

CHAPTER 30

LOCAL LAW NO. 8 OF 2016

A LOCAL LAW ENTITLED
VEHICLES AND TRAFFIC

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SHOREHAM, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to modify Village Local Law No. 5 of 2012.

SECTION 2. ENACTMENT.

A **Chapter 30 of the Village Code entitled Vehicles and Traffic** is enacted, as follows:

§ 30-1. **Legislative Intent.**

The purpose of this Chapter 30, entitled a Vehicles and Traffic Law, is to control parking on Village Streets and other Village property, and provide safe passage over same.

§ 30-2. **Definitions.**

Each of the following defined terms shall have the meaning indicated:

(1) **boat** - anything used, or capable of being used, for recreation or transportation of individuals or materials over water, whether motorized or otherwise, including canoes, dinghies, jet skis, kayaks, motorboats, sailboats, waterboards of any type, WaveRunners, and other such watercraft.

(2) **Business District** - that area consisting of those plots shown in Village tax records under the following:

- (a) Section 6, Block 1, Lot 9; and
- (b) Section 6, Block 1, Lot 8.

(3) **Business Parking Lot** - that parking lot located between the east side of Woodville Road and the stone wall east thereof immediately north of the intersection of Overhill Road and Woodville Road.

(4) **Code Enforcement Officer** any person designated as a code enforcement officer by the Village Board.

(5) **commercial vehicle** - any vehicle required to be legally registered as a vehicle for commercial use, or having a commercial license plate, or having commercial or other similar signage thereon, or primarily used for the conduct of business, whether any such vehicle having such signage thereon, or being so used, is registered for commercial use or otherwise, including automobiles, construction equipment, dump trucks, flatbed trucks, pickup trucks, tow trucks, trailers, vans for carrying materials, equipment, tools or other work-related items, and other such vehicles; whether any such vehicle has signage thereon or otherwise.

(6) **designated open parking area** - an area located on a plot, other than any area of a garage or the main thoroughfare of a driveway, customarily used for parking of vehicles.

(7) **mobile/trailer home** - any prefabricated home built in a factory, rather than on-site, having a permanently attached chassis and wheels, designed to be used with or without a foundation when connected to required utilities and capable of being transported by vehicles, any such prefabricated home including caravans, house trailers, static caravans, home trailers, and other such portable structures.

(8) **motor home** - a motor vehicle having living quarters.

(9) **plot** - a parcel of land located in the Village not owned by the Village or any other governmental entity.

(10) **parking area** - an area located on a plot comprising any designated open parking area, area of a garage on which a vehicle can be parked or main thoroughfare of a driveway.

(11) **residence** - any residential structure and the plot on which same is located.

(12) **small yard equipment** - any equipment usually used for normal maintenance of yards at single-family residences, including lawn mowers of any type, plows, snow blowers, tractors, garden trailers, and any other such equipment.

(13) **standard vehicle** - any vehicle, without commercial or other similar signage thereon, of the following type: automobiles, motorbikes, motorcycles, scooters, or other such vehicles, trucks with a capacity of one (1) ton or less, or vans no larger in any dimension than a standard, full-sized sports utility vehicle; but not buses, campers, commercial vehicles, motor homes, trailers, or other such vehicles, or any vehicle not required to be legally registered.

(14) **Tennis Court Parking Lots** - those two (2) crushed bluestone parking lots located between the north side of Briarcliff Road and the wooden fence north thereof opposite the Village Tennis Courts.

(15) **trailer** - any vehicle capable of being hitched to and towed behind another vehicle for transportation of any boat, camper, equipment, materials, or otherwise, whether any such vehicle being so hitched or towed is laden, hitched to another vehicle, of open or enclosed structure, or otherwise; but not trailer homes.

