

## *Local Law Filing*

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**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County    City    Town    Village  
(select one)

**of Port Jervis**

**Local Law No. 2 of the year 2025**

**A LOCAL LAW AMENDING CHAPTER 479 OF THE CITY CODE OF PORT JERVIS  
TO PROVIDE FOR AN APPEAL PROCESS FOR THE LICENSING OF TAXI DRIVERS  
CONVICTED OF FELONIES**

**Be it enacted by the Common Council of the City of Port Jervis as follows:**

See attached.

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**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**CITY OF PORT JERVIS  
INTRODUCTORY LOCAL LAW NO. 2 OF 2022**

**A LOCAL LAW AMENDING CHAPTER 479 OF THE CITY CODE OF PORT JERVIS  
TO PROVIDE FOR AN APPEAL PROCESS FOR THE LICENSING OF TAXI DRIVERS  
CONVICTED OF FELONIES**

Be it enacted by the City Council of the City of Port Jervis, County of Orange, State of New York as follows:

**Section 1. Purpose and Intent.**

The Common Council of the City of Port Jervis recognizes that under certain circumstances, persons convicted of felony-level crimes may nevertheless qualify for licensure as taxi drivers pursuant to Chapter 479 of the City Code. The Common Council is of the opinion that a case-by-case appeal process should be made available to such persons seeking a taxi license from the City should have the opportunity to have their application evaluated by the Council for a determination of whether the felony conviction would prevent the applicant from driving a taxi within the City without compromising public safety. The City Code is therefore amended in accordance with this Local Law.

**Section 2. Amendment**

The City of Port Jervis Code, Chapter 479 entitled: "Taxicabs", Article I: "Licensing and General Regulations", Section 479-4 entitled: Application For Taxicab Driver's License, shall be amended as follows:

Add the bolded language to subsection C(1)(c):

**C. Applicant qualifications.**

(1) In order to be granted a City of Port Jervis taxicab driver's license, an applicant must:

(a) Hold a valid New York State driver's license in the proper class or classification necessary to drive a taxicab in New York State.

(b) Not have any wants or warrants anywhere in any jurisdiction.

(c) Have no felony convictions anywhere in any jurisdiction. **Notwithstanding the foregoing, an applicant may appeal to the Common Council of the City of Port Jervis and request a hearing before the Council for relief from this requirement. The Common Council may hear evidence from the applicant as to the nature and circumstances of the felony conviction to determine whether or not such conviction would prevent the applicant from operating a taxi within the City limits without compromising public safety in any fashion. A written decision will be issued by the Common Council within sixty (60) days of**

**the hearing of any appeal. The decision of the Common Council of the City of Port Jervis on the issuance or denial of said license shall be final and binding upon the applicant, who shall be responsible for all costs associated with an appeal.**

(d) Have no felony charges pending anywhere in any jurisdiction.

(e) Not be a registered or designated sex offender anywhere in any jurisdiction.

**Section 3. Conflict with Other Laws**

To the extent this law may conflict with applicable portions of the General City Law of the State of New York, it is the stated intention of the City Common Council to exercise its authority to supersede and amend, as granted under the Municipal Home Rule Law of the State of New York, Section 10. The City Common Council hereby provides notice that it is exercising its authority to supersede and amend pursuant to Municipal Home Rule Law of the State of New York, Section 22.

**Section 4. Separability**

If any provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

**Section 5. Repeal**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

**Section 6. Effective Date**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as \_\_\_\_\_ of the (County)(City)(Village)(Village) of Port Jervis was duly passed by the Common Council of the City of Port Jervis on \_\_\_\_\_, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2025 of the (County)(City)(Village)(Village) of Port Jervis was duly passed by the Common Council on February \_\_ 2025, and was (approved)(not approved) (repassed after disapproval) by the Mayor and was deemed duly adopted on February \_\_ 2025 in accordance with the applicable provisions of law.

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Village)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Village)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.~~

~~Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a Village where such officer is vested with the power to approve or veto local laws or ordinances.

**5. ~~(City local law concerning Charter revision proposed by petition.)~~**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. ~~(County local law concerning adoption of Charter.)~~**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the Villages of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

\_\_\_\_\_  
Stacey Hosking, Clerk-Treasurer,  
City of Port Jervis,  
Clerk of the county legislative body, City, Village or Village  
Clerk or officer designated by local legislative body

(Seal)

Date: February \_\_\_\_, 2025