

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Dansville

FILED
STATE RECORDS
FEB 26 2021

DEPARTMENT OF STATE

Local Law No. 1 of the year 20²¹

A local law Vehicles and Traffic
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Dansville

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2021 of the ~~(County)~~(City)(Town)(Village) of Dansville was duly passed by the Board of Trustees on February 16 2021, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 2/23/2021

(Seal)

Chapter 308

Vehicles and Traffic

§ 308-2 Purpose.

This article is enacted to promote the general health, welfare and safety of the public and the facilitation of the removal of debris and snow from the streets, highways, alleys, parking lots and public places.

§ 308-3 Authority.

This article is enacted pursuant to the Vehicle and Traffic Law § 1640.

§ 308-4 Applicability.

- A.** This article shall not apply when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device or public functions approved by the Village of Dansville.

- B.** Nor shall it apply to the active loading or unloading of freight or people at places of business, so situated on such streets, that it is impossible to load or unload freight at the rear thereof, or during the time necessary to actively load or unload passengers.

§ 308-5 Definitions.

As used in this article, the following terms shall have the meanings indicated:

CURB

The edge of the roadway, whether marked by curbstone or not so marked.

CURB LAWN

The space between the street curb and sidewalk sometimes referred to as the tree lawn.

CURBSTONE

An improvement of concrete, stone or pavement constructed in a manner to be higher than the roadway to mark the edge of the roadway to prevent the movement of a vehicle or motor vehicle from the roadway.

DRIVER

Every person who operates or drives or is in actual physical control of a motor vehicle or trailer.

DRIVEWAY

Every entrance or exit used by vehicular traffic to or from lands or buildings abutting a street. Including improved parking spaces between the curb and sidewalk. In the event a sidewalk is not present, the space will not be more than 10 feet wide from the curb.

FIRE LANE

Every street, alley, or driveway accessible to the public, with the exception of those leading to and from private residences, shall be considered fire lanes as to allow the safe passage of fire equipment. When it is deemed advisable by the Fire Chief, appropriate signs may be erected designating such areas as fire lanes.

HIGHWAY

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

IMPROVEMENT

Any or all intentionally placed pavement, stone, gravel, sign, posts, paint or other improvement intended to direct, regulate or facilitate the parking, stopping or standing of trailers or motor vehicles.

MOTOR VEHICLES

Every vehicle operated or driven upon a public highway, street or parking lot which is propelled by any power other than muscular power, including motorcycles.

PARK or PARKING

The standing of a trailer or motor vehicle, whether occupied or not.

PARKING LOT

Any area publicly maintained for the parking, standing, or stopping of motor vehicles or vehicles.

PARKING SPACE

Open spaces between white, yellow, or blue lines placed on the pavement, gravel or grass of certain streets or parking lots to indicate such parking spaces. Also, to include the improved area between the curb and the sidewalk in residential districts.

ROADWAY

That portion of a highway improved, designed, marked, or ordinarily used for vehicular travel, exclusive of the shoulder.

SIDEWALK

That portion of a street between the curb lines, or lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians. Where sidewalks intersect with driveways or streets, the sidewalk will be deemed to continue across that driveway or street whether or not a marked crosswalk exists.

STAND or STANDING

The stopping of a trailer or motor vehicle, whether occupied or not.

STOP or STOPPING

The halting even momentarily of a trailer or motor vehicle, whether occupied or not.

STREET

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and parking.

TRAILER

Any vehicle not propelled by its own power drawn on the public highway, street, or parking lot by a motor vehicle, including, but not limited to, recreational campers, boat trailers, construction trailers, farm implements, etc.

TRUCK

Every motor vehicle designed, used, or maintained primarily for the transportation of commercial property.

§ 308-6 Enforcement of parking provisions.

- A.** Duties of Police Department. It shall be the duty of any member of the Dansville Police Department, as directed by the Chief of Police, to enforce parking regulations, to affix to any trailer or motor vehicle parked, standing, or stopped in violation of any provision of this article, a ticket, in such form as approved by the Board of Trustees.
- B.** Form of ticket. Such ticket shall contain a notice, directed to the owner or operator of the trailer or motor vehicle to which it is affixed, that the trailer or motor vehicle to

which it is affixed has been parked in violation and instructing such owner or operator that he is subject to penalties as listed hereinafter.

§ 308-7 Penalties for offenses.

- A.** Parking in a parking space marked for use by the handicapped without a permit or a proper handicap registration, or parking in such space when a handicapped person is not in the vehicle or for the benefit of a person who is not handicapped, a fine of \$100.

- B.** Parked within five feet of a fire hydrant, in a fire lane, or impeding exit or entry of fire apparatus from a building housing fire apparatus, a fine of \$50.

- C.** For any other parking violation, a fine of \$25.

- D.** Failure to remedy any violation within 24 hours may result in an additional violation for each subsequent 24-hour period.

