

**INCORPORATED VILLAGE OF AMITYVILLE: LOCAL LAW #2 OF YEAR 2015**

A local law to amend Chapter 172 of the Code of the Village of Amityville – Vehicles and Traffic, by adding a new Section 172-2.1 thereof to authorize the Mayor to restrict or prohibit parking when declaring a snow or other weather emergency.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows:

Add a new CVA §172-2.1 as follows:

**Section 1. Findings.**

Vehicles left unattended on streets, or sections thereof, during and after a snowfall or weather emergency have been known to obstruct snow removal or street clearing operations by impeding the clear passage of snowplows and other emergency equipment. This provision has been enacted to compel the owners of vehicles to become more responsive to the cooperative effort needed to expedite snow-removal or street clearing operations and to combat the paralyzing effect of snow accumulation or blockages upon Village roads during weather related emergencies as may be declared pursuant to this local law.

**Section 2. Definitions.** As used in this section, the following terms shall have the meanings indicated.

**Park** – Leaving a vehicle standing motionless and unattended for an interval of time longer than necessary to board or unload passengers or freight;

**Vehicle** – Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks; and

**Village Street** – Any street, road, highway or cul-de-sac over which the Department of Public Works of the Village of Amityville has jurisdiction for snow removal.

**Section 3. Authorization for Mayor to Declare and to Terminate a Snow Emergency.**

The Mayor is hereby granted the authority to declare a snow or weather emergency affecting all or select streets, or portions thereof, within the Village of Amityville. S/he shall also have the authority to declare the termination thereof when, in his/her judgment, there is no further requirement for such declaration.

**Section 4. Notice of Declaration and Termination of Snow Emergency.**

Due notice of a declaration of snow or other weather emergency and due notice of its termination shall be given to the public through the use of such audible and visual media as may be available at the time such emergency is declared or terminated, through facilities such as radio and television broadcasting, internet, social media, newspapers, municipal bulletin boards, etc. In cases where a state of emergency is obvious to a prudent person, no extraordinary notice shall be required.

Section 5.     No Parking During Snow Emergency.

It shall be unlawful for an owner or a driver of a vehicle to park or permit a vehicle to be parked on any Village street, or portion thereof, during a snow or weather emergency, until such time that such emergency has been terminated, pursuant to the provisions hereof.

Section 6.     Vehicle Towing.

Any vehicle left unattended as provided in Section 5 or which may be stalled or otherwise unable to be moved on any street during an emergency, may be towed or removed under the direction of the Police Department or the Department of Public Works. A charge for such removal shall be all the expenses actually and necessarily incurred in effecting such removal, in addition to any charges for storage. Such vehicle may be redeemed by the owner or person in charge of the vehicle upon payment to the Village Clerk or the garage owner to which the vehicle has been moved, the full amount of the expenses aforesaid.

Section 7.     Penalty.

Any person committing an offense against Subsection 5 of this section is guilty of a traffic infraction punishable by a fine not exceeding five hundred (\$500) dollars.

Section 8.     Effective Date.

This local law shall take effect immediately upon adoption, subject to filing with the Secretary of State.