(16) **vehicle** - anything used, or capable of being used, for recreation or transportation of individuals or materials over land, or for construction, whether motorized or otherwise, including all-terrain vehicles, automobiles, buses, campers, commercial vehicles, construction equipment capable of being driven, motorbikes, motorcycles, motor homes, scooters, sports utility vehicles, trailers, trucks, vans, and other such conveyances or equipment; but not bicycles, small yard equipment, or other such conveyances or equipment.

(17) **Village Ball Parking Lots** - those two (2) parking lots located at the north end of Woodville Road, one (1) paved and one (1) of crushed bluestone, and including those grass areas located immediately and directly south of each such lot.

(18) **Village Parking eas** - those areas constituting the Business Parking Lot, Tennis Court Parking Lots and Village Hall Parking Lots.

(19) **Village resident** - a person legally inhabiting any premises located in the Village.

(20) **Village Street** - a right-of-way over land located in the Village for passage of pedestrians and vehicles.

§ 30-3. Word Usage.

For purposes of this Chapter 30:

(1) "Abutting," in the context of describing the physical relationship between a Village Street and a plot or residence, shall be deemed to mean that such street is abutting and located immediately and directly to the front, rear or side of the property lines of such plot or residence.

(2) "Adjacent," in the context of describing the physical relationship between a Village Street and a plot or residence, shall be deemed to mean that such street is abutting, or within the vicinity of but not abutting, such plot or residence.

(3) As solely related to occasional residential parking or

parking of campers, motor homes or trailers, "occasional basis" shall be deemed to mean that a particular act shall not take place more than once in any seven (7)-day period, or more than four (4) times in any thirty (30)-day period.

(4) "Owner" and "ownership," in the context of describing ownership of a plot, or other real property, shall be deemed to mean the owner, tenant or licensee of, or any party maintaining, or otherwise in control of, such plot or other property.

§ 30-4. Traffic Control.

A. Stop Intersections. Briarcliff Road, Gridley Road, Overhill Road, Wardencliff Road and Woodville Road are designated as through highways, and stop signs shall be installed on said roads and certain entrances thereto, as said roads are located in the Village or otherwise, as follows:

Intersection Of	Stop Sign On	Entrance From
Beatty Road	Woodville Road	North and South
Briarcliff Road	Ashley Lane	West
Briarcliff Road	Tower Hill Road	South
Briarcliff Road	Tower Hill Road	West
Briarcliff Road	Woodville Road	North and South
Gridley Road	Wardencliff Road	North and South
Overhill Road	Woodville Road	North and South
Wardencliff Road	Gridley Road	East and West
Woodville Road	Ashley Lane	East
Woodville Road	Beatty Road	West
Woodville Road	Briarcliff Road	East
Woodville Road	Circle Drive (north intersection)	West
Woodville Road	Circle Drive (south intersection)	West
Woodville Road	Fitzgerald Road	West
Woodville Road	Gridley Road	West
Woodville Road	Overhill Road	West

B. Playground Cautionary Signs. Playground cautionary signs shall be installed on the east side of Woodville Road at the intersection of Fitzgerald Road and Woodville Road, and on the north side of Briarcliff Road to the east of the Tennis Court Parking Lots.

C. Speed Limit Signs. Speed limit signs shall be placed on Village Streets as authorized by the Village Board.

§ 30-5. Speed Limit on Village Streets.

A. Non-Designated Village Streets. Subject to the following provisions of this § 30-5, the maximum speed at which vehicles may proceed on any Village Street is thirty (30) miles per hour.

B. Designated Village Streets. Subject to § 30-SC of this § 30-5, the maximum speed at which vehicles may proceed on any of the following Village Streets is twenty-five (25) miles per hour:

(1) Briarcliff Road between Woodville Road and the Village boundary.

(2) Barnhart Place, Beatty Road, Fitzgerald Road, Gridley Road, Oliver Road, Overhill Road, Prospect Street, Taglibue Road, Thompson Street, Tower Hill Road and Wardencliff Road.

(3) Woodville Road between the north end thereof and Overhill Road.