- E.** Failure to pay any fines within seven calendar days will result in an additional fine of \$50.

- F.** The failure of such owner or operator to pay the fine within 30 days after the date of issuance shall render the owner or operator subject to invitation by summons or arrest by warrant and punishable by a fine of not more than \$250 or imprisonment of not more than 15 days as shall be deemed suitable by the Village Justice of the Village of Dansville.

§ 308-8 Removal of vehicles.

The Dansville Police Department and all members thereof designated by the Chief of Police to enforce parking regulations are hereby authorized to cause the removal of any trailer or motor vehicle parked on any street or public parking lot during natural disasters or public emergencies or parked in violation of any Village ordinance controlling parking or the provisions of any law of the State of New York governing parked, standing or abandoned trailers or motor vehicles, or where any such trailer or motor vehicle is so parked as to create or constitute a traffic hazard or obstruction.

- A.** Any trailer or motor vehicle so removed shall be stored in a suitable place designated by the Chief of Police.

B. The owner or person in charge of such trailer or motor vehicle will be responsible for all expenses incurred to remove such trailer or motor vehicle. The owner or person in charge of such trailer or motor vehicle may redeem the same upon agreement with the vendor rendering service and upon evidence of a valid operator's license and proof of insurance to the Dansville Police Department.

§ 308-9 Three-hour parking.

A. Parking shall be limited to three hours in duration Monday through Saturday each week between the hours of 6:30 a.m. and 8:30 p.m. as follows:

(1) Main Street from Perine Street to Liberty Street.

(2) Ossian Street from Spruce Street to Elizabeth Street.

(3) Clara Barton Street from School Street and Spruce Street to Elizabeth Street.

B. No trailer or motor vehicle shall be parked in any one marked parking space on the aforesaid applicable streets for a continuous period of more than three hours. If said trailer or motor vehicle continues to remain in the same marked parking space for more than three hours, each additional period of three hours that the trailer or motor vehicle remains in said space shall be deemed a separate violation.

§ 308-10 Curb-Lawn Parking.

A. Current areas meeting standards set at the time of passage of this law are grandfathered in; areas not meeting standards must cease to be used and reseeded. The property owner whose parcel is adjacent to the curb lawn may seek approval from the Board of Trustees to retain the parking area; however, if approved for retention, it must be paved at the owner's expense.

B. Curb-lawn parking areas remain part of the public right of way and may be used by the general public. Vehicles occupying such parking spaces must have valid registration and license plates.

C. Curb-lawn parking areas are not permitted where two-way traffic can still be managed with curb-side parking on both sides of the street.

D. Curb-lawn parking is not permitted along state highways (Ossian, Dock, lower Franklin, Main, Clara Barton) unless provided for at the state.

- E. All newly approved curb-lawn parking areas must be paved at owner's expense. The owner is also required to remove any concrete or stone curbing. Grandfathered areas will be paved at the village's expense when streets are repaved/rebuilt. However, the owner of such parcel may opt to pave/concrete anytime at his/her expense.
- F. Board approval is required for any new parking areas. Application must be submitted through Superintendent of Public Works with his and the Chief of Police's recommendation.
- G. Conditions not covered by this law will be addressed by the Board of Trustees on a case-by-case basis.

§ 308-11 Maintenance parking.

- A. Maintenance parking will apply daily between the hours of 2:30 a.m. and 6:30 a.m. as follows:
 - (1) Main Street from Perine to Liberty Street.
 - (2) Ossian Street from Spruce to Elizabeth Street.
 - (3) Clara Barton Street from School Street and Spruce Street to Elizabeth Street.
- B. No trailer or motor vehicle shall park on the aforesaid applicable streets during the aforesaid times.

§ 308-12 Other prohibited parking.

- A. No trailer or motor vehicle shall be parked on any street or parking lot unless displaying current registration plate(s) assigned to that trailer or motor vehicle and shall be capable of being immediately moved under its own power. Trailers parked on any street or parking lot will be required to be secured to a motor vehicle at all times.
- B. No trailer or motor vehicle shall be parked as to obstruct a driveway.
- C. No trailer or motor vehicle shall stop with its left side to the curb. All trailers or motor vehicles will be parked parallel to the curb and shall be as near to the curb as practicable with both front and rear wheels not more than six inches from the curb. This will allow the reflectors or taillights of the parked trailer or motor vehicle to be visible to oncoming traffic.

