

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

of Great Neck Plaza

Local Law No. 4 of the year 2024

A local law amending Chapter 206 of the Village Code to authorize the Village to enforce overtime parking restrictions and to collect fines for the violation thereof in the Gardens at Great Neck Shopping Center.

Be it enacted by the Board of Trustees of the [Signature]

County City Town Village

of Great Neck Plaza as follows:

Section I. INTENT

The Gardens at Great Neck Shopping Center ("Shopping Center"), located in the Village at the southwest corner of the intersection of Middle Neck Road and Great Neck Road, is the economic hub in the Village. Its success will also inure to the benefit of the Village and its residents. In order for the Shopping Center to remain viable, it must have adequate parking. Some of its available parking spaces are used by commuters who travel elsewhere or by persons who are not actually visiting stores in the Shopping Center. NYS Vehicle and Traffic Law Section 1640-A authorizes the Village to regulate by local law, when requested to do so, parking and traffic in the parking lot of a shopping center and to enforce such regulations. The owner of the Shopping Center has requested the Village to do so, and the Village has entered into an agreement to do so, subject to certain conditions. The Village Board of Trustees now enacts the following amendments to Chapter 206 of the Village Code to authorize the enforcement of overtime parking restrictions in the Shopping Center parking lot and the collection of fines for violation thereof since such. Such amendments will increase parking availability in the Shopping Center and thereby benefit the health, welfare and safety of the Village and its residents.

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

Section II. Amendments

- A. Chapter 206-58.1 of the Village Code (currently marked "Reserved") is hereby amended to state as follows:

"206-58.1. Gardens of Great Neck Shopping Center parking lot.

- A. Effective October 1, 2024, or on such later date as the Village Board of Trustees ("Board") may hereinafter designate, parking of vehicles in the parking lot ("Parking Lot") of the Gardens of Great Neck Shopping Center ("Shopping Center") located at the southwest corner of the intersection of Middle Neck Road and Great Neck Road, shall be limited to three hours from 9:00 am to 5:00 pm on Monday through Saturday (inclusive) but excluding Village holidays. Such time limits may be subsequently modified by resolution or local of the Village Board of Trustees ("Board")
- B. The time-limit parking restrictions in the Parking Lot shall be enforced by the chalking of vehicles and issuance of summonses by the Village's code enforcement officers and by the imposition and collection of fines by the Village Court.
- C. The fine for a violation of the time-limit restriction in the Parking Lot shall be \$100, as set forth in Village Code Section 206-66 (A), unless hereinafter amended by resolution or local law of the Board.
- D. The time-limit parking restrictions set forth above shall not apply to any employee or owner of a tenant in the Shopping Center who parks in the Parking Lot and whose vehicle displays a sticker from the owner of the Shopping Center approved by the Village for issuance to said persons.
- E. These time-limit parking restrictions shall not be enforced by the Village if the owner of the Shopping Center fails to:
- (1) install signage in the Parking Lot in accordance with its agreement with the Village and which the Village determines to be necessary and appropriate; or
 - (2) maintain insurance coverage insuring the Village and its employees in the manner and amount which the Village determines to be necessary and appropriate; or
 - (3) breaches its agreement with the Village regarding such enforcement.

F. This section shall remain in effect only during such periods of time as there exists a valid agreement between it and the owner of the Shopping Center authorizing the Village to enforce parking regulations in the Parking Lot pursuant to NYS VTL 1640-A."

B. Chapter 206-66 (A) of the Village Code is hereby amended by adding thereto the following violation:

<u>"Description of Violation</u>	<u>Provision of Law</u>	<u>Fine</u>
Overtime Parking in the Shopping Center Parking Lot	Village Code Sec. 206-58.1".	\$100

Section III. Severability

The invalidity of any sentence, part or provision of this local law shall not affect the validity of any other part of the Local Law which can be given effect without such invalid part of parts.

Section IV. Effective Date

This local law shall become effective immediately as provided in the Municipal Home Rule Law upon being filed in the Office of the Secretary of State.

(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. 4 of 20 24 of the Great Neck Plaza (Village) of Great Neck Plaza was duly passed by the Village Board of Trustees (Name of Legislative Body) on 9/4 20 24 in accordance with the applicable provisions of law.

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 _____ (Name of Legislative Body) on _____ 20 _____ and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted 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 _____ (Name of Legislative Body) on _____ 20 _____ and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20 _____

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 _____ (Name of Legislative Body) on _____ 20 _____ and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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 _____ above

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

Date 9/4/24

Seal

State of New York
County of Nassau

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature: *Richard J. Luick*

Title: Village Attorney

Village of: Great Neck Plaza

Date: September 4, 2024