

STATE OF NEW YORK

3593--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to authorizing the town of Hempstead in the county of Nassau to establish a residential parking system in the neighborhoods of Bellrose Terrace and Elmont

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings and intent. The legislature finds that
2 a lack of parking for residents of certain areas of the town of Hemp-
3 stead, Nassau county, has resulted in traffic hazards, congestion and
4 air and noise pollution. In addition, such lack of parking poses a
5 hazard to residents and other pedestrians in such areas.

6 The legislature further finds that a residential parking system would
7 be in the public interest. The legislature further finds that a residen-
8 tial parking system will reduce such hazards and will reduce pollution
9 levels as well. The legislature, therefore, hereby declares the necessi-
10 ty of this act to authorize the town of Hempstead to adopt a residential
11 parking permit system in accordance with the provisions of this act.

12 § 2. The vehicle and traffic law is amended by adding a new section
13 1640-r to read as follows:

14 § 1640-r. Residential parking system in the town of Hempstead in the
15 county of Nassau. 1. Notwithstanding the provisions of any law to the
16 contrary, the board of trustees of the town of Hempstead may, by
17 adoption of a local law or ordinance, provide for a residential parking
18 permit system and fix and require the payment of fees applicable to
19 parking within the area in which such parking system is in effect in
20 accordance with the provisions of this section.

21 2. Such residential parking permit system may only be established:
22 (i) Within the area of the town known as Elmont and consisting of the
23 following roadways:

24 (a) Holland Avenue north of Murray Hill Street;

25 (b) Elzey Avenue north of Murray Hill Street;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD06240-02-1

- (c) Claridge Avenue north of Murray Hill Street;
- (d) Savoy Avenue north of Murray Hill Street;
- (e) Gotham Avenue north of Murray Hill Street;
- (f) Waldorf Avenue north of Murray Hill Street;
- (g) Biltmore Avenue north of Murray Hill Street;
- (h) Seville Street;
- (i) Blackstone Street;
- (j) Fieldmere Street north of 109th Avenue;
- (k) Warwick Road north of 109th Avenue;
- (l) Sussex Road north of 109th Avenue;
- (m) Sterling Road north of 109th Avenue;
- (n) Locustwood Boulevard north of 109th Avenue;
- (o) Heathcote Road north of 109th Avenue;
- (p) Wellington Road north of 109th Avenue;
- (q) Huntley Road;
- (r) Oak Street;
- (s) Pine Street; and
- (t) 106th Avenue.

(ii) Within the area of the town known as Bellerose Terrace which shall mean that area generally bounded by the following:

All of that area beginning at the intersection of Colonial Road and Jamaica Avenue; proceeding west on Jamaica Avenue to 225th Street; thence proceeding south on 225th Street to the end of the road; thence proceeding east on 95th Avenue from the intersection of 225th Street to 226th Street; thence proceeding south on 226th Street to the end of the road; thence proceeding east on 95th Avenue from the intersection of 226th Street to Colonial Road; thence proceeding north on Colonial Road to its intersection with Jamaica Avenue, the place of beginning.

3. Notwithstanding the foregoing, no permit shall be required on those portions of such streets where the adjacent properties are zoned for commercial/retail use.

4. The local law or ordinance providing for such residential parking system shall:

(a) set forth factors necessitating the enactment of such parking system;

(b) provide that motor vehicles registered pursuant to section four hundred four-a of this chapter shall be exempt from any permit requirement;

(c) provide the times of the day and days of the week during which permit requirements shall be in effect;

(d) make not less than twenty percent of the spaces within the permit area available to nonresidents, and shall provide short term parking of not less than ninety minutes in duration in the permit area;

(e) provide the schedule of fees to be paid for such permits; and

(f) provide that such fees shall be credited to the general fund of the town of Hempstead unless otherwise specified in such local law.

5. No local law or ordinance shall be adopted pursuant to this section until a public hearing on such ordinance has been had in the same manner as required for public hearings on a local law pursuant to the municipal home rule law.

6. The provisions of this section shall not apply to any state highway maintained by the state.

§ 3. This act shall take effect immediately.