- D.** No trailer or motor vehicle shall be parked on or across the curbstone.
- E.** No trailer or motor vehicle shall be double-parked on any street.
- F.** No trailer or motor vehicle shall be parked on the street within 25 feet of any crosswalk, street crossing or alley except where parking spaces have been approved by the Village of Dansville.
- G.** No trailer or motor vehicle shall be parked on or in a position that encroaches upon any part of the width or projected width of a sidewalk.
- H.** No trailer or motor vehicle shall be parked within five feet of any fire hydrant.
- I.** No trailer or motor vehicle shall be parked in a fire lane.
- J.** No trailer or motor vehicle shall be parked in front, beside or behind any portion of a building, in which the apparatus of the Dansville Fire Department is housed in such manner as to prevent or impede the exit and entrance of apparatus from said building.
- K.** No trailer or motor vehicle shall be parked in such a manner as to occupy more than the minimum number of parking spaces needed for that specific motor vehicle, trailer/motor vehicle combination or truck.
- L.** No trailer or motor vehicle shall be parked on any seeded or planted area between the roadway and sidewalk of any street.
- M.** No trailer or motor vehicle shall be parked between the roadway and sidewalk of any street unless that area between the roadway and sidewalk is improved with pavement to prevent the deterioration of the roadway. This improvement will require the approval of the Superintendent of Public Works prior to being used for parking. This area is not to be improved if a curbstone is present.
- N.** No trailer or motor vehicle shall be parked on the north and south sides of Perine Street between Health Street and Main Street.
- O.** No trailer or motor vehicle shall be parked on the north side of Franklin Street from Milton Street to Dock Street.

- P.** No trailer or motor vehicle shall be parked on the south side of Liberty Street from Main Street to Elizabeth Street.
- Q.** No trailer or motor vehicle shall be parked on the north side of Knox Street from Main Street to Washington Street.
- R.** No trailer or motor vehicle shall be parked on the either side of Health Street from Perine Street to Morey Avenue.
- S.** No trailer or motor vehicle will be parked on the south side of Chestnut Avenue from Main Street to Elizabeth Street.
- T.** No trailer or motor vehicle shall be parked on the south side of Clara Barton Street between Main Street and Elizabeth Street.
- U.** No trailer or motor vehicle shall be parked on the south side of Weidman Lane.
- V.** No truck shall be parked on Main Street except between Perine Street and Chestnut Avenue.
- W.** No truck shall be parked on Franklin Street between Dock Street and the Village line.
- X.** No trailer or motor vehicle shall be parked between the street facing side of any structure and the street, except in designated paved, stoned, or concrete driveways.
- Y.** On all streets in the Village not mentioned above or otherwise posted, between November 1 and April 30, inclusive, of every year, no motor vehicles may be parked on said streets except as follows: on even-numbered days of the month, motor vehicles may be parked on the side of the street having even house numbers only; on odd-numbered days of the month, motor vehicles may be parked on the side of the street having odd house numbers. For purposes of this subsection, even-numbered days of the month shall commence at 8:00 a.m. of the even-numbered day and continue to 8:00 a.m. of the next day. An odd-numbered day of the month shall commence at 8:00 a.m. of that odd-numbered day and continue to 8:00 a.m. of the next even-numbered day to occur.

Z. No trailer or motor vehicle shall be parked on the following streets during school hours: Circle Road, Livingston Boulevard, North Elizabeth Street, North Clinton Street and Weidman Lane.

AA. No trailer or motor vehicle shall be parked in the same parking space in a public parking lot for a continuous period of more than 72 hours. If said trailer or motor vehicle continues to remain parked in the same parking space for more than 72 hours, each additional period of 72 hours that the trailer or motor vehicle remains in said space shall be deemed a separate violation.

BB. No trailer or motor vehicle shall be parked diagonally on any street or parking lot.

CC. Whenever a trailer or motor vehicle is parked upon the roadway, it shall not be parked directly across from another trailer or motor vehicle parked on the roadway. Trailers or motor vehicles parked on the roadway shall be parked in a staggered manner as to allow other traffic to move between the parked trailers or motor vehicles. This section shall not apply to streets that are wide enough as to allow two motor vehicles to pass by each other between trailers or motor vehicles parked across from each other. Those streets are as follows:

(1) Clara Barton Street west of Main Street.

(2) Cottage Street.

(3) Elizabeth Street.

(4) Fulton Street.

(5) Health Street south of Perine Street.

(6) Health Street north of Morey Avenue.

(7) Jefferson Street.

(8) Main Street.

(9) Ossian Street.

(10) Park Avenue.

(11) West Avenue.

(12) William Street.

DD. No trailer or motor vehicle used for hazardous materials or flammable liquids shall be parked in the Village except for delivery or pickup.

EE. At times determined by the Board of Trustees, the Village of Dansville may temporarily expand or decrease parking regulations to facilitate improvements or maintenance of streets, parking spaces, parking lots or to facilitate public functions. Signs will be erected designating such regulations, and no trailer or motor vehicle shall park in violation of said regulation.

FF. No Trailer or motor vehicle shall be parked in a front yard, or in a side yard facing a street if a corner lot, on a recurring basis.

§ 308-13 Loading zones repealed.

All previously designated loading zones on said applicable streets are hereby repealed and terminated.

§ 308-14 Parking meters repealed.

All previous local laws, ordinances, rules, and regulations of the Village of Dansville concerning parking meters are hereby repealed.