STATE OF NEW YORK

8662

IN SENATE

March 28, 2022

Introduced by Sen. MAYER -- 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 implementing a residential parking system in the city of New Rochelle

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 there is a severe shortage of parking for residents of the City of New Rochelle in the residential area of Sutton Manor. The residents living in the Sutton Manor neighborhood are suffering interference to the tranquility and quiet enjoyment of their neighborhood by reason of visitors and users of the nearby New Rochelle Station, by shoppers, diners and users of New Rochelle's downtown area, and by owners of commercial vehicles from the villages, towns, boroughs and cities neighboring Sutton Manor. Each of the foregoing individuals park in the Sutton Manor as a free and convenient alternative to paid, permit parking in and around New Rochelle and its surroundings. This use has caused significant safety issues, refuse and sanitation problems, traffic hazards, congestion, air and noise pollution and other disturbances which cumulatively have severely deteriorated the peace, tranquility and quality of life of the residents of this neighborhood. The legislature, therefore, hereby declares the necessity of this act to authorize the City of New Rochelle in the county of Westchester 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 city of New Rochelle. 1. Notwithstanding the provisions of any law to the contrary, the city council of the city of New Rochelle 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.

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

LBD14954-01-2

2. Such residential parking permit system may only be established within the city of New Rochelle on Farragut Circle, Decatur Road and Sutton Manor Road.

3. Notwithstanding the foregoing, no permit shall be required on streets or portion of 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; and

(b) provide that motor vehicles registered pursuant to section four hundred four-a of this chapter shall be exempt from any permit requirement; and

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

(d) make not less than twenty percent of all spaces within the permit area available to non-residents and shall provide short-term parking of not less than ninety minutes in duration in such area; and

(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 city.

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.

§ 3. This act shall take effect immediately.