

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 Greenport

Local Law No. 2 of the year 2024

A local law Adoption of paid parking program, amending Chapter 132 to provide for such program.
(Insert Title)

Be it enacted by the _____ of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Board of Trustees as follows:

See attached.

(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. 2 of 2024 of the (County)(City)(Town)(Village) of Greenport was duly passed by the Board of Trustees on April 18 2024, 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 *(Elective Chief Executive Officer*)* 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.

Candace Fuel - Village Clerk

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

Date: 5/1/2024

(Seal)

Bill VOG 04-24.

A local law amending Chapter 132 of the Code of the Village of Greenport, to establish a paid parking program and paid parking facilities and zones in the Village.

Section 1. Chapter 132 of the Code of the Village of Greenport is hereby amended by adding Article X, to read as follows:

“Article X. Paid Parking Program.

§132-60. Establishment of Paid Parking Program.

The Village Board of Trustees hereby establishes a paid parking plan in areas as authorized by this Article and as determined by the Board of Trustees by resolution from time to time. The Village Clerk, upon the approval by resolution of the Board of Trustees, may procure software programs, if needed, and other equipment and services that are determined necessary to implement the paid parking plan.

§132-61. Establishment of Paid Parking Zones.

Paid parking zones are hereby designated as being those parts of streets or public parking fields upon which paid parking is now designated or may hereafter be designated from time to time by resolution of the Board of Trustees.

§132-62. Applicability.

- A. Hours and days of operation. The provisions of this Article shall apply to all Village paid parking zones during such hours as shall be posted for their application.
- B. Authority to establish and vary hours and days. The Board of Trustees may establish and vary, by resolution adopted from time to time, the hours and days during which this Article shall be effective. Hours of operation shall be displayed within the paid parking zones.

§132-63. Paid Parking Zone Charges.

Parking fees shall be determined from time to time by resolution adopted of the Board of Trustees. Such fees shall be documented within any smartphone application or other equipment employed by the Village pursuant to this Article.

§132-64. Paid Parking Zone Equipment and Pay Facilities.

Except in a period of emergency determined by an officer of the Fire or Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space within a paid parking zone pursuant to this Article, the operator of such vehicle shall, upon entering the parking space, immediately register with the paid parking smartphone application and make payment for parking in accordance with the applicable fees. Alternatively, the operator of such vehicle may register by calling a toll-free number by personal or public telephone and arranging for payment by phone. The owner and/or operator of a vehicle shall be responsible for the cost of any surcharges imposed by any credit card company in connection with the payment for parking, as indicated specifically on the smartphone application or on the telephone application.

§132-65. Payment Procedure.

Failure to make proper payment in accordance with the instructions on the smartphone application or the phone alternative for the amount of time that the vehicle will be parked in the parking stall shall constitute a violation of this Article.

§132-66. Failure to Pay.

If a vehicle shall remain parked in any a parking space beyond the parking time limit set for such vehicle's parking space, and if the paid parking information system shall indicate such illegal parking, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be a violation of this Article.

§132-67. Exemptions.

In the paid parking areas designated by the Board of Trustees, all spaces designated for handicapped parking and spaces designated for limited (thirty-minute or less) parking shall be exempt from the provisions of this Article.

§132-68. Assignment of Fees Collected/Records.

The payments required hereunder are hereby levied and assessed as fees to be deposited within the general fund for the Village. It shall be the duty of the Village Treasurer to keep a record of the collection of fees from parking and to deposit said fees in the appropriate municipal account.

§132-69. Violations.

It shall be unlawful and a violation of the provisions of this Article for any person to cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked without payment within a paid parking space or beyond the period of legal parking time established for any paid parking zone as herein described. Any violation of any provision of this Article shall be subject to a penalty of \$50 per offense.

Section 3. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.