

## Local Law 7-2023

A local law amending Chapter 250 (Vehicles and Traffic) of the Village of Ossining Code.

**BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:**

**Section 1.** Chapter 250, section 250-1 (Vehicles and Traffic, Definitions) is amended with new matter underlined and deleted matter in **[brackets]**.

### **§ 250-1 Definitions.**

- A. The words and phrases used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York.
- B. The following words and phrases, which are not defined by Article 1 of the Vehicle and Traffic Law of the State of New York, shall have the meanings respectively ascribed to them in this section for the purposes of this chapter:

### **BUSINESS DISTRICT**

The territory contiguous to and including a highway when within any six hundred feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings, which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.

### **COMMERCIAL VEHICLES**

For the purposes of this chapter, "commercial vehicles" are defined as follows:

**[Added 8-17-2022 by L.L. No. 6-2022]**

- (1) A trailer, boat, vessel, boat trailer or motor home, whether or not such vehicle is supported on wheels;
- (2) Any vehicle which, by reason of the attachment of advertising or commercial messages and/or storage of service equipment or other commercial merchandise or hardware, presents the outward appearance of a vehicle which is utilized primarily in the furtherance of commercial or industrial enterprise; or
- (3) Any vehicle which is defined or considered a "commercial vehicle" for the purposes of vehicle registration requirements of the State of New York.

### **CROSSWALK**

- A) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway between the curbs or, in the absence of curbs, between the edges of the traversable roadway.
- B) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

### **CURB**

A vertical or sloping member along the edge of a roadway clearly defining the pavement edge.

#### **CURBLINE**

The prolongation of the lateral line of a curb or, in the absence of a curb, the lateral boundary line of the roadway.

#### **DRIVEWAY**

Every entrance or exit used by vehicular traffic to or from lands or buildings abutting a highway.

#### **FIRE VEHICLE**

Every vehicle operated for fire service purposes owned and identified as being owned by the state, a public authority, a county, town, city, village or fire district, or a fire corporation subject to the provisions of subdivision € of section fourteen hundred two of the not-for-profit corporation law or a fire company as defined in section one hundred of the general municipal law. Any of the following shall be fire vehicles:

- 1) a vehicle ordinarily operated by a chief or assistant chief of a fire department or such vehicle when operated in an official capacity by or under the3 direction of such person.
- 2) a vehicle specially designed and equipped for firefighting purposes which is regularly used for firefighting purposes.

#### **HIGHWAY**

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

#### **HOLIDAYS**

New Year's Day, Dr. Martin Luther King, Jr. Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day.

[Amended 8-17-2022 by L.L. No. 6-2022]

#### **INTERSECTION**

- A) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
- B) Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

- C) A circular intersection contains an island, generally circular in design, located in the center of the intersection where traffic passes to the right of the island.

#### **LOADING ZONE**

An area of the street reserved for the loading and unloading of merchandise or other property, between designated hours and for a period of time never to exceed 15 minutes.

[Added 9-16-2003 by L.L. No. 6-2003]

#### **MUNICIPAL PARKING LOT**

A plot or parcel of land or building owned and/or leased by the Village of Ossining, not including highways, upon which or within which the parking of vehicles is regulated by signs and/or parking meters.

[Added 8-17-2022 by L.L. No. 6-2022]

#### **OFFICIAL TIME STANDARD**

Whenever certain hours are named herein or on traffic control devices, they shall mean the time standard which is in current use in this state.

#### **PARK OR PARKING**

Means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

#### **PARKING METER ZONE**

A designated location upon or within which the parking of vehicles is regulated by parking meters.

#### **RESIDENCE DISTRICT**

The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred feet or more is in the main improved with residences or residences and buildings in use for business.

#### **ROADWAY**

That portion of a highway improved, designed, marked, or ordinarily used for vehicular travel, exclusive of the shoulder and slope.

#### **SIDEWALK**

That portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

#### **STAND OR STANDING**

Means the stopping of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

## **STOP OR STOPPING**

**When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal or device. When required means complete cessation from movement.**

## **STREET**

**The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.**

## **TRAFFIC CONTROL DEVICES**

**All signs, signals, markings, and devices placed or erected by authority of the Board of Trustees or an official having jurisdiction for the purpose of regulating, warning or guiding traffic.**

## **TRAFFIC CONTROL SIGNAL**

**Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.**

**Section 2.** Chapter 250, Article III (Vehicles and Traffic, Parking, Standing and Stopping) is amended with new matter **underlined** and deleted matter in **[brackets]**.

