

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the vehicle and traffic law, in relation to providing for a residential parking system in the town of Mamaroneck in the county of Westchester

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 there is a severe shortage of parking for residents of the town of
3 Mamaroneck in the residential area adjacent to the New England Thruway,
4 the Metro-North New Haven Line, and the borders of the village of
5 Larchmont and the city of New Rochelle. This area is the most densely
6 populated section of the town, with nine major multi-family apartment
7 buildings, some of which have no on-site parking. The Larchmont Metro
8 North Railroad Station, located in this area, is the busiest station on
9 the Metro-North New Haven Line within Westchester county during weekday
10 morning peak periods, generating significant traffic and congestion as
11 it attracts large numbers of commuters from outside the town. There is
12 minimal public and private off-street parking in this area, with commuters and train passengers parking on local streets adjoining the
13 station. The additional burden of commuter parking includes traffic
14 hazards for residents and pedestrians, especially the significant senior
15 citizen population that resides in these multi-family apartment buildings.
16 The legislature further finds that a residential parking system will
17 significantly improve parking problems for the residents of this neighborhood, and declares the necessity of this act to authorize the town of
18 Mamaroneck to adopt a residential parking system in accordance with the
19 provisions of this act.
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EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD01126-01-9

1 S 2. The vehicle and traffic law is amended by adding a new section
2 1662-d to read as follows:

3 S 1662-D. RESIDENTIAL PARKING SYSTEM IN THE TOWN OF MAMARONECK. 1.
4 NOTWITHSTANDING THE PROVISIONS OF ANY LAW TO THE CONTRARY, THE TOWN
5 BOARD OF THE TOWN OF MAMARONECK MAY, BY ADOPTION OF A LOCAL LAW OR ORDI-
6 NANCE, PROVIDE FOR A RESIDENTIAL PARKING PERMIT SYSTEM AND FIX AND
7 REQUIRE THE PAYMENT OF FEES APPLICABLE TO PARKING WITHIN THE AREA IN
8 WHICH SUCH PARKING SYSTEM IS IN EFFECT IN ACCORDANCE WITH THE PROVISIONS
9 OF THIS SECTION.

10 2. SUCH RESIDENTIAL PARKING PERMIT SYSTEM MAY ONLY BE ESTABLISHED
11 WITHIN THE AREA OF THE TOWN CONSISTING OF THE FOLLOWING ROADWAYS:

12 (A) WASHINGTON SQUARE;

13 (B) NORTH CHATSWORTH AVENUE BETWEEN MYRTLE BOULEVARD AND EDGEWOOD
14 AVENUE;

15 (C) NEW JEFFERSON STREET;

16 (D) OLD JEFFERSON STREET;

17 (E) MURRAY AVENUE BETWEEN MYRTLE BOULEVARD AND LEAFY LANE; AND

18 (F) LESTER PLACE.

19 3. NOTWITHSTANDING THE FOREGOING, NO PERMIT SHALL BE REQUIRED ON THOSE
20 PORTIONS OF SUCH STREETS WHERE THE ADJACENT PROPERTIES ARE ZONED FOR
21 COMMERCIAL/RETAIL USE.

22 4. THE LOCAL LAW OR ORDINANCE PROVIDING FOR SUCH RESIDENTIAL PARKING
23 SYSTEM SHALL:

24 (A) SET FORTH FACTORS NECESSITATING THE ENACTMENT OF SUCH PARKING
25 SYSTEM;

26 (B) PROVIDE THAT MOTOR VEHICLES REGISTERED PURSUANT TO SECTION FOUR
27 HUNDRED FOUR-A OF THIS CHAPTER SHALL BE EXEMPT FROM ANY PERMIT REQUIRE-
28 MENT;

29 (C) PROVIDE THE TIMES OF DAY AND DAYS OF THE WEEK DURING WHICH PERMIT
30 REQUIREMENTS SHALL BE IN EFFECT;

31 (D) MAKE NOT LESS THAN FIFTEEN PERCENT OF THE SPACES WITHIN THE PERMIT
32 AREA AVAILABLE TO NONRESIDENTS, AND SHALL PROVIDE SHORT TERM PARKING OF
33 NOT LESS THAN SIXTY MINUTES IN DURATION IN THE PERMIT AREA;

34 (E) PROVIDE THE SCHEDULE OF FEES TO BE PAID FOR SUCH PERMITS; AND

35 (F) PROVIDE THAT SUCH FEES SHALL BE CREDITED TO THE GENERAL FUND OF
36 THE TOWN OF MAMARONECK UNLESS OTHERWISE SPECIFIED IN SUCH LOCAL LAW.

37 5. NO ORDINANCE SHALL BE ADOPTED PURSUANT TO THIS SECTION UNTIL A
38 PUBLIC HEARING THEREON HAS BEEN HAD IN THE SAME MANNER AS REQUIRED FOR
39 PUBLIC HEARINGS ON A LOCAL LAW PURSUANT TO THE MUNICIPAL HOME RULE LAW.

40 6. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY STATE HIGHWAY
41 MAINTAINED BY THE STATE.

42 S 3. This act shall take effect immediately.