

VILLAGE OF HAMBURG

MAYOR
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ATTORNEY
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VILLAGE JUSTICE
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CHIEF OF POLICE
MICHAEL C. MELISZ

RECREATION SUPERVISOR
JOSHUA HAEICK

FIRE CHIEF
JARED STERNER

SUPT. OF PUBLIC WORKS
MARC SHUTTLEWORTH

100 MAIN STREET HAMBURG, NEW YORK 14075-4988
TEL (716) 649-0200 FAX (716) 646-6558
WEB SITE www.villagehamburg.com

September 29, 2016

Dear Snow Plow Operator,

Enclosed is a *Snow Removal Permit Application* for the year beginning June 1, 2016 and ending May 31, 2017. If you wish to provide private plowing services in the Village of Hamburg, you must complete the enclosed application and return it, with the proper payment and paperwork, to our offices at 100 Main Street, Hamburg. If you have more than one vehicle, please fill out an application for each one and include an additional \$35.00 per vehicle.

When filling out the application, be sure to include ALL of the addresses you will be providing private plowing services for (attach a list if needed). It is important that this list be kept up-to-date throughout the season, so please notify us if there are additions or any other changes to your list. Updates can be e-mailed to lkieber@villagehamburg.com.

If you have employees: The Worker's Compensation and Disability Benefits Insurance forms required by New York State are identified at the bottom of the Application.

If you do not have employees: As of December 1, 2008, a Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Insurance Coverage Form CE-200 must be filed with the Village of Hamburg. See the attached Memo regarding Insurance Requirements for filing instructions.

A Snow Plow Permit(s) will be issued upon receipt of the application(s), insurance forms and payment as described above. No permits will be issued without the aforementioned items.

Any plow operator found operating in the village without a permit will receive a summons.

Please feel free to contact our office at (716) 649-0200 if you have any questions.

Sincerely,

Donald Witkowski
Administrator/Clerk-Treasurer

Enclosures



Permit No. _____

VILLAGE OF HAMBURG, NY
Application for Snow Removal Permit
For Year Commencing June 1, 2016 and ending May 31, 2017

Date _____

1. Owner's Name _____
2. Home Address _____ Telephone No. _____
Town _____ Zip Code _____
3. Business Address _____ Telephone No. _____
4. E-Mail Address _____
5. Year and make of vehicle _____
6. Vehicle I.D. Number _____
7. N.Y.S. Vehicle License Plate No. _____
8. Has any owner, partner, proprietor, officer, employee or agent been convicted for violation of any laws, ordinance, rule or resolution occurring in connection with snow plowing or snow removal?
Yes _____ No _____

If Yes: Municipality _____ Year _____

9. Would you like to have your business listed on the village website? Yes _____ No _____

10. Addresses where plowing will be done: **(each individual address needs to be listed)**

NOTE: Addresses can be updated through E-Mail at mmckee@villagehamburg.com

NOTE: IN ACCORDANCE WITH SECTIONS 57 AND 220 SUBD. 8 OF THE WORKERS' COMPENSATION LAW, THE FOLLOWING FORMS MUST ACCOMPANY THIS APPLICATION:

If employees are using the above vehicle: (Please attain the following forms from your insurance company)

- 1) A Certificate of Workers' Compensation C-105.2 (New York State Insurance Fund U-26.3) **OR**
A Certificate of Workers' Compensation Self-Insurance GSI-105.2

PLUS

- 2) A Certificate of Disability Benefits Insurance DB-120.1 **OR** Certificate/Cancellation of Insurance DB-820/829;
OR A Certificate of Disability Benefits Self-Insurance DB-155

If you have no employees: A Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Insurance Coverage Form CE-200 must be filed with the Village of Hamburg. The **applicant has to apply** for the form either electronically www.wcb.ny.gov or by writing or visiting the Workers' Compensation Board District office (see attached memo entitled Insurance Requirements for instructions)

PLEASE NOTE that **ACORD** forms are **NOT** acceptable proof of New York State workers' compensation or disability benefits insurance coverage!

Approved: _____
Village Administrator

Date: _____

Memorandum

FROM: Donald Witkowski, Village Administrator
TO: Snow Plow Operators
RE: **INSURANCE REQUIREMENTS**
State & Municipal Agency Requirements under General Municipal Law §125 & WCL §57 & §220 for Workers' Compensation and Disability Benefits.
DATE: September 29, 2016

CE-200 FORM FOR SNOW PLOW OPERATORS WITHOUT EMPLOYEES

In accordance with the Worker's Compensation Board as of December 1, 2008, only applicants eligible for exemptions must file a new CE-200 for each and every new or renewed permit issued by the Village of Hamburg. As a certificate number is printed on the form, the Village cannot issue copies of this form. The applicant has to apply for the form either electronically or by writing or visiting the Workers' Compensation Board district office.

ELECTRONICALLY

Form CE-200 can be filled out electronically on the Board's website, www.wcb.state.ny.us, under the heading "Forms". Applicants filing electronically should print out the finished Form CE-200 and submit a copy to the Village of Hamburg when applying for a permit. If needed, someone in the Clerk's office can assist with the electronic filing.

PAPER APPLICATION

Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at the Buffalo District Office of the Worker's Compensation Board: NYS WCB, Ellicott Square Building, 295 Main Street, Suite 400, Buffalo, NY 14203, Telephone (866) 211-0645. A copy of this form should be submitted to the Village of Hamburg when applying for a permit.

