

**City Clerk's Department  
BUFFALO**

*Aug. 12*, 2022

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

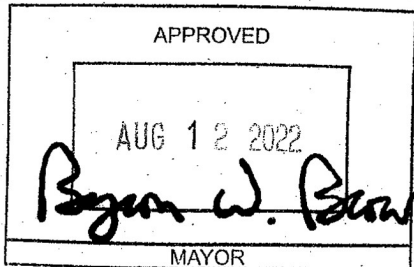
Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**PASSED July 26, 2022**

22-1277

Golombek, Rivera, Wingo – Ord. Amendment Ch 479 – No Parking in Bike Lanes (Amended)

Tianna M. Marks  
City Clerk



2022 AUG 12 PM 4: 10

FILED  
CITY CLERK



**The City of Buffalo Common Council**  
1413 City Hall  
Buffalo, NY 14202

Meeting: 07/26/22 02:00 PM  
Department: Common Council  
Category: Ordinances  
Prepared By: Bethany Wright

Initiator: Bethany Wright  
Sponsors: Rivera, Golombek Jr, Wingo Sr  
DOC ID: 19500 B

**ADOPTED**

**AGENDA ITEM 22-1277**

## **Golombek, Rivera, Wingo - Ord. Amendment Ch 479 - No Parking in Bike Lanes (Amended)**

Mr. Rivera moved:

That the above item, dated July 26, 2022, be returned to the Common Council with a recommendation for approval.

That Chapter 479 Section 15 (24) "No Parking" of the Code of the City of Buffalo, be amended as specified in the attached Ordinance Amendment.

Approved.

**ATTACHMENTS:**

- sub mayors signature-07252022162522 (PDF)

**RESULT: APPROVED**

By: Mr. Rivera & Mr. Golombek

ORDINANCE AMENDMENT  
CHAPTER 479 TRAFFIC ORDINANCE

The Common Council of the City of Buffalo does hereby ordain as follows:

**That Chapter 479 Section 15 of the Code of the City of Buffalo be amended to read as follows:**

**Chapter 479, Section 15 (24) No Parking.**

**Section 15 (24) No Parking**

(24) No Parking. Notwithstanding any other provision of this chapter, no person, firm or corporation shall park or cause to be parked between the periods mentioned below, any vehicle owned by or under the control of said person, firm or corporation, in the portion of the public streets or highways designated below, to wit:

Prohibited Portion of Highway	Prohibited Period	Prohibited Period Daily Except Sunday	Prohibited Period Daily and Sunday	Prohibited Period Daily Except Saturday
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**(List of specific streets subject to the above provisions is omitted.  
The record of such streets is on file in the office of the Division  
of Traffic Engineering, Room 512, City Hall).**

**Section 15 (24-a) Bicycle Lanes-Prohibited Actions**

**Definitions**

1. Off-Road multi-use path – Paved surface that is separate from a public right-of-way.
2. Cycle track – Paved surface within a public right-of-way that is physically separated by a curb island from the vehicle lane.
3. Raised bicycle lane – Bicycle Lane that is installed at the sidewalk level and physically separated from the pedestrian path of the sidewalk.
4. Striped bicycle lane – Bicycle Lane that is striped on the roadway.

5. Bicycle – Every two or three-wheeled device upon which a person or persons may ride, propelled by human power through a belt, a chain or gears, with such wheels in a tandem or tricycle. See Vehicle and Traffic Law (VTL) Article I § 102.

**(24-b) Enforcement Authority**

The City of Buffalo Police Department (BPD) shall issue tickets to any driver of a vehicle found in violation of any section of this law, pursuant to Vehicle and Traffic Law (VTL) § 1128 (c) and § 1146 and any other applicable sections of the VTL. All traffic tickets issued for moving violations pursuant to this law are subject to the jurisdiction of the Buffalo Traffic Violations Agency (BTVA) unless otherwise determined by the law. The City of Buffalo Parking Violation Bureau (PVB) shall also issue tickets for standing or parking violations pursuant to this code and relevant portions of the VTL as required by this law.

**(24-c) Prohibitions**

**1. Driving across bicycle lanes**

No person shall drive a vehicle on or across a designated bicycle lane, except when it is reasonable and necessary:

- (i) to enter or leave a driveway; or
- (ii) to enter or leave a legal curbside parking space; or
- (iii) to cross an intersection; or
- (iv) to make a turn within an intersection; or
- (vi) to avoid an obstacle which leaves fewer than ten feet available for the free movement of vehicular traffic.
- (vii) Notwithstanding any other rule, no person shall drive a vehicle on or across a designated bicycle lane in such manner as to interfere with the safety and passage of persons operating bicycles thereon and must yield the right-of-way to bicycles in the raised bicycle lane whenever necessary.

**2. Off-Road multi-use path**

- a. No vehicles allowed except authorized official government vehicles during time of emergency and maintenance.

**3. Cycle track**

- a. No vehicles allowed except authorized official City vehicle for emergency and maintenance. BPD shall cite individuals for moving violations pursuant to VTL § 1128 (c) and § 1146, when appropriate.

**4. Raised bicycle lane**

- a. No vehicles allowed except authorized official City vehicles for emergency and maintenance.

**5. Striped bicycle lane**

- a. There shall be no PARKING double parking of vehicles of any kind pursuant to VTL section 1202 (1) a on the roadway side of any vehicle stopped, standing, or parked at the edge or curb of a street in such a manner to obstruct the use of a bicycle lane, without authorization.

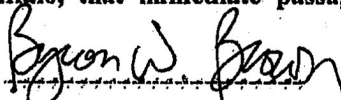
**6. Stopping and Standing**

- a. It shall be illegal for any driver, including a driver of a passenger vehicle, delivery truck, commercial vehicle operator or any other such driver not enumerated herein, to stop, drop off, or idle in any of the designated bicycle lanes, or when necessary, in compliance with law or the directions of a police officer or traffic control device;

**(24-d) Safety**

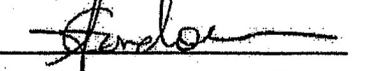
Pursuant to VTL section 1214, No person shall open the door of a motor vehicle on the side available to moving traffic, unless and until it is reasonably safe to do so and can be done without interfering with the movement of all other traffic. In addition, no person shall leave a door open on the side of a vehicle available to "riders" and other moving traffic for a period longer than necessary to load or unload passengers, provided that said action is allowed in the specified lane.

Section 1. IT IS HEREBY CERTIFIED, pursuant to Section 3-19 of the Charter of the City of Buffalo, that immediate passage of this Ordinance Amendment is necessary.

  
Byron W Brown  
Mayor

NOTE: Matter underlined is new,  
matter in brackets [ ] is to be deleted.

APPROVED AS TO FORM ONLY:

  
CARIN S. GORDON  
ASSISTANT CORPORATION  
COUNSEL II

DATE: 07/25/22

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<u>FEROLETO</u>	*	*	*
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<u>GOLOMBEK</u>	*	Excused	*
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<u>NOWAKOWSKI</u>	*	*	*
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<u>PRIDGEN</u>	*	*	*
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<u>RIVERA</u>	*	*	*
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<u>SCANLON</u>	*	*	*
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<u>WINGO</u>	*	*	*
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<u>WYATT</u>	*	*	*
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