

STATE OF NEW YORK

9963--A

IN ASSEMBLY

April 26, 2024

Introduced by M. of A. OTIS -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to implementing a residential parking system in the village of Port Chester

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 there is a lack of parking for residents of the Washington Park neigh-
3 borhood in the village of Port Chester and residents have increasingly
4 found it difficult to park their automobiles overnight on the streets in
5 their own neighborhoods given the scarcity of available parking spaces.
6 Vehicles are parked across sidewalks and blocking driveways as well as
7 creating hazardous conditions on street corners. This has caused signif-
8 icant safety issues, refuse and sanitation problems, traffic hazards,
9 congestion, air and noise pollution and other disturbances. The village
10 of Port Chester is the second most dense municipality in Westchester
11 county and a residential parking permit program is a tool that would
12 assist in mitigating this important issue.

13 The legislature, therefore, hereby declares the necessity of this act
14 to authorize the village of Port Chester in the county of Westchester to
15 adopt a residential parking permit system in accordance with the
16 provisions of this act.

17 § 2. The vehicle and traffic law is amended by adding a new section
18 1640-s to read as follows:

19 § 1640-s. Residential parking system in the village of Port Chester.
20 1. Notwithstanding the provisions of any law to the contrary, the
21 village board of trustees of the village of Port Chester may, by
22 adoption of a local law or ordinance, provide for a residential parking
23 permit system and fix and require the payment of fees applicable to
24 parking within the area in which such parking system is in effect in
25 accordance with the provisions of this section.

26 2. Such residential parking permit system may only be established
27 within the area of the village which shall mean that area generally

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

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1 bounded by the following: All of that area beginning at Franklin Street
2 and the westerly border of the village of Port Chester; thence running
3 easterly on Franklin Street to South Regent Street; thence running
4 northerly on South Regent Street to Westchester Avenue; thence running
5 easterly on Westchester Avenue to Pearl Street; thence running southerly
6 on Pearl Street to Boston Post Road; thence running southerly on Boston
7 Post Road to the southern border of the village of Port Chester; thence
8 running .15 miles westerly and then northerly along the border between
9 the village of Port Chester and the city of Rye to a point where it
10 intersects with Franklin Street, the place of beginning. For the
11 purposes of this subdivision, permit parking may be implemented on both
12 sides of any street whose center line is herein utilized as a boundary
13 description; provided, however, that except for the reference to state
14 highways and to Westchester Avenue and Pearl Street solely for the
15 purposes of delineating the boundaries of the area described in this
16 subdivision, the provisions of this section shall not apply to any state
17 highway maintained by the state nor to Westchester Avenue or Pearl
18 Street.

19 3. Notwithstanding the foregoing, no permit shall be required on
20 streets or portions of streets where the adjacent properties are zoned
21 for commercial/retail use.

22 4. The local law or ordinance providing for such residential parking
23 system shall:

24 (a) set forth factors necessitating the enactment of such parking
25 system; and

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

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

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

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

35 (f) provide that such fees shall be credited to the general fund of
36 the village.

37 5. No ordinance shall be adopted pursuant to this section until a
38 public hearing thereon has been had in the same manner as required for
39 public hearings on a local law pursuant to the municipal home rule law.

40 § 3. This act shall take effect immediately.