A Snow Plow Permit will not be issued until this Form CE-200 is received in our office. In order to make it easier, when you apply for a permit you can pay for it at that time and as soon as you either mail or fax in a copy of this form, the permit will be mailed to you.

CONTRACTORS LICENSED TO PLOW IN THE VILLAGE OF HAMBURG ARE SUBJECT TO THE FOLLOWING REQUIREMENTS:

Section 203 - Village Code of Ordinances entitled Street and Sidewalks

§ 203-9. Obstructions to streets and sidewalks.

- A. No person shall place any merchandise or obstruction of any kind upon any street or sidewalk upon the public streets of the village. No person shall place or suffer to remain any barrel, crate, article or other obstruction upon any street or place within said village so as to obstruct the free passage of people, except while actually engaged in loading or unloading goods. **(This includes snow - you may not plow snow from your customer's property out into village streets.)**
- B. No person, either in the course of, or as a result of shoveling, blowing or plowing snow on or from any sidewalk or driveway, shall pile snow or permit snow to be piled or accumulated on any public sidewalk or on the paved portion of any public street.

§ 203-26. Installation and maintenance.

- C. No person shall plow, shovel, sweep or pile snow, ice or other materials in or on any sidewalk, street, or public highway or cause such to be done so as to interfere with the safety and convenience of public travel.
- D. No person shall remove snow or ice from any parcel or property and place it upon another parcel or property without the express permission of the owner of the parcel upon which the snow or ice is to be placed.

Snows accumulated as a result of plowing driveways should be to the fullest extent possible, stored and accumulated upon the property that the snow originated from and not deposited in the public right of way or adjoining properties. You may have to consider moving snow deeper onto your customer's property as part of your snow clearing efforts.

According to Sections 117a & b and 375-41-3a of the New York State Vehicle & Traffic Law:

One or more amber lights visible to all approaching traffic under normal atmospheric conditions from a distance of five hundred feet from such vehicle shall be displayed on a hazard vehicle (those engaged in snow plowing) when such vehicle is engaged in a hazardous operation.

PLEASE ADHERE TO THE VILLAGE AND STATE LAWS LISTED ABOVE. FAILURE TO ADHERE TO THESE REGULATIONS WILL RESULT IN REVOCATION OF YOUR PERMIT WITH NO REFUND OF YOUR PERMIT FEE. PLEASE REPORT SNOWPLOW OPERATORS WHO YOU WITNESS VIOLATING THIS POLICY. THE VILLAGE WILL MAINTAIN A LIST OF APPROVED CONTRACTORS AND MAY PUBLISH THIS LIST WITH NAMES AND TELEPHONE NUMBERS SHOULD THE CONTRACTORS WISH TO BE INCLUDED. THANK YOU FOR YOUR COOPERATION. PLEASE REMEMBER EACH VEHICLE MUST HAVE A SEPARATE PERMIT. SHOULD YOU OPERATE ONE VEHICLE WITHOUT A VALID PERMIT, THE VILLAGE HAS THE RIGHT TO REVOKE ALL PERMITS ISSUED TO YOUR COMPANY.

ARTICLE IV
Plowing
[Adopted 3-1-1999 by L.L. No. 1-1999]

§ 203-30. Definitions.

As used in this article, the following terms shall have the meanings indicated:

VEHICLE — Any vehicle (as defined in the Vehicle and Traffic Law of the State of New York) licensed to operate on the highways of the State of New York and used to plow snow, but the term shall not include a vehicle used solely by a person, firm or corporation to plow snow within the confines of his or its own property, whether owned or leased.

§ 203-31. Permit required.

No person, firm or corporation shall plow snow or cause or allow the same to be plowed by the use of any vehicle within the Village of Hamburg unless a permit therefor, as hereinafter prescribed, issued by the Village Clerk, is in full force and effect and such permit is prominently displayed by being affixed to the vehicle so as to be readily visible from the exterior thereof.

§ 203-32. Permit application; fee; issuance and term of permit.

- A. Application for such permit shall be made to the Village Clerk by the owner of the vehicle, in writing, upon forms to be furnished by said Village Clerk, which forms shall contain the owner's name and address, the vehicle identification number, the New York State license number attached thereto and such additional information as the Village Clerk shall require. The Village Clerk may require such documents and information as may be reasonably necessary to verify the facts stated in such application.
- B. The permit fee shall be established and amended as necessary by resolution of the Village Board. The applicant shall, at the time of the filing of his application, pay the current permit fee as established for each vehicle.⁴ If such application or applications shall be approved by the Village Clerk, a permit or permits shall be issued to the applicant. Such permits shall commence June 1 and expire May 31 in each year and shall be in such form as the Village Clerk shall prescribe. Such permits shall not be transferable to another owner or vehicle.

§ 203-33. Revocation of permits; penalties for offenses.

- A. The Clerk-Treasurer may, following a hearing, revoke the permit or permits granted to any person, firm or corporation under the authority of this article for failure to comply with any of the terms of this article or any law, ordinance, rule or regulation relating to snowplowing or snow removal.
- B. In addition to any other penalties that may be invoked under this article, any violation by a person, firm or corporation of any provision of this article shall be deemed an offense punishable by a fine not to exceed \$250 or by imprisonment for a period not to exceed 15 days, or both.
- C. Any person who takes part in or assists in any violation of this article shall also be subject to the penalties provided herein.