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

5187--A

Cal. No. 740

2015-2016 Regular Sessions

I N S E N A T E

May 6, 2015

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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
2 that the village of Dobbs Ferry encompasses approximately 3 miles, has
3 over 11,000 residents and has within its boundaries a railroad station
4 maintained and operated by the Metro North division of the Metropolitan
5 Transportation Authority. The Dobbs Ferry Station attracts a large
6 number of commuters and travelers from outside of the village. The
7 station generates significant traffic and congestion and while there are
8 public and private off-street parking areas, commuters and train passen-
9 gers park on local streets adjoining the station. The residential neigh-
10 borhoods adjoining the train station are among Dobbs Ferry's oldest
11 neighborhoods and lack sufficient off-street parking to serve local
12 residents. Many homes lack adequate off-street parking. The additional
13 burden of commuter parking has resulted in traffic hazards, congestion
14 and air and noise pollution. In addition the overflow of commuter park-
15 ing on the residential streets poses a hazard to residents and pedestri-
16 ans in the area.
17 The legislature further finds that a residential parking system will
18 reduce such hazards and will reduce pollution levels as well. The legis-
19 lature therefore declares the necessity of this act to authorize the

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

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village of Dobbs Ferry in the county of Westchester to adopt a residential parking system in accordance with the provisions of this act.

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

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

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

(A) OAK STREET, FROM BROADWAY TO MAIN STREET;

(B) ELM STREET, FROM BROADWAY TO MAIN STREET;

(C) CHESTNUT STREET, FROM BROADWAY TO MAIN STREET;

(D) WALNUT STREET, FROM BROADWAY TO LIVINGSTON AVENUE;

(E) HATCH TERRACE, FROM BROADWAY TO WALNUT STREET;

(F) PALISADE STREET, FROM CEDAR STREET TO CHESTNUT STREET;

(G) RIVERSIDE PLACE;

(H) CEDAR STREET, FROM MAIN STREET TO A POINT 750 FEET WEST OF PALISADE STREET;

(I) THE PORTION OF DRAPER LANE OWNED BY THE VILLAGE OF DOBBS FERRY.

3. NOTWITHSTANDING THE FOREGOING, NO PERMIT SHALL BE REQUIRED ON THOSE PORTIONS OF SUCH STREETS WHERE THE ADJACENT PROPERTIES ARE ZONED FOR COMMERCIAL, OFFICE AND/OR 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 SIXTY 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 VILLAGE OF DOBBS FERRY UNLESS OTHERWISE SPECIFIED IN SUCH LOCAL LAW.

5. NO ORDINANCE SHALL BE ADOPTED PURSUANT TO THIS SECTION UNTIL A PUBLIC HEARING THEREON 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.

S 3. This act shall take effect on the sixtieth day after it shall have become a law and shall expire on January 1, 2018 when upon such date the provisions of this act shall be deemed repealed.