



**HN 26-23**  
**LOCAL LAW #2 of 2026**  
**CITY OF HORNELL, NY**

**April 20, 2026**

BY:

**RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 2 OF 2026**

**WHEREAS**, a proposed local law entitled “A Local Law Regulating the Operation of Electric Bicycles, Electric Scooters, and Electric Skateboards” has been introduced before the Common Council of the City of Hornell; and

**WHEREAS**, the Common Council has determined that the increasing use of such devices requires reasonable regulation to protect the public health, safety, and welfare of City residents; and

**WHEREAS**, said local law establishes rules governing the safe operation of electric bicycles, electric scooters, and electric skateboards, including provisions related to speed limits, permitted areas of operation, helmet use, and enforcement; and

**WHEREAS**, the Common Council finds that adoption of this local law is in the best interests of the City of Hornell;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell hereby adopts Local Law No. 2 of 2026 in its entirety; and

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby authorized and directed to file said local law with the New York State Secretary of State in accordance with the Municipal Home Rule Law.

Carried -

Absent -

**HN-26-24**  
**RESOLUTION**

CITY OF HORNELL, NY

April 20, 2026

BY:

**WHEREAS**, a budget amendment is necessary to amend the 2025-2026 General Fund budget to account for PERMA grant funds received for the Firefighter Risk Reduction Program.

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Hornell, NY, that the 2025-2026 City of Hornell General Fund budget now reflects the following adjustments:

Increase Revenue:

A 3389 – Public Safety State Aid by \$5,000

Increase Expenditure:

A 3410.21 – Fire – Equipment from Grants by \$5,000

Carried –

Absent –

**HN-26-25**  
**RESOLUTION**

CITY OF HORNELL, NY

April 20, 2026

BY:

**WHEREAS**, a budget amendment is necessary to amend the 2026-2027 General Fund budget to account for assessment changes received from the State Office of Real Property Tax Services for special franchise companies after the budget was adopted by the Common Council on March 23, 2026.

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the City of Hornell, NY, that the 2026 – 2027 City of Hornell General Fund budget now reflects the following adjustments:

Increase General Fund Total Assessed Value to \$418,852,914.00

Increase Revenue:

A1001 – Real Property Taxes by \$343.21

Increase Expenditure:

A9550.9 - Council Contingency by \$343.21

Carried –

Absent –

HN -26-26

**CITY OF HORNELL, NY**

**April 20, 2026**

BY:

**WHEREAS**, the Common Council of the City of Hornell recognizes the importance of maintaining safe and healthy trees in the City of Hornell; and

**WHEREAS**, the Law and Ordinance Committee has reviewed and recommended a revision of the City Code regarding tree management;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell hereby adopts and enacts the following as Chapter 288: Trees to be effective immediately:

**§ 288-1 Authority and Purpose** The City of Hornell recognizes the importance of maintaining safe and healthy trees within public spaces and rights-of-way. While the City does not employ certified arborists or other tree health experts, it is committed to addressing hazardous trees that pose a risk to public safety.

**§ 288-2 Responsibility of Property Owners** Property owners are responsible for maintaining trees on their property in a safe condition. Such responsibility includes obtaining expert evaluations when a tree appears damaged, diseased, or otherwise unsafe and removing or addressing hazards in a timely manner.

**§ 288-3 Administration** The Codes Department or its designee shall be responsible for the administration of this chapter, including identifying trees within the City's authority that present an immediate hazard to the public, issuing notices to property owners regarding tree concerns, and coordinating removal actions in accordance with § 288-11.

**§ 288-4 Spacing** No trees may be planted closer together than thirty feet for small trees, forty feet for medium trees, and fifty feet for large trees, except in special plantings designed or approved by the Department of Public Works.

**§ 288-5 Distance from Curb and Sidewalk** No trees may be planted closer to any curb or sidewalk than two feet for small trees, three feet for medium trees, and four feet for large trees.

**§ 288-6 Distance from Street Corners and Fireplugs** No street tree shall be planted closer than thirty-five feet to any street corner, measured from the point of nearest intersecting curbs or curb lines. No street tree shall be planted closer than ten feet to any fireplug.

**§ 288-7 Utilities** No street trees, other than small trees, may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line, or other utility.

**§ 288-8 Public Tree Care** The City or its designee may plant, prune, maintain, and remove trees, plants, and shrubs within streets, alleys, avenues, lanes, squares, and public grounds as

necessary to ensure public safety or preserve the symmetry and appearance of public grounds. This section shall not prohibit adjacent property owners from planting street trees, provided that the selection and location of such trees comply with § 288-4 through 288-7 of this chapter.

**§ 288-9 Tree Topping** It shall be unlawful as a normal practice for any person, firm, or City department to top any street tree, park tree, or other tree on public property. “Topping” is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree’s crown, removing the normal canopy and disfiguring the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted at the determination of the Codes Department or its designee.

**§ 288-10 Pruning; Corner Clearance** Owners of trees overhanging streets or rights-of-way shall prune branches so that such branches do not obstruct the light from any street lamp, obstruct the view of any street intersection, or interfere with the visibility of any traffic control device or sign. Pruning shall provide a clear space of seven feet above the surface of the street or sidewalk. Owners shall remove all dead, diseased, or dangerous trees or broken or decayed limbs that constitute a menace to the safety of the public. The City or its designee may prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight, interferes with the visibility of any traffic control device or sign, or interferes with equipment operation to maintain public streets and roadways.

**§ 288-11 Dead, Diseased, or Hazardous Tree Removal** The City may request the removal of any tree, whether on private property or in the public right-of-way, that is dead, diseased, or otherwise hazardous to life, property, or public safety, or that harbors insects or disease presenting a potential threat to other trees within the City. The Codes Department or its designee shall notify the property owner, verbally or in writing, when such a condition is observed or a concern or complaint is received regarding a tree on private property. Property owners are responsible for obtaining expert evaluations if the condition of the tree is in question and for taking any necessary corrective action. In the event that the property owner fails to comply, the City or its designee may remove or cause removal of the tree, if it can be completed without entering private property, and the cost of removal may be charged to the property owner, and added if it remains unpaid, to the owner’s property tax bill.

**§ 288-12 Interference with City Tree Maintenance Activities** It shall be unlawful for any person to prevent, delay, or interfere with City employees or authorized agents while performing activities related to the planting, cultivating, mulching, pruning, spraying, or removal of trees located within the public right-of-way or City-managed public spaces as authorized under this chapter.

Carried –

Absent –

HN-26-27

RESOLUTION

CITY OF HORNELL, NY April 20, 2026

BY:

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hornell hereby accepts the resignation of Cindy Burdell of 441 Fairview Ave, Hornell, N.Y., as Hornell City Assessor effective April 30, 2026.

Carried –

Absent –