STATE OF NEW YORK

10058

IN ASSEMBLY

May 2, 2024

Introduced by M. of A. SHIMSKY -- read once and referred to the Committee on Transportation

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

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 many residential areas in the village of Sleepy Hollow, including Sleepy Hollow Manor, Philipse Manor, Downtown Sleepy Hollow, and Webber Park, lack sufficient parking for residents of the village. Sleepy Hollow is a densely populated village, with a population of 4,452.1 persons per square mile, and the residential areas named lack sufficient off-street parking to accommodate residents' needs. This issue is further exacerbated by the proximity of these residential areas to the Philipse Manor train station and the Tarrytown train station, where many non-residents find parking in order to take public transportation to and from work. In addition, Sleepy Hollow has a historical connection to Halloween, with it being a critical aspect of the milieu set by Washington Irving in his ubiquitous novel "The Legend of Sleepy Hollow", and the village has become a tourist destination with an estimated 100,000 visitors annually, most of whom take up parking spots needed by residents. This lack of residential parking has resulted in traffic hazards, congestion, and air and noise pollution posing a hazard to residents and other pedestrians in these areas.

The legislature further finds that a residential parking system will reduce such hazards and will reduce pollution levels. The legislature, therefore, declares the necessity of this act to authorize the village of Sleepy Hollow to adopt a residential parking system in accordance with the provisions of this act.

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

§ 1640-s. Residential parking system in the village of Sleepy Hollow in the county of Westchester. 1. Notwithstanding the provisions of any

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

LBD15213-01-4

law to the contrary, the village board of the village of Sleepy Hollow 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 in the village of Sleepy Hollow within the area of the village consisting of the following roadways:

(a) both sides of Andrews Lane;
(b) both sides of Barnhart Avenue;
(c) both sides of Bellwood Avenue;
(d) both sides of Cedar Street, Chestnut Street;
(e) both sides of Clinton Street;
(f) both sides of College Avenue;
(g) both sides of Continental Street;
(h) both sides of Depeyster Street;
(i) both sides of Devries Avenue;
(j) both sides of Elm Street;
(k) both sides of Farrington Avenue;
(l) both sides of Francis Street;
(m) both sides of Gesner Place;
(n) both sides of Harwood Avenue;
(o) both sides of Highland Avenue;
(p) both sides of Hollows Pass;
(q) both sides of Horseman Boulevard;
(r) both sides of Howard Street;
(s) both sides of Hudson Street;
(t) both sides of Hunter Avenue;
(u) both sides of Irving Place;
(v) both sides of Kelbourne Avenue;
(w) both sides of Lawrence Avenue;
(x) both sides of Legend Drive;
(y) both sides of Lighthouse Landing;
(z) both sides of Maxwell Drive;
(aa) both sides of Merlin Avenue;
(bb) both sides of Millard Avenue;
(cc) both sides of Munroe Avenue;
(dd) both sides of North Washington Street;
(ee) both sides of Palisades Boulevard;
(ff) both sides of Palmer Avenue;
(gg) both sides of Pierson Avenue;
(hh) both sides of Pleasant Street;
(ii) both sides of Pocantico Street;
(jj) the west side of River Street;
(kk) both sides of Riverside Drive;
(ll) both sides of Westward Drive.

3. Notwithstanding the foregoing, no permit shall be required on those portions of such streets where the adjacent properties are zoned for commercial, office and/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 the spaces within the permit area available to nonresidents, and shall provide short term parking of not less than sixty 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 village of Sleepy Hollow unless otherwise specified in such local law.

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.

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

§ 3. This act shall take effect immediately.