S T A T E O F N E W Y O R K

5574

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to the limitation on parking of mobile homes and trailers on residential streets

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The administrative code of the city of New York is amended by adding a new section 19-170.1 to read as follows:

S 19-170.1 LIMITATION ON PARKING OF MOBILE HOMES AND TRAILERS.

A. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "MOBILE HOME" SHALL MEAN A STRUCTURE, TRANSPORTABLE IN ONE OR MORE SECTIONS, WHICH IN THE TRAVELING MODE, IS EIGHT BODY FEET OR MORE IN WIDTH OR FORTY BODY FEET OR MORE IN LENGTH, OR WHEN ERECTED ON SITE, IS THREE HUNDRED TWENTY OR MORE SQUARE FEET, AND WHICH IS BUILT ON A PERMANENT CHASSIS AND DESIGNED TO BE USED AS A DWELLING WITH OR WITHOUT A PERMANENT FOUNDATION WHEN CONNECTED TO REQUIRED UTILITIES, AND INCLUDES THE PLUMBING, HEATING, AIR-CONDITIONING AND ELECTRICAL SYSTEMS CONTAINED THEREIN.

2. "TRAILER" SHALL MEAN ANY VEHICLE NOT PROPELLED BY ITS OWN POWER DRAWN ON THE PUBLIC HIGHWAYS BY A MOTOR VEHICLE AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THE VEHICLE AND TRAFFIC LAW OPERATED THEREON, EXCEPT MOTORCYCLE SIDE CARS, VEHICLES BEING TOWED BY A NON-RIGID SUPPORT AND VEHICLES DESIGNED AND PRIMARILY USED FOR OTHER PURPOSES AND ONLY OCCASIONALLY DRAWN BY SUCH A MOTOR VEHICLE.

3. "RESIDENTIAL STREET" SHALL MEAN THOSE STREETS, OR PARTS THEREOF, WHICH ARE UNMETERED AND ARE LOCATED WITHIN A RESIDENTIAL DISTRICT UNDER THE ZONING RESOLUTION.

B. WHEN PARKING IS NOT OTHERWISE RESTRICTED, NO PERSON SHALL PARK A MOBILE HOME OR TRAILER IN EXCESS OF THREE HOURS ON A RESIDENTIAL STREET.

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

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C. NOTWITHSTANDING THE FOREGOING, NO PERSON SHALL PARK A MOBILE HOME OR TRAILER ON A RESIDENTIAL STREET FROM NINE P.M. TO FIVE A.M.

D. A VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A MONETARY FINE OF FIFTY DOLLARS. ANY SUCH SUBSEQUENT VIOLATION OF THIS SECTION BY THE SAME OWNER, AS DEFINED IN PARAGRAPH A OF SUBDIVISION ONE OF SECTION TWO HUNDRED THIRTY-NINE OF THE VEHICLE AND TRAFFIC LAW, WITHIN A SIX MONTH PERIOD SHALL BE PUNISHABLE BY A MONETARY FINE OF ONE HUNDRED DOLLARS.

E. ANY MOBILE HOME OR TRAILER PARKED IN VIOLATION OF SUBDIVISION B OR C OF THIS SECTION SHALL BE SUBJECT TO IMPOUNDMENT BY THE DEPARTMENT. ANY MOBILE HOME OR TRAILER IMPOUNDED PURSUANT TO THE PROVISIONS OF THIS SUBDIVISION SHALL NOT BE RELEASED UNTIL ALL APPLICABLE TOWING AND STORAGE FEES HAVE BEEN PAID. THE COMMISSIONER OF TRANSPORTATION SHALL BE AUTHORIZED TO PROMULGATE REGULATIONS CONCERNING THE PROCEDURE FOR THE IMPOUNDMENT OF MOBILE HOMES OR TRAILERS.

F. THE SANCTIONS AND FEES PROVIDED FOR IN THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SANCTIONS, FEES OR REMEDIES PROVIDED BY LAW OR REGULATION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.