

STATE OF NEW YORK

9043--A

IN SENATE

April 11, 2024

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed 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.

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

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

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

24 4. The local law or ordinance providing for such residential parking
25 system shall:

26 (a) set forth factors necessitating the enactment of such parking
27 system; and

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

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

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

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

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

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

42 § 3. This act shall take effect immediately.