# STATE OF NEW YORK

8953

# IN SENATE

May 2, 2022

Introduced by Sen. KAPLAN -- 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 Floral Park in the county of Nassau to establish a residential parking system

**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 village of Floral Park, 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 within such areas would be in the public interest. The legislature further finds that a residential parking system within such areas will reduce such hazards and will reduce pollution levels as well. The legislature, therefore, hereby declares the necessity of this act to authorize the village of Floral Park 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 village of Floral Park in the county of Nassau. 1. Notwithstanding the provisions of any law to the contrary, the village board of the village of Floral Park 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 area of the village which shall mean that area generally bounded by the following:**

**All of that area beginning at the intersection of Plainfield Avenue and Magnolia Avenue; proceeding east on Magnolia Avenue to its intersection with Ward Street; thence running southerly on Ward Street to its**

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

LBD14221-05-2

intersection with Tulip Avenue and East Poplar Street; thence running southerly on East Poplar Street to its intersection with Cypress Street; thence running westerly on Cypress Street to its intersection with Floral Parkway; thence running southeasterly on Floral Parkway to its intersection with Cedar Street; thence running southerly on Cedar street to its intersection with Cedar Place; thence running southerly on Cedar Place to its intersection with West Poplar Street; thence running southerly on West Poplar Street to its intersection with Miller Avenue; thence running westerly on Miller Avenue to its intersection with Beech Street; thence running southerly on Beech Street to its intersection with Vandewater Avenue; thence running westerly on Vandewater Avenue to its intersection with Plainfield Avenue; thence running northerly on Plainfield Avenue to its intersection with Zinnia Street; thence running westerly on Zinnia Street to its intersection with Violet Avenue; thence running southerly on Violet Avenue to its intersection with Pandosa Memorial Avenue; thence running westerly on Pandosa Memorial Avenue to a point where it intersects with the border between the Village of Floral Park and Belmont Park; thence running .835 miles westerly and then northerly along the border between the Village of Floral Park and Belmont Park to a point where it intersects with Poppy Place; thence running easterly on Poppy Place to its intersection with Larch Avenue; thence running northerly on Larch Avenue to its intersection with Atlantic Avenue; thence running easterly on Atlantic Avenue to its intersection with Woodbine Court; thence running easterly on Woodbine Court to its intersection with Plainfield Avenue and Magnolia Avenue, the place of beginning. For the purposes of this paragraph, permit parking may be implemented on both sides of any street whose center line is herein utilized as a boundary description; provided, however, that except for the reference to state highways solely for the purposes of delineating the boundaries of the area described in this paragraph, the provisions of this section shall not apply to any state highway maintained by the state.

3. Notwithstanding the foregoing, no permit shall be required on streets or those portions of such streets where the adjacent properties are zoned for commercial 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 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;

(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.

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.