

# STATE OF NEW YORK

9745

## IN ASSEMBLY

March 28, 2022

Introduced by M. of A. OTIS, PAULIN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to implementing a residential parking system in the city of New Rochelle

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  
2 that there is a severe shortage of parking for residents of the City of  
3 New Rochelle in the residential area of Sutton Manor. The residents  
4 living in the Sutton Manor neighborhood are suffering interference to  
5 the tranquility and quiet enjoyment of their neighborhood by reason of  
6 visitors and users of the nearby New Rochelle Station, by shoppers,  
7 diners and users of New Rochelle's downtown area, and by owners of  
8 commercial vehicles from the villages, towns, boroughs and cities neigh-  
9 boring Sutton Manor. Each of the foregoing individuals park in the  
10 Sutton Manor as a free and convenient alternative to paid, permit park-  
11 ing in and around New Rochelle and its surroundings. This use has caused  
12 significant safety issues, refuse and sanitation problems, traffic  
13 hazards, congestion, air and noise pollution and other disturbances  
14 which cumulatively have severely deteriorated the peace, tranquility and  
15 quality of life of the residents of this neighborhood. The legislature,  
16 therefore, hereby declares the necessity of this act to authorize the  
17 City of New Rochelle in the county of Westchester to adopt a residential  
18 parking permit system in accordance with the provisions of this act.

19 § 2. The vehicle and traffic law is amended by adding a new section  
20 1640-r to read as follows:

21 § 1640-r. Residential parking system in the city of New Rochelle. 1.  
22 Notwithstanding the provisions of any law to the contrary, the city  
23 council of the city of New Rochelle may, by adoption of a local law or  
24 ordinance, provide for a residential parking permit system and fix and  
25 require the payment of fees applicable to parking within the area in  
26 which such parking system is in effect in accordance with the provisions  
27 of this section.

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

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1 2. Such residential parking permit system may only be established  
2 within the city of New Rochelle on Farragut Circle, Decatur Road and  
3 Sutton Manor Road.

4 3. Notwithstanding the foregoing, no permit shall be required on  
5 streets or portion of streets where the adjacent properties are zoned  
6 for commercial/retail use.

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

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

11 (b) provide that motor vehicles registered pursuant to section four  
12 hundred four-a of this chapter shall be exempt from any permit require-  
13 ment; and

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

16 (d) make not less than twenty percent of all spaces within the permit  
17 area available to non-residents and shall provide short-term parking of  
18 not less than ninety minutes in duration in such area; and

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

20 (f) provide that such fees shall be credited to the general fund of  
21 the city.

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

25 § 3. This act shall take effect immediately.