C. School Speed Limit. The maximum speed at which vehicles may proceed within one thousand three hundred and twenty (1,320) feet of any school in the Village is fifteen (15) miles per hour between eight (8) AM and five (5) PM on school days.

§ 30-6. Regulation of Parking on Village Streets.

A. Permitted Parking on Village Streets. No vehicle shall be permitted to be parked on any Village Street, except as expressly permitted and conditioned under the following provisions of this § 30-6.

B. Occasional Residential Parking. Any Village resident shall be permitted to have standard vehicles parked on any Village Street adjacent to the residence of such resident, but only on an occasional basis, and only if such parking is to accommodate any guest or visitor of, or is incidental to a social event being hosted by, such resident, and such parking is for a period not exceeding twenty four (24) consecutive hours, except as otherwise permitted under § 30-6E of this § 30-6.

C. Other Authorized Residential Parking. Any Village resident shall be permitted to park up to two (2) standard vehicles on any Village Street abutting the residence of such resident, but only if such residence does not have sufficient parking area to accommodate parking of at least four (4) standard vehicles at any one (1) time, with the understanding that any such vehicle shall be first parked in any such parking area, and then, as need be, on such street, and with the further understanding that in no event shall such parking involve more than four (4) such vehicles being parked in any such parking area and on such street at any one (1) time.

D. Parking by Undeveloped Plots. Any person shall be permitted to park standard vehicles on any Village Street abutting any

undeveloped plot owned by such person, but only on an occasional basis, and only between seven (7) AM and the earlier of seven (7) PM and sunset.

E. Overnight Parking. Except as permitted under§ 30-6C of this§ 30-6, no vehicle shall be permitted to be parked on any Village Street between eleven (11) PM and six (6) AM, except that any overnight guest of a Village resident shall be permitted to park standard vehicles overnight on any Village street abutting the residence of such resident, but only if there is no available space to park any such vehicle in any parking area located at such residence.

F. Village Ball Field Parking. Any Village resident, or guest thereof, when using the Village ball field, shall be permitted to park standard vehicles on Woodville Road, but only on the east side thereof between Gridley Road and the south end of said field, and only between seven (7) AM and the earlier of seven (7) PM and sunset.

G. Briarcliff School Parking. Any person attending an officially sanctioned event at Briarcliff School shall be permitted to park standard vehicles on Briarcliff Road, but only on the south side thereof within two hundred (200) feet of each side of the school entryway off of Briarcliff Road.

H. Parking on Un-Surfaced Portions of Village Streets. Except as permitted under§ 30-6J(1) of this§ 30-6, no vehicle shall be permitted to be parked on any un-surfaced portion of any Village Street, except that any Village resident shall be permitted to park, or have a guest thereof park, any vehicle on any un-surfaced portion of any Village Street abutting the residence of such resident, but only if such vehicle is otherwise permitted to be parked on Village Streets under this§ 30-6, with the understanding that such vehicle shall be parked at least ten (10) feet from any property line of any plot owned by any party other than such resident.

I. Parking of Campers, Motor Homes and Trailers. Any Village resident, or guest thereof, shall be permitted to park campers, motor homes and trailers, in any such case not being a commercial vehicle, on any Village Street abutting the residence of such resident, but only on an occasional basis, and only between seven (7) AM and the earlier of seven (7) PM and sunset, and for no more than one (1) period of no more than two (2) hours in anytwenty-four (24) hour period.

J. Parking and Operation of Commercial Vehicles. Parking and operation of commercial vehicles shall be permitted, as follows:

(1) The owner of any plot shall be permitted to have commercial vehicles parked on, or operated on or from, any surfaced or un-surfaced portion of any Village Street abutting such plot for the purpose of performing construction work on such plot, or construction work on such street if same is solely related to such plot, or for the purpose of delivering materials related thereto, but such parking or operation shall only be permitted on non-holiday weekdays, between eight (8) AM and the earlier of six (6) PM and sunset, and non-holiday Saturdays, between nine (9) AM and three (3) PM. Any person parking or operating any commercial vehicle as permitted under this§ 30-6J(1) shall take necessary steps to insure safe pedestrian and vehicular passage over Village Streets, including the placement of cones and signs, and taking of other such measures, as appropriate to insure such safe passage.