### Article III

#### Parking, Standing and Stopping

##### **§ 250-15 Application of Article.**

The provisions of this article shall apply except when [it is] necessary to [stop a vehicle to] avoid conflict with other traffic, or in compliance with **the law or** the directions of a police officer or official traffic control device.

##### **§ 250-16 Parking prohibited at all times.**

No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule XII (§ **250-49**), attached to and made a part of this chapter.

##### **§ 250-17 No stopping.**

No person shall stop a vehicle upon any of the streets or parts of streets described in Schedule XIII (§ **250-50**), attached to and made a part of this chapter.

##### **§ 250-18 No standing.**

No person shall stand a vehicle upon any of the streets or parts of streets described in Schedule XIV (§ **250-51**), attached to and made a part of this chapter.

##### **§ 250-19 Parking prohibited certain hours.**

No person shall park a vehicle between the hours specified in Schedule XV (§ **250-52**) of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 250-20 No stopping certain hours.**

No person shall stop a vehicle during the times specified in Schedule XVI (§ **250-53**) of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 250-21 No standing certain hours.**

No person shall stand a vehicle during the times specified in Schedule XVII (§ **250-54**) of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 250-22 Time limit parking.**

No person shall park a vehicle for longer than the time limit shown in Schedule XVIII (§ **250-55**) at any time between the hours listed in said schedule of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 250-23 Angle parking.**

No person shall park a vehicle upon any of the streets or parts thereof described in Schedule XIX (§ **250-56**), attached to and made a part of this chapter, except at the angle designated and only within the painted stall lines. On all streets or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

**250-23.1 Double Parking**

**No person shall stop, stand or park a vehicle on the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street.**

**250-23.2 Sidewalk**

**No person shall stop, stand or park a vehicle on a sidewalk.**

**250-23.3 Intersection**

**No person shall stop, stand or park a vehicle within an intersection, except when permitted by official signs or parking meters on the side of a highway opposite a street which intersects but does not cross such highway.**

**250-23.4 Cross walk**

**No person shall stop, stand or park a vehicle on a cross walk.**

**250-23.5 Street Excavation or Obstruction**

**No person shall stop, stand or park a vehicle alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.**

**250-23.6 Bridge or elevated structure**

**No person shall stop, stand or park a vehicle upon any bridge or other elevated structure upon a highway unless otherwise indicated by official signs, markings or parking meters.**

#### 250-23.7 Public or private driveway

No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers in front of a public or private driveway.

#### 250-23.8 Within twenty feet of a crosswalk

No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers within twenty feet of a cross walk at an intersection, unless a different distance is indicated by official signs, markings or parking meters.

#### 250-23.9 Within thirty feet of a traffic control signal

No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers within thirty feet upon the approach to any flashing signal, stop or yield sign or traffic control signal located at the side of a roadway, unless a different distance is indicated by official signs, markings or parking meters.

#### 250-23.10 Within twenty feet of a fire station

No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers within twenty feet of the driveway entrance to any fire station and, when on the side of the street opposite to the entrance of any fire station, within seventy-five feet when properly sign-posted, unless a different distance is indicated by official signs, markings or parking meters.

#### 250-23.11 Obstructing curb area providing accessibility to the sidewalk

No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers alongside or obstructing a curb area which has been cut down, lowered or constructed so as to provide accessibility to the sidewalk.

#### 250-23.12 Fire Hydrant

- A) No person shall stop, stand or park a vehicle within fifteen feet of a fire hydrant except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of emergency, unless a different distance is indicated by official signs, markings or parking meters.
- B) No person shall stop, stand or park a vehicle within fifteen feet of a fire hydrant except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of emergency, when such vehicle impairs or hinders the access of a fire vehicle to a fire hydrant while such fire vehicle is engaged in an emergency operation, unless, a different distance is indicated by official signs, markings, parking meters or the provisions of any local law.

#### 250-23.13 Additional Parking Regulations

- A) Except where angle parking is authorized (see, Schedule XIX, section 250-56), every vehicle stopped, standing or parked wholly upon a two-way roadway shall be so stopped, standing or parked with the right-hand wheels of such vehicle parallel and within twelve

inches of the right-hand curb or edge of the roadway.

