STATE OF NEW YORK

10953

IN ASSEMBLY

August 17, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Solages) -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the town of Hempstead in the county of Nassau to establish a residential parking system in the neighborhoods of Bellrose Terrace and Elmont

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative findings and intent. The legislature finds that a lack of parking for residents of certain areas of the town of Hempstead, Nassau county, has resulted in traffic hazards, congestion and air and noise pollution. In addition, such lack of parking poses a hazard to residents and other pedestrians in such areas.

The legislature further finds that a residential parking system would be in the public interest. The legislature further finds that a residential parking system will reduce such hazards and will reduce pollution levels as well. The legislature, therefore, hereby declares the necessity of this act to authorize the town of Hempstead to adopt a residential parking permit system in accordance with the provisions of this act.

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

§ 1640-r. Residential parking system in the town of Hempstead in the county of Nassau. 1. Notwithstanding the provisions of any law to the contrary, the board of trustees of the town of Hempstead 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 within the neighborhoods of Elmont and Bellerose Terrace which shall mean that area generally bounded on the northerly side by the Jericho Turnpike, on the easterly side by Lucille Avenue to Dutch Broadway, on the southerly side by Dutch Broadway to Cross Island Parkway, and on the

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

LBD17030-01-0

westerly side by the Cross Island Parkway to Jamaica Avenue to Dutch Broadway.

3. Notwithstanding the foregoing, no permit shall be required on those portions of such streets where the adjacent properties are zoned for commercial/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 ninety 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 town of Hempstead unless otherwise specified in such local law.

5. No local law or ordinance shall be adopted pursuant to this section until a public hearing on such ordinance 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.

§ 3. This act shall take effect immediately.