(2) In addition to parking for the purpose of delivering work-related materials as permitted under§ 30-6J(1) of this§ 30- 6J, the owner of any plot shall be permitted to have commercial vehicles parked on any Village Street abutting such plot for the purpose of making other types of deliveries thereto, with the understanding that any such delivery material in scope shall only be made between eight (8) AM and the earlier of six (6) PM and sunset **[AMENDED SEPTEMBER 21, 2016, BY LL NO. 25 OF 2016]**.

(3) The owner of any plot shall be permitted to have commercial vehicles parked on any Village Street abutting such plot for the purpose of making service calls thereto or, as need be, adjacent to such plot if any such service call relates to any public utility facility.

(4) Any commercial vehicle shall be permitted to be parked, or operated on or from, any Village Street for any purpose related to any public utility facility.

(5) The owner of any commercial vehicle having attached thereto, or displayed thereon, a current identification sticker, or current guest pass, issued under§ 30-8B of this Chapter 30, shall be permitted to park such vehicle on Village Streets, but only as standard vehicles are permitted to be parked on Village Streets under this§ 30-6.

K. Registration Required. Only legally registered vehicles shall be permitted to be parked on Village Streets.

L. Unsafe Conditions, Obstruction of Traffic and Other Limitations. No vehicle shall be permitted to be parked on any Village Street in such manner as to create an unsafe condition or obstruct traffic, with the understanding that any vehicle permitted to be parked under this§ 30-6 shall be parked as close as possible to the edge or curb of any such street, and at least ten (10) feet from any part of any driveway, or school or business entryway, or any part of any intersection of streets, whether any such street is located in the

Village or otherwise, and such parking shall only be permitted on surfaced portions of Village Streets, except as otherwise permitted on any un-surfaced portion of any Village street under§ 30-6H or 6J(1) of this§ 30-6.

M. Fire Hydrants. No vehicle shall be permitted to be parked within ten (10) feet of a fire hydrant.

N. Parking During Snowstorms, Other Weather Related Emergencies and Other Public Emergencies. No vehicle shall be permitted to be parked on any Village Street between nine (9) PM and seven (7) AM during any storm expected to have an accumulation of snow of more than two (2) inches, or between the hours designated in any weather related emergency, including any snowstorm, or public emergency, declared by the mayor of the Village.

§ 30-7. Other Village Street Parking Restrictions.

A. Small Yard Equipment. No small yard equipment shall be permitted to be parked on, or operated on or from, any Village Street, except that the owner of any plot shall be permitted to have such equipment parked on, or operated on or from, any such street abutting such plot for the purpose of performing work on such plot, but only between eight (8) AM and the earlier of six (6) PM and sunset, and only if same does not create an unsafe condition or obstruct traffic **[AMENDED SEPTEMBER 21, 2016, BY LL NO. 25 OF 2016]**.

B. Mobile/Trailer Homes.

No mobile or trailer home, whether hitched to vehicle or otherwise, shall be permitted to be parked on any Village Street.

§ 30-8. Regulation of Parking on Off-Street Village Property.

A. Permitted Parking on Off-Street Village Property. No vehicle shall be permitted to be parked on any off-street portion of property owned by the Village, except that vehicles shall be permitted to be parked in Village Parking Areas, but only as expressly permitted and conditioned under the following provisions of this § 30-8.

