

5436

2015-2016 Regular Sessions

I N   S E N A T E

May 14, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to authorizing the village of Mamaroneck in the county of Westchester to establish a residential parking system

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 potential for a temporary severe shortage of parking for  
3     residents in the village of Mamaroneck, Westchester county. This lack of  
4     parking is likely to result in traffic hazards, congestion and air and  
5     noise pollution, and could pose a hazard to residents and other pedes-  
6     trians in the area.

7     The legislature finds, contingent upon the adoption of a finding by  
8     the board of trustees of the village of Mamaroneck, that public parking  
9     lots will be closed or otherwise be made unavailable for public parking,  
10    that such vehicles will be displaced and that a residential parking  
11    system would be in the public interest. The legislature further finds  
12    that a residential parking system would reduce such hazards and would  
13    reduce pollution levels as well. The legislature, therefore, hereby  
14    declares the necessity of this act to authorize the village of Mamaro-  
15    neck to adopt a residential parking system in accordance with the  
16    provisions of this act.

17    S 2. The vehicle and traffic law is amended by adding a new section  
18    1640-o to read as follows:

19    S 1640-O. RESIDENTIAL PARKING SYSTEM IN THE VILLAGE OF MAMARONECK IN  
20    THE COUNTY OF WESTCHESTER. 1. NOTWITHSTANDING THE PROVISIONS OF ANY LAW  
21    TO THE CONTRARY, THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK MAY,  
22    BY ADOPTION OF A LOCAL LAW OR ORDINANCE, PROVIDE FOR A RESIDENTIAL PARK-  
23    ING PERMIT SYSTEM AND FIX AND REQUIRE THE PAYMENT OF FEES APPLICABLE TO

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

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1 PARKING WITHIN THE AREA IN WHICH SUCH PARKING SYSTEM IS IN EFFECT IN  
2 ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

3 2. SUCH RESIDENTIAL PARKING PERMIT SYSTEM MAY ONLY BE ESTABLISHED IN  
4 THE VILLAGE OF MAMARONECK WITHIN THE AREA OF THE VILLAGE CONSISTING OF  
5 THE FOLLOWING ROADWAYS:

6 (A) BOTH SIDES OF UNION AVENUE, FROM HALSTEAD AVENUE TO TOMPKINS  
7 AVENUE;

8 (B) BOTH SIDES OF MELBOURNE AVENUE, FROM HALSTEAD AVENUE TO TOMPKINS  
9 AVENUE;

10 (C) BOTH SIDES OF HINMAN PLACE, FROM MELBOURNE AVENUE TO UNION AVENUE;

11 (D) BOTH SIDES OF ANITA LANE, FROM UNION AVENUE TO THE DEAD END;

12 (E) BOTH SIDES OF VALLEY PLACE, FROM WARD AVENUE TO THE DEAD END;

13 (F) BOTH SIDES OF WARD AVENUE, FROM UNION AVENUE TO SPENCER PLACE;

14 (G) BOTH SIDES OF STANLEY AVENUE, FROM MT. PLEASANT AVENUE TO FENIMORE  
15 ROAD;

16 (H) BOTH SIDES OF WAVERLY AVENUE, FROM PLAZA AVENUE TO MAMARONECK  
17 AVENUE;

18 (I) BOTH SIDES OF CENTER AVENUE, FROM PLAZA AVENUE TO OLD WHITE PLAINS  
19 ROAD;

20 (J) BOTH SIDES OF MADISON STREET, FROM PLAZA AVENUE TO MADISON STREET;

21 (K) BOTH SIDES OF WASHINGTON STREET, FROM PLAZA AVENUE TO OLD WHITE  
22 PLAINS ROAD;

23 (L) BOTH SIDES OF GRAND STREET, FROM PLAZA AVENUE TO OLD WHITE PLAINS  
24 ROAD, AND FROM OLD WHITE PLAINS ROAD TO MAMARONECK AVENUE;

25 (M) BOTH SIDES OF ALLING STREET AND PELHAM STREET, FROM GRAND STREET  
26 TO OLD WHITE PLAINS ROAD;

27 (N) BOTH SIDES OF NEW STREET, FROM OLD WHITE PLAINS ROAD TO MAMARONECK  
28 AVENUE;

29 (O) BOTH SIDES OF WILLOW STREET, FROM JEFFERSON AVENUE TO THE DEAD  
30 END;

31 (P) BOTH SIDES OF JEFFERSON AVENUE, FROM JEFFERSON STREET TO CEDAR  
32 STREET;

33 (Q) BOTH SIDES OF GRADE STREET, FROM JEFFERSON AVENUE TO THE DEAD END;

34 (R) THE NORTH-WEST SIDE OF BISHOP AVENUE, FROM THE PRIVATE PROPERTY TO  
35 FENIMORE ROAD.

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

39 4. THE LOCAL LAW OR ORDINANCE PROVIDING FOR SUCH RESIDENTIAL PARKING  
40 SYSTEM SHALL:

41 (A) SET FORTH FACTORS NECESSITATING THE ENACTMENT OF SUCH PARKING  
42 SYSTEM;

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

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

48 (D) MAKE NOT LESS THAN TWENTY PERCENT OF THE SPACES WITHIN THE PERMIT  
49 AREA AVAILABLE TO NONRESIDENTS, AND SHALL PROVIDE SHORT TERM PARKING OF  
50 NOT LESS THAN SIXTY MINUTES IN DURATION IN THE PERMIT AREA;

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

52 (F) PROVIDE THAT SUCH FEES SHALL BE CREDITED TO THE GENERAL FUND OF  
53 THE VILLAGE OF MAMARONECK UNLESS OTHERWISE SPECIFIED IN SUCH LOCAL LAW.

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

1       6. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY STATE HIGHWAY  
2 MAINTAINED BY THE STATE.  
3       S 3. This act shall take effect immediately.