- B) Except where angle parking is authorized, every vehicle stopped, standing, or parked wholly upon a one-way roadway shall be so stopped, standing or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or edge of the roadway, or its left-hand wheels within twelve inches of the left-hand curb or edge of the roadway.
- C) Except where angle parking is authorized, every vehicle stopped, standing or parked partly upon a roadway shall be so stopped, standing, or parked parallel to the curb or edge of the roadway. On a one-way roadway, such vehicle shall be facing in the direction of authorized traffic movement; on a two-way roadway such vehicle shall be facing in the direction of authorized traffic movement on that portion of the roadway on which the vehicle rests.
- D) No person regularly engaged in the sale or repair of vehicles shall park a vehicle upon any highway for the purpose of:
  - 1) Displaying such vehicle for sale.
  - 2) Greasing or repairing such vehicle, except for such repairs as may be necessitated by an emergency.

#### 250-23.14 Abandoned vehicles

No person shall cause any vehicle to be an abandoned vehicle in the Village of Ossining. A motor vehicle shall be deemed to be an abandoned vehicle if left unattended:

- a) with no number plates affixed thereto, for more than six hours on any highway or other public place;
- b) for more than twenty-four hours on any highway or other public place, except a portion of a highway or public place on which parking is legally permitted.
- c) for more than forty-eight hours, after the parking of such vehicle shall have become illegal, if left on a portion of a highway or public place on which parking is legally permitted.
- d) for more than ninety-six hours on the property of another if left without permission of the owner.

#### 250-23.15 Parking spaces; handicapped

No person shall stop, stand or park a vehicle in any area designated as a place for handicapped parking unless the vehicle bears a permit issued under section one thousand two hundred three-a of the Vehicle and Traffic Law or a registration issued under section four hundred four-a of the Vehicle and Traffic Law and such vehicle is being used for the transportation of a severely disabled or handicapped person.

#### 250-23.16 Off-street parking spaces; handicapped

No person shall stop, stand or park a vehicle in off-street parking spaces clearly marked for use by

the handicapped without a special vehicle identification parking permit, a special municipal parking permit or whose motor vehicle is not registered in accordance with section four hundred four-a of the Vehicle and Traffic Law and being used for the transportation of a handicapped person; or with such permit or registration and such person is not the one to whom the permit or registration was issued or is not transporting the person issued the permit or registration; or any person who parks in a handicapped parking access aisle. The Village of Ossining reserves the right to impose a larger maximum fine than as set forth in Vehicle and Traffic law section 1203-c(4). The fine is set out in the fee schedule adopted by the Board of Trustees and published annually.

**250-23.17 Stopping, standing or parking outside of business or residence districts**

- A) Upon any highway outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park or so leave such vehicle off such part of said highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of two hundred feet in either direction upon such highway.
- B) This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

**250-23.18 Stopping, standing or parking on streets blocking traffic**

- A) Upon any street within the village, no person shall stop, park or leave standing any vehicle, whether attended or unattended upon the paved or main-traveled portion of a village street or roadway when it is practicable to stop, park or so leave such vehicle off such part of such village street or roadway, but in every event, an unobstructed width of the village street or roadway shall be left free for the passage of other vehicles.
- B) This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of the village street or roadway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

**§ 250-24 Loading zones.**

The locations described in Schedule XX (§ 250-57), attached to and made a part of this chapter, are hereby designated as loading zones.

**§ 250-25 Taxi stands.**

The locations described in Schedule XXI (§ 250-58), attached to and made a part of this chapter, are hereby designated as taxi stands.

**§ 250-26 Bus stops.**

The locations described in Schedule XXII (§ 250-59), attached to and made a part of this chapter, are hereby designated as bus stops.

**§ 250-27 Handicapped parking.**

The locations described in Schedule XXIII (§ 250-60), attached to and made a part of this chapter, are



hereby reserved for parking of vehicles bearing either a special handicapped parking permit issued by the Police Department pursuant to § 1203-a of the Vehicle and Traffic Law or a special registration plate for severely disabled persons issued by the Department of Motor Vehicles of the State of New York.

**§ 250-28 Parking restrictions to aid snow plowing and removal.**

- A. After a precipitation of snow until the streets are plowed and clear of snow, it shall be unlawful for any person to park any vehicle upon any Village street while such street is being plowed or cleared, unless such vehicle is attended by a person capable of operating it. The owner, or a person in or in control of any vehicle standing in any street shall move or cause the same to be moved so as not to be in the path of equipment plowing or cleaning the streets of snow.
- B. The provisions of this section shall not apply to any vehicle bearing a hardship exemption certificate issued pursuant to the provisions of § **250-29** which is properly parked in a designated overnight parking area in accordance with the provisions thereof.
- C. Parking prohibited by resolution.
  - (1) Upon designation by Board of Trustees' resolution, on-street parking of vehicles is hereby prohibited between 8:00 a.m. and 10:00 a.m. Monday, Wednesday and Friday. Such designated streets shall be signed and posted as required by law.
  - (2) Upon designation by Board of Trustees' resolution, on-street parking of vehicles is hereby prohibited between 8:00 a.m. and 10:00 a.m. Tuesday and Thursday. Such designated streets shall be signed and posted as required by law.

