§ 1640-m. Residential parking permit system in the city of Albany. 1. Notwithstanding the provisions of any law to the contrary, the city of Albany 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 certain areas of the city or as delineated by the common council of the city of Albany in accordance with the provisions of this section.

2. Such residential parking permit system may only be established within the areas of the city of Albany described as follows: an area within a one mile radius of the Nelson A. Rockefeller Empire State Plaza. The permitted streets within this area shall be described in a local law or ordinance adopted by the common council of the city of Albany pursuant to this section.

3. Notwithstanding the provisions of this section, no permit shall be required on 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 permit system shall:

a. Set forth the specific factors which necessitate the implementation of said system and shall include, but not be limited to, findings of facts as to the existence of such traffic hazards, congestion and air and noise pollution within any such areas;

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 the 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 or areas available to nonresidents which shall provide short-term parking of not less than ninety minutes in duration in such area or

areas;

e. Make not more than three thousand five hundred of the approximately nine thousand residential spaces within the permit area or areas available for residential parking by permit;

f. Provide the schedule of fees to be paid for residential permits; and

g. Provide that such fees shall be credited to the general fund of the city of Albany.

5. No local law or ordinance shall be adopted pursuant to this section until a public hearing thereon has been held by the common council of the city of Albany concerning the designation of the certain area or areas in which said parking permit system is to be implemented.