

# 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 Caroga

FILED  
STATE RECORDS  
MAR 17 2017

Local Law No. 2 of the year 2017

A local law to amend Local Law #1 of 2014 a Law to Regulate  
(Insert Title)  
Traffic in the Town of Caroga.

DEPARTMENT OF STATE

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Caroga as follows:

A Local Law to amend Local Law #1 of 2014 a Law to Regulate Traffic in the Town of Caroga

- SECTION 1. Title
- SECTION 2. Purpose
- SECTION 3. Applicability
- SECTION 4. Definitions
- SECTION 5. Removal and Storage of Vehicles
- SECTION 6. Temporary Emergency Restrictions
- SECTION 7. Parking for Certain Purposes Prohibited
- SECTION 8. Blocking Highways and Driveways
- SECTION 9. Winter Parking
- SECTION 10. Interference with Snow Removal
- SECTION 11. Exceptions
- SECTION 12. Penalties for Offense
- SECTION 13. Severability
- SECTION 14. Effective Date

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

Section 1. Title

A. The title of this Local Law is "A local law to Regulate Traffic in the Town of Caroga, New York".

SECTION 2. Purpose

A. The purpose of this Local Law is to preserve the good order of the Town.

SECTION 3. Applicability

A. This Local Law shall apply to all territory within the confines of the Town.

SECTION 4. Definitions

A. In this Local Law the words "owner", "parked" and "vehicle" have the meanings assigned to them by the New York State Vehicle and Traffic Law.

SECTION 5. Removal and Storage of Vehicles

A. The Town shall provide for the removal and storage of vehicles that are

(1) Parked or abandoned in any town and county streets and highways in violation of the provisions of this Local Law.

(2) Parked or abandoned on public highways during snowstorms, floods, fires or other public emergencies

(3) Found unattended where they constitute an obstruction to traffic.

(4) Found at any location where stopping, standing, or parking is prohibited.

B. In addition to the payment of any penalty, the owner or operator of any such vehicle shall be liable for payment of all expenses actually and necessarily incurred in effecting such removal and storage thereof.

SECTION 6. Temporary Emergency Restrictions

A. The Highway Superintendent is authorized to prohibit or limit parking in any designated area, where he determines that there is a serious traffic problem.

B. The order of the Highway Superintendent shall prohibit or limit parking no longer than fourteen (14) days. In the event the Highway Superintendent desires to limit or prohibit parking, suitable signs or other instructions specifying the limitations must be placed in the area in order to inform the motorists of the prohibition or limitation.

SECTION 7. Parking for Certain Purposes Prohibited

A. No person shall park a vehicle upon any roadway for the principal purpose of:

1. Displaying such vehicle for sale.

2. Washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

SECTION 8. Blocking Highways and Driveways

A. No person shall park any vehicle in such a manner as to block a town highway, entrance to a public parking lot or any private driveway.

#### SECTION 9. Winter Parking

- A. In order to facilitate snow removal operations on all public highways, the parking of vehicles is prohibited on all town and county streets and highways during the period of December 1st through April 1 except and unless special permission in writing, be provided by the Town Highway superintendent, and then only in the case of an emergency.

#### SECTION 10. Interference with Snow Removal

- A. It shall be unlawful for any person to delay, hinder or obstruct any Town vehicle or equipment while the same is engaged in plowing or removing snow from the highways or public places of the Town, and the owner or person in control of any vehicle standing in any highway or public place in the Town shall move or cause the same to be moved to permit the plowing or removal of snow at the request of any authorized agent or the Town.

#### SECTION 11. Exceptions

- A. The provisions of the Local Law shall not apply to commercial vehicles while stopped for the purpose of loading or unloading merchandise or to operator of a vehicle who has been granted special permission by the Town Highway Superintendent.
- B. When there is a special event taking place within the Town of Caroga the Town Highway Superintendent may lift the winter parking ban on roads, with a request 15 days prior notice from the person or groups sponsoring the event.

#### SECTION 12. Penalties for Offense

- A. Any person violating any of the provisions of this article may be punished upon conviction for the first offense by a fine not exceeding one hundred dollars (\$100.00) and, for the second offense a two hundred and fifty dollars (\$250.00) fine within the time frame of eighteen months, and for the third offense a three hundred and fifty dollars (\$350.00) fine within the time frame of eighteen months; or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment.

#### SECTION 13. Severability

- A. If any clause, sentence paragraph, subdivision, section or part of this Local Law shall be adjudged by any Court of Competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder thereof.

#### SECTION 14. Effective Date

- A. This Local Law shall become effective immediately upon its filing with the New York Department 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. 2 of 2017 of the (County)(City)(Town)(Village) of Caroga was duly passed by the Caroga Town Board on February 21, 2017, 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 \_\_\_\_\_ above.

*Linda M. Gilbert*

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

Date: February 3<sup>rd</sup> 2017