**§ 250-28.1 Snow emergency streets.**  
**[Added 2-20-2007 by L.L. No. 3-2007]**

The streets described in § 250-61-1. Schedule XXIVA, of the Village Code are hereby designated as snow emergency streets, and the parking, standing or stopping of vehicles is prohibited thereon as follows.

- A. Authority of Village Manager
  - (1) Duty to declare emergency.
    - (a) It shall be the duty of the Village Manager or his or her designee (hereinafter Village Manager) to declare a snow emergency. Such condition will exist whenever he finds that falling snow, sleet or freezing rain will create a condition which makes it necessary that the standing of motor vehicles on snow emergency streets be prohibited; or, whenever he finds, on the basis of a firm forecast of snow, sleet or freezing rain, that the weather conditions as so forecast may create a condition making it necessary that such standing be prohibited, he is authorized to announce such prohibition, to become effective at a time specified by the Village Manager, but not less than one hour after such announcement. Announcement of such prohibition shall be in accordance with the requirements of Subsection **A(2)** hereof . After the effective time of such prohibition, no person shall stand any vehicle or permit any vehicle to remain standing on a snow emergency street, except that if a fall of snow, sleet or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m. and the Village Manager has not announced prior to 11:00 p.m. that standing on snow emergency streets is to be prohibited after a specified time, a vehicle parked on a snow emergency street may remain so parked until 7:00 a.m. first following such fall.

- (b) The prohibition of standing announced by the Village Manager under the authority of this subsection shall remain in effect until the Village Manager announces the termination of the snow emergency, in part or in whole, after which the prohibition of standing authorized by this section shall no longer be in effect.
- (2) Each snow emergency parking regulation announcement by the Village Manager shall be made between the hours of 6:00 a.m. and 11:00 p.m. by means of broadcasts or telecasts from not less than two radio or television stations with a normal operating range covering the Village of Ossining and, if possible, shall also be made through newspapers of general circulation. Each such announcement shall state the time these snow emergency parking regulations become effective.
- (3) Whenever the Village Manager shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he is authorized to declare the termination of the emergency, in part or in whole, effective immediately upon announcement, except that if such announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.
- (4) The Village Manager shall make or cause to be made a record of the date and time when the announcement of a snow emergency parking regulation is first made to the public in accordance with the requirements of Subsection **A(2)** and the date, time and conditions of any announcements made to the public of the termination of each snow emergency parking regulation, either in part or in whole, in accordance with the requirements of this section.
- B. Between November 15 and April 1 of the following year, no person operating a motor vehicle on a snow emergency street on which there is a covering of snow, sleet or ice shall allow such vehicle to become stalled, wholly or partly, because the drive wheels thereof are not equipped with effective tire chains or snow tires. No person operating a motor vehicle on a part of a snow emergency street on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect shall park or allow such vehicle to become stalled because the motor fuel supply is exhausted or the battery has become inoperative.
- C. Whenever a vehicle becomes stalled for any reason, whether or not in violation of this section, on any part of a snow emergency street on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency street, either onto the first cross street which is not a snow emergency street or onto the public space portion of a nearby driveway. No person shall abandon or leave this vehicle in the roadway of a snow emergency route (regardless of whether he indicates, by raising the hood or otherwise, that the vehicle is stalled), except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station or other place of assistance and return without delay.
- D. Signs to mark snow emergency streets.
- (1) On each street designated by this section as a snow emergency street, there shall be posted, at intervals not exceeding 100 feet, signs with the following wording:

**NO PARKING DURING SNOW EMERGENCY**

TOW-AWAY ZONE

- (2) These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street or highway and may be made of either wood, metal or cardboard.
- E. Members of the Police Department are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety, including another place on a street, or to a garage or parking lot designated or maintained by the Police Department or otherwise maintained or designated by the Village when the vehicle is stalled or otherwise stopped in contravention of this section on a snow emergency street on which there is a parking prohibition in effect, and the person who was operating such vehicle does not appear to be removing it in accordance with the provisions of this Section, all as more fully provided in Article IV, entitled "Removal and Storage," of Chapter **250**, entitled "Vehicles and Traffic," of the Village Code.

