

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.

Village of Lancaster

Local Law No. 4 of the year 2024

A local law to accommodate enforcement of parking as restricted by signage on privately owned premises.

Whereas, for the benefit of merchants and others doing business within the Village of Lancaster, the Village Board of the Village of Lancaster desires to enact legislation accommodating the enforcement of parking as restricted by signage on privately owned premises;

Be it enacted by the Board of Trustees of the Village of Lancaster as follows:

1) Section 325-20.1 shall be added to Village Code Ch. 325, Vehicles and Traffic, which shall state as follows:

§325-20.1 Parking as restricted by signage on privately owned premises.

A. No person shall park, stand, or leave a motor vehicle upon any privately owned premises without the consent and permission of the owner or lessee of such premises.

B. When an owner of premises desires to limit parking to specified persons and/or under specified conditions, the owner of the premises may place signage informing the public as to the persons for whom and/or conditions under which parking is permitted. Such signage shall be at least two feet high by three wide. Language as hereafter set forth and as further required by section D shall be posted:

PARKING RESTRICTED (to be posted in at least 2.5 inch lettering)

EXCEPT FOR ONLY (list persons and/or conditions permitted, to be posted in at least 1.5 inch lettering)

ALL OTHERS KEEP OUT (to be posted in at least 1.5 inch lettering)

UNDER PENALTY OF LAW- LANCASTER VILLAGE CODE §325-20.1 (to be posted in at least 1 inch lettering)

POLICE ENFORCED (to be posted in at least 1 inch lettering)

(continued next page)

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

C. When an owner of premises desires to prohibit completely parking thereon, the owner of the premises may place signage so informing the public. Such signage shall be at least 18 inches high by two feet wide. Language as hereafter set forth and as further required by section D shall be posted:

NO PARKING (to be posted in at least 2.5 inch lettering)

UNDER PENALTY OF LAW- LANCASTER VILLAGE CODE § 325-20.1 (to be posted in at least 1 inch lettering)

POLICE ENFORCED (to be posted in at least 1 inch lettering)

D. The signage set forth at sections B and C shall be conspicuous, clearly discernable, securely fastened, and well maintained. All wording shall be in capital letters. Typeface shall be in Highway Gothic with white lettering upon a brown background.

E. (1) Subject to subparagraph 2, if the provisions of either section B or C and section D can be and are satisfied with a single sign, not larger than two feet high by three feet wide, no building permit pursuant to Chapter 104, Building Construction, or Certificate of Appropriateness pursuant to Chapter 184, Historic Districts and Landmarks, shall be required. Further, in such an instance signage regulations included within Chapter 350, Zoning, shall not apply.

(2) A Certificate of Appropriateness pursuant to Chapter 184, Historic Districts and Landmarks, shall be required of any sign to be mounted upon a building within the Village of Lancaster Historic District.

F. Persons violating the conditions set forth on signage compliant with either section B or C and section D shall be deemed to be using said premises unlawfully without the consent of the owner or lessee.

G. The words "POLICE ENFORCEMENT" and " UNDER PENALTY OF LAW" on such signage shall be construed as authorization given by the owner or lessee of such premises to the Town of Lancaster Police and the Village of Lancaster Code Enforcement Officer to enter upon the premises to enforce the provisions of this section.

H. This section may be enforced by the Town of Lancaster Police and the Village of Lancaster Code Enforcement Officer pursuant to §325-48.C. of Article VIII and the provisions of Article X of the Lancaster Village Code. Further, where the presence of one or more unauthorized vehicles upon a premises signed pursuant to either section B or C and section D precludes parking by an authorized vehicle, the Town of Lancaster Police may arrange to have each such unauthorized vehicle removed by an authorized towing contractor as designated by the Town of Lancaster Chief of Police. The owner or person in charge of a removed unauthorized vehicle may redeem the same upon payment to the authorized towing contractor of those towing and storage rates authorized by the Town of Lancaster Chief of Police.

I. Proof of ownership of a vehicle shall be presumptive evidence in the enforcement of this section that the owner parked or caused his or her vehicle to be parked on such premises.

J. Upon the demand of the Town of Lancaster Police or the Village of Lancaster Code Enforcement Officer, any owner or lessee requesting enforcement of this section shall furnish a signed, written statement that a specified vehicle was unlawfully parked, or left upon his or her premises at a specified time without consent of the owner or lessee. Further, such owner or lessee shall be available to testify to such facts in court. Failure of an owner or lessee to comply with these provisions shall be sufficient cause for the Chief of Police or Village of Lancaster Code Enforcement Officer to direct cessation of the enforcement of this section as to the subject premises and all other premises of such owner or lessee.

K. This section shall not be read to affect the application or enforcement of any other state or local law regulating the standing or parking of a vehicle.

2) This local law shall become effective the 20th day following its enactment.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout 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 Village of Lancaster was duly passed by the Board of Trustees on August 12, 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.)~~

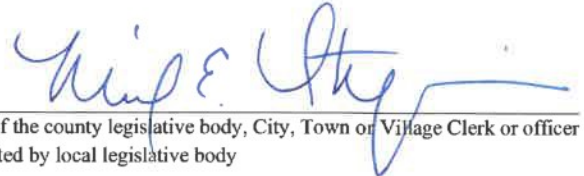
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 1 , above.



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

(Seal)

Date: 8/26/2024