

7436

2015-2016 Regular Sessions

I N A S S E M B L Y

May 12, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to the residential parking system in the village of Dobbs Ferry in the county of Westchester; and providing for the repeal of such provisions upon expiration thereof

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 on street parking in certain residential districts in the village of
3 Dobbs Ferry, Westchester county which are proximate to the Dobbs Ferry
4 Train Station have been unduly burdened by commuters, thus limiting
5 access to said parking for neighborhood residents. The provision of on
6 street parking permits for the identified residential districts in the
7 village of Dobbs Ferry, Westchester county would serve to provide neighborhood residents the opportunity to park adjacent to their homes. The
8 legislature, therefore, hereby declares the necessity of this act to
9 authorize the village of Dobbs Ferry to adopt a residential parking
10 system in accordance with the provisions of this act.

11 S 2. The vehicle and traffic law is amended by adding a new section
12 1640-o to read as follows:

13 S 1640-0. RESIDENTIAL PARKING SYSTEM IN THE VILLAGE OF DOBBS FERRY IN
14 THE COUNTY OF WESTCHESTER. 1. NOTWITHSTANDING THE PROVISIONS OF ANY LAW
15 TO THE CONTRARY, THE VILLAGE BOARD OF THE VILLAGE OF DOBBS FERRY MAY, BY
16 ADOPTION OF A LOCAL LAW OR ORDINANCE, PROVIDE FOR A RESIDENTIAL PARKING
17 PERMIT SYSTEM AND FIX AND REQUIRE THE PAYMENT OF FEES APPLICABLE TO
18 PARKING WITHIN THE AREA IN WHICH SUCH PARKING SYSTEM IS IN EFFECT IN
19 ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

20 2. SUCH RESIDENTIAL PARKING PERMIT SYSTEM MAY ONLY BE ESTABLISHED IN
21 THE VILLAGE OF DOBBS FERRY WITHIN THE AREA OF THE VILLAGE CONSISTING OF
22 THE FOLLOWING ROADWAYS:
23

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

LBD10886-01-5

1 (A) WESTERLY SIDE OF BROADWAY, FROM OAK STREET TO LIVINGSTON AVENUE;
2 (B) OAK STREET, FROM BROADWAY TO THE MUNICIPAL PARKING LOT BEHIND 112
3 MAIN STREET;
4 (C) ELM STREET, FROM BROADWAY TO THE MUNICIPAL PARKING LOT BEHIND 112
5 MAIN STREET;
6 (D) CHESTNUT STREET, FROM BROADWAY TO MAIN STREET;
7 (E) WALNUT STREET, FROM BROADWAY TO LIVINGSTON AVENUE;
8 (F) HATCH TERRACE, FROM BROADWAY TO WALNUT STREET;
9 (G) PALISADE STREET, FROM CEDAR STREET TO CHESTNUT STREET;
10 (H) RIVERSIDE PLACE;
11 (I) CEDAR STREET, FROM MAIN STREET TO A POINT 750 FEET WEST OF PALI-
12 SADE STREET;
13 (J) THE PORTION OF DRAPER LANE OWNED BY THE VILLAGE OF DOBBS FERRY.
14 3. NOTWITHSTANDING THE FOREGOING, NO PERMIT SHALL BE REQUIRED ON THOSE
15 PORTIONS OF SUCH STREETS WHERE THE ADJACENT PROPERTIES ARE ZONED FOR
16 COMMERCIAL, OFFICE AND/OR RETAIL USE.
17 4. THE LOCAL LAW OR ORDINANCE PROVIDING FOR SUCH RESIDENTIAL PARKING
18 SYSTEM SHALL:
19 (A) SET FORTH FACTORS NECESSITATING THE ENACTMENT OF SUCH PARKING
20 SYSTEM;
21 (B) PROVIDE THAT MOTOR VEHICLES REGISTERED PURSUANT TO SECTION FOUR
22 HUNDRED FOUR-A OF THIS CHAPTER SHALL BE EXEMPT FROM ANY PERMIT REQUIRE-
23 MENT;
24 (C) PROVIDE THE TIMES OF THE DAY AND DAYS OF THE WEEK DURING WHICH
25 PERMIT REQUIREMENTS SHALL BE IN EFFECT;
26 (D) MAKE NOT LESS THAN TWENTY PERCENT OF THE SPACES WITHIN THE PERMIT
27 AREA AVAILABLE TO NONRESIDENTS, AND SHALL PROVIDE SHORT TERM PARKING OF
28 NOT LESS THAN SIXTY MINUTES IN DURATION IN THE PERMIT AREA;
29 (E) PROVIDE THE SCHEDULE OF FEES TO BE PAID FOR SUCH PERMITS; AND
30 (F) PROVIDE THAT SUCH FEES SHALL BE CREDITED TO THE GENERAL FUND OF
31 THE VILLAGE OF DOBBS FERRY UNLESS OTHERWISE SPECIFIED IN SUCH LOCAL LAW.
32 5. NO LOCAL LAW OR ORDINANCE SHALL BE ADOPTED PURSUANT TO THIS SECTION
33 UNTIL A PUBLIC HEARING THEREON HAS BEEN HELD CONCERNING THE DESIGNATION
34 OF THE CERTAIN AREA OR AREAS IN WHICH SAID PARKING PERMIT SYSTEM IS TO
35 BE IMPLEMENTED PURSUANT TO THE MUNICIPAL HOME RULE LAW.
36 6. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY STATE HIGHWAY
37 MAINTAINED BY THE STATE.
38 S 3. This act shall take effect on the sixtieth day after it shall
39 have become a law and shall expire on January 1, 2018 when upon such
40 date the provisions of this act shall be deemed repealed.