

STATE OF NEW YORK

3593

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by 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:

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

6 The legislature further finds that a residential parking system would
7 be in the public interest. The legislature further finds that a residen-
8 tial parking system will reduce such hazards and will reduce pollution
9 levels as well. The legislature, therefore, hereby declares the necessi-
10 ty of this act to authorize the town of Hempstead to adopt a residential
11 parking permit system in accordance with the provisions of this act.

12 § 2. The vehicle and traffic law is amended by adding a new section
13 1640-r to read as follows:

14 § 1640-r. Residential parking system in the town of Hempstead in the
15 county of Nassau. 1. Notwithstanding the provisions of any law to the
16 contrary, the board of trustees of the town of Hempstead may, by
17 adoption of a local law or ordinance, provide for a residential parking
18 permit system and fix and require the payment of fees applicable to
19 parking within the area in which such parking system is in effect in
20 accordance with the provisions of this section.

21 2. Such residential parking permit system may only be established
22 within the neighborhoods of Elmont and Bellerose Terrace which shall
23 mean that area generally bounded on the northerly side by the Jericho

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

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1 Turnpike, on the easterly side by Lucille Avenue to Dutch Broadway, on
2 the southerly side by Dutch Broadway to Cross Island Parkway, and on the
3 westerly side by the Cross Island Parkway to Jamaica Avenue to Dutch
4 Broadway.

5 3. Notwithstanding the foregoing, no permit shall be required on those
6 portions of such streets where the adjacent properties are zoned for
7 commercial/retail use.

8 4. The local law or ordinance providing for such residential parking
9 system shall:

10 (a) set forth factors necessitating the enactment of such parking
11 system;

12 (b) provide that motor vehicles registered pursuant to section four
13 hundred four-a of this chapter shall be exempt from any permit require-
14 ment;

15 (c) provide the times of the day and days of the week during which
16 permit requirements shall be in effect;

17 (d) make not less than twenty percent of the spaces within the permit
18 area available to nonresidents, and shall provide short term parking of
19 not less than ninety minutes in duration in the permit area;

20 (e) provide the schedule of fees to be paid for such permits; and

21 (f) provide that such fees shall be credited to the general fund of
22 the town of Hempstead unless otherwise specified in such local law.

23 5. No local law or ordinance shall be adopted pursuant to this section
24 until a public hearing on such ordinance has been had in the same manner
25 as required for public hearings on a local law pursuant to the municipal
26 home rule law.

27 6. The provisions of this section shall not apply to any state highway
28 maintained by the state.

29 § 3. This act shall take effect immediately.