety, and welfare.

**§ 2. Legislative Findings and Purpose**

The Board of Trustees of the Village of Spring Valley hereby finds and determines that:

1. Sidewalks are essential public infrastructure that promote pedestrian safety and orderly movement along public streets.
2. New construction and redevelopment generate additional pedestrian activity that, if unaddressed, increases conflicts between pedestrians and vehicles.
3. Requiring sidewalk installation at the time of development is a reasonable and efficient means of ensuring coordinated infrastructure and avoiding future public expense.
4. Municipalities throughout New York State commonly require sidewalks in connection with development, subject to waiver by the governing body or land use boards where appropriate.
5. It is in the public interest to establish uniform, predictable standards for sidewalk construction while allowing reasonable relief where sidewalks would be unnecessary, impracticable, or unreasonable under the circumstances.
6. This Local Law is intended to advance pedestrian safety while permitting proportional and flexible application.

**§ 3. Code Amendment**

Chapter 229 of the Code of the Village of Spring Valley is hereby amended by adding a new Article V, entitled “Sidewalk Construction Requirements,” to read as follows:

**ARTICLE V**

**SIDEWALK CONSTRUCTION REQUIREMENTS**

**§ 229-48. Applicability**

**A.** This article shall apply to all permits for new construction or substantial redevelopment within the Village of Spring Valley, whether or not such construction is subject to site plan review, subdivision approval, special permit, or zoning relief.

**B.** Nothing in this article shall be construed to remove, limit, alter, or modify the jurisdiction, authority, or discretion of the Planning Board or the Zoning Board of Appeals as otherwise provided by the Village Code or New York State law.

**§ 229-49. Sidewalk Requirement**

**A. Street Frontage Requirement.**

As a condition of issuance of any building permit for new construction, sidewalks shall be installed along the entire public street frontage of the lot, including each public street frontage of

corner or through lots, unless a waiver is granted pursuant to § 229-52 of this article.

**B. Internal Streets.**

Where a subdivision or site plan proposes new internal streets or roadways, sidewalks shall be installed along such streets unless modified or waived pursuant to applicable Planning Board or Zoning Board of Appeals authority or § 229-52 of this article.

**§ 229-50. Administration**

**A. Building Department.**

No Certificate of Occupancy shall be issued for any application subject to this Article unless:

1. The application demonstrates compliance with § 229-49 of this article; or
2. A waiver has been granted by the Planning Board, Zoning Board of Appeals, or Board of Trustees, as applicable, pursuant to § 229-52.

The Building Inspector shall have no authority to waive or modify the sidewalk requirements of this article.

**B. Planning Board and Zoning Board of Appeals Review.**

For projects subject to site plan approval, subdivision review, special permit, variance, or other application under the jurisdiction of the Planning Board or Zoning Board of Appeals, either board may waive, reduce, or modify sidewalk requirements within the scope of its lawful authority, based upon written findings consistent with § 229-52.

**§ 229-51. Design and Construction Standards**

All sidewalks required under this article shall:

1. Be constructed at the expense of the applicant unless otherwise authorized by resolution of the Board of Trustees;
2. Conform to Village standard details and specifications;
3. Comply with applicable Americans with Disabilities Act (ADA) requirements;
4. Be coordinated with curbs, drainage, utilities, and street geometry; and
5. Be subject to inspection and approval by the Village Engineer.

**§ 229-52. Waivers**

**A. Planning Board and Zoning Board of Appeals.**

Where a project is subject to Planning Board or Zoning Board of Appeals review, that board may waive the sidewalk requirement, in whole or in part, upon written findings that one or more of the following conditions exist:

1. The character of the area and absence of pedestrian demand render sidewalk installation unnecessary;
2. Sidewalks would not materially enhance pedestrian safety;
3. Sidewalk installation is impracticable due to topography, environmental constraints, or existing development patterns;
4. The absence of sidewalks on similarly situated properties makes the requirement unreasonable or inconsistent with prevailing conditions; or
5. Alternative design measures provide equivalent or superior pedestrian safety or circulation.

**B. Board of Trustees.**

For permits not subject to Planning Board or Zoning Board of Appeals review, the Board of Trustees may waive the sidewalk requirement, in whole or in part, by resolution and upon written

findings consistent with subsection A. For such permits, the waiver determination shall be limited to whether installation of sidewalks along the public street frontage is reasonable under the circumstances.

### **C. Conditions.**

Any waiver granted pursuant to this section may be subject to conditions, including but not limited to future sidewalk installation if pedestrian conditions materially change.

### **§ 229-53. Limitations**

Nothing in this article shall be construed to require sidewalks:

1. Along rear lot lines abutting private property;
2. Along side or rear property boundaries where no pedestrian access is intended or permitted;
3. Through required buffers, wetlands, or conservation areas; or
4. In locations that do not connect to a public street or lawful pedestrian route.

### **§ 229-54. Maintenance**

Upon acceptance by the Village, sidewalks shall be maintained in accordance with the Village Code and applicable provisions of Village Law.

### **§ 4. State Environmental Quality Review Act (SEQRA)**

The Board of Trustees hereby determines that the adoption of this Local Law constitutes a Type II action pursuant to the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617), and that no further review under SEQRA is required.

### **§ 5. Severability**

If any provision of this Local Law is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect the validity of the remaining provisions.