B. Parking in Tennis Court Parking Lots and Village Hall Parking Lots/Identification Stickers and Guest Passes. Any person shall be permitted to park standard vehicles in the Tennis Court Parking Lots and Village Hall Parking Lots, but only if such vehicle is legally registered and has attached thereto, or displayed thereon, a current identification sticker, or current guest pass, issued by the Village Clerk permitting such parking,

with the understanding that such stickers or passes shall only be issued to Village residents and only for legally registered, standard vehicles, except that such stickers and passes shall be permitted to be issued to Village residents for legally registered, commercial vehicles owned by any such resident, provided any such commercial vehicle is without commercial or other similar signage thereon and such vehicle is of the type similar to that of a standard vehicle.

C. Parking in Business Parking Lot. Any person shall be permitted to park standard vehicles in the Business Parking Lot, but only if such person is a client, customer, patient or visitor of any business or other operation being conducted in the Business District.

D. Hours of Parking. Parking in Village Parking Areas shall only be permitted between seven (7) AM and:

(1) Nine (9) PM, as related to the Business Parking Lot.

(2) Nine (9) PM7 as related to the Tennis Court Parking Lots.

(3) Eleven (11) PM, as related to the Village Hall Parking Lots, or at such later time marking the end of any officially sanctioned event at the Village hall or on the Village beach.

E. Limitation of Parking on Entryways to Village Hall Parking Lots and Beach. No vehicle shall be permitted to be parked on the main roadway located north of Woodville Road leading to the Village hall, on the entryways off of said roadway leading to the Village Hall Parking Lots, or on the roadway leading to the Village beach.

F. Speed Limit for Village Hall Parking Lots and Surrounding Entryways and Roadways. The maximum speed at which vehicles may proceed in the Village Hall Parking Lots, the roadway located north of Woodville Road leading to said lots, the entryways off of said roadway leading to said lots, and the roadway leading to the Village beach, is five (5) miles per hour.

G. No Identification Stickers Required. There shall be no requirement to have an identification sticker or guest pass for any legally registered, standard vehicle parked in any of the following areas as so qualified:

(1) The Business Parking Lot.

(2) The Village Hall Parking Lots if the person operating such vehicle is attending an officially sanctioned event at the Village hall or on the Village beach.

(3) The Tennis Court Parking Lots and Village Hall Parking Lots if the person operating such vehicle is a guest of a Village resident and accompanied by such resident.

H. Trailer Prohibition. No trailer, whether hitched to another vehicle having an identification sticker, or guest pass, or otherwise, shall be permitted to be parked in Village Parking Areas.

§ 30-9. Overlap of Village Parking Areas and Village Streets.

For purposes solely related to the enforcement of this Chapter 30, to the extent any area of any Village Parking Area overlaps any area of any Village Street, such overlapping part shall be deemed to be part of the subject Village Parking Area and not part of the subject Village Street.

§ 30-10. Trailer Home Prohibition.

No trailer home, whether hitched to a vehicle having an identification sticker, or guest pass, or otherwise, shall be permitted to be parked in Village Parking Areas.

§ 30-11. Presumption of Ownership of Vehicles.

The registered owner, renter or person otherwise having legal possession of a vehicle, as the case may be, shall be presumed to be the operator, and as applicable, the owner, renter or person otherwise having legal possession of such vehicle at the time of any violation of this Chapter 30, and any reference in this Chapter 30 to ownership of any vehicle shall be deemed to be a reference to the owner or renter of such vehicle or person otherwise having legal possession thereof, as the case may be.

§ 30-12. Authority to Ticket, Immobilize and Impound Vehicles.

A. Abandoned and Otherwise Illegally Parked Vehicles. When any vehicle is abandoned on any Village Street or in Village Parking Areas, or abandoned, parked or unattended on any other property owned by the Village, such vehicle may be ticketed, or ticketed and impounded or caused to be impounded, by or under the direction of any Code Enforcement Officer.

B. Snowstorms, Other Weather Related Emergencies and Other Public Emergencies. When any vehicle is parked or unattended on any Village Street or in Village Parking Areas during any snowstorm or other weather related emergency, or other public emergency, and same in any way adversely affects that portion of such street or areas upon which such vehicle is parked, such vehicle may be ticketed, or ticketed and impounded or caused to be impounded, by or under the direction of any Code Enforcement Officer.

C. Unsafe Conditions and Obstruction of Traffic. When any vehicle is found parked or unattended on any Village Street or in Village Parking Areas and same creates an unsafe condition or obstructs traffic, such vehicle may be ticketed, or ticketed and impounded or caused to be impounded, by or under the direction of any Code Enforcement Officer.

D. Vehicles Without Identification. When any vehicle is parked or unattended on any Village Street or in Village Parking Areas where parking of vehicles is not permitted, or where parking of vehicles requires the issuance of an identification sticker or guest pass and such vehicle is without same, such vehicle may be ticketed, or ticketed and impounded or caused to be impounded, by or under the direction of any Code Enforcement Officer, or alternatively, a locking auto boot immobilizer may be affixed, or caused to be affixed, to such vehicle by or under the direction of any Code Enforcement Officer.

E. Cost of Impounding and Booting. The cost of impounding or booting any vehicle shall be borne by the owner of such vehicle, who may redeem same upon payment to the Clerk of the amount of all costs actually and necessarily incurred in effecting any such impounding or booting, including the cost of any towing and storage. The charges to cover any such costs shall not exceed fifty (50) dollars for any booting and two hundred and fifty (250) dollars for any towing and the initial day of storage, plus twenty-five (25) dollars per day for each day any such vehicle is stored for more than twenty-four (24) hours.

F. Reporting Obligations. Code Enforcement Officers shall promptly report the impounding or booting of any vehicle to the Village Clerk, and the Village Clerk shall promptly ascertain the identity of the owner of such vehicle and notify such owner of the impounding or booting of such vehicle and the amount that will be required to redeem same. Such notice shall be given by Certified or Registered Mail/Return Receipt Requested to the address indicated on the subject vehicle registration, rental agreement or such other document evidencing ownership of such vehicle, as the case may be.

§ 30-13. Penalties.

A. Schedule of Fines. In addition to any charge imposed to cover the cost of any impounding or booting, any person in violation of this Chapter 30 shall be subject to a minimum fine of fifty (50) dollars but not to exceed three hundred and fifty (350) dollars for the first offense, a minimum fine of one hundred fifty (150) dollars but not to exceed seven hundred and fifty (750)

dollars for a second offense, and a minimum fine of three hundred (300) dollars but not to exceed one thousand (1,000) dollars for a third offense.

B. Schedule of Additional Fines. All fines on all penalties authorized in this Chapter 30 shall increase, as follows:

(1) At thirty (30) days from issuance, minimum fine shall be doubled.

(2) At sixty (60) days from issuance, minimum fine shall be tripled from original amount.

§ 30-14. Special Permit.

Upon application, or on its own motion, the Village Board, any provision in this Chapter 30 to the contrary notwithstanding, may issue a special permit enabling parking in a manner otherwise inconsistent with the provisions of this Chapter 30 to enable occurrence of a special event within the Village, provided any such special permit shall not have an applicable duration beyond forty-eight (48) hours, shall not be extended to any Village resident more often than once in a calendar year, and may contain any conditions considered reasonable and necessary to protect the public health, safety and welfare of the Village.

§ 30-15. Amendment.

The Village Board may amend the provisions of this Chapter 30 by resolution rather than by local law.

§ 30-16. Severability.

If any provision of this Chapter 30 is ruled unconstitutional or invalid, such ruling shall not affect the validity of any other provision of said chapter or said chapter as a whole.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

SECTION 4. REPLACEMENT OF EXISTING LOCAL LAWS.

This local law upon its effective date shall in all respects repeal and supersede Local Law No. 5 of 2012, and any

similar local law heretofore adopted by the Board of Trustees, each of which is hereby repealed.

Dated: April 8, 2016

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF SHOREHAM

BY: Cathy Donahue-Spier,
Village Clerk

Effective Date: April 28, 2016