§ 250-29 **Overnight parking.**

- A. Legislative findings.
  - (1) The Board of Trustees of the Village of Ossining hereby finds and determines that the overnight on-street parking of motor vehicles within the Village is a hindrance to the governmental operations of the Village in connection with the performance of its duties, responsibilities and obligations to clean and sweep the streets and remove snow, ice and debris therefrom; to locate and identify stolen or abandoned vehicles; to prevent long-term storage of vehicles on the public streets; and to enforce its zoning laws. While recognizing that many residences and other buildings located in the Village are old and were constructed without providing adequate off-street parking facilities to accommodate the users of such properties, the Board of Trustees further finds and determines that it is the primary responsibility of the owner of real property to provide adequate off-street parking facilities for users of the premises. **[Amended 3-1-2023 by L.L. No. 2-2023]**
  - (2) After lengthy study and investigation, the Board of Trustees further finds and determines that a prohibition of all overnight parking on the streets within the Village would work an extreme hardship on those owners and/or operators of motor vehicles having a need to be at or use premises in the Village where off-street parking facilities are inadequate or unavailable. The Board of Trustees further finds that a partial prohibition of overnight parking on the streets within the Village between the hours of 3:00 a.m. and 6:00 a.m. which allows for exemptions in certain instances where strict enforcement of such prohibition would be an extreme hardship on the owner or operator of a motor vehicle having a need to be at or use premises in the Village between the hours of 3:00 a.m. and 6:00 a.m. will allow the Village to perform its governmental functions and provide just relief for owners and operators of motor vehicles for whom off-street parking facilities are inadequate or unavailable. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- B. On-street parking prohibited between 3:00 a.m. and 6:00 a.m. The parking of motor vehicles is hereby prohibited on all streets or highways within the Village between the hours of 3:00 a.m. and 6:00 a.m., except as hereinafter provided.
- C. On-street overnight parking streets designated. The Board of Trustees shall designate by resolution certain streets within the Village of Ossining where owners or operators who have been granted a hardship exemption from the strict enforcement of the provisions of this section may park their vehicles between the hours of 3:00 a.m. and 6:00 a.m. Such resolution may provide for parking on one side, both sides or on alternate sides of a designated street. Such streets shall be signed and posted as required by law. In accordance with this subsection,

overnight parking by owners or operators who have been granted a hardship exemption from the strict enforcement of the provisions of this section is permitted at the locations described in Schedule XXV (§ **250-62**), attached to and made a part of this chapter. **[Amended 3-1-2023 by L.L. No. 2-2023]**

D. Hardship exemptions granted.

- (1) Any person who, being the owner or operator of a motor vehicle, has a need to park within the Village of Ossining between the hours of 3:00 a.m. and 6:00 a.m. at a property location where facilities for parking of the vehicle on the property are nonexistent or inadequate and for whom the strict enforcement of the provision of this section would constitute an extreme hardship, as hereafter defined, may apply to the Village for a hardship exemption from the strict enforcement of the provisions of this law. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- (2) Such application shall be made upon forms provided by the Village and shall be accompanied by a nonrefundable administrative fee to be determined by the Board of Trustees annually and set out in the annual fee schedule. The nonrefundable administrative fee shall be charged for each vehicle for which the hardship exemption is sought. The procedure for processing and determining such applications and issuing any exemptions shall be determined by the Board of Trustees. **[Amended 3-1-2023 by L.L. No. 2-2023]**

E. Hardship defined. The following conditions shall constitute hardships:

- (1) No driveway or parking area is provided on the premises, and there is no area on the premises where a driveway or parking area can be provided or constructed by the owner.
- (2) A driveway or parking area exists on the premises, but due to the width thereof, the applicant is required to park behind two or more vehicles entitled to park at the premises and there is no area on the premises where additional parking can be provided or constructed by the owner. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- (3) The applicant is physically handicapped and possesses either a handicapped parking permit authorized by law or his or her vehicle displays handicapped license plates and the applicant's handicap prevents him or her from walking from a designated off-street parking area to the premises.
- (4) The applicant is required, in writing, by his or her employer to have a company vehicle and there is no off-street parking provided or available for such vehicle on the premises.
- (5) The applicant is determined by his or her employer to be necessary for emergencies or life support by virtue of his or her trade, employment or special training, i.e., police, fire, ambulance, emergency medical technician (EMT), nurse, doctor, etc., and is required by his or her employer in writing to be on twenty-four-hour call by reason thereof and the applicant's vehicle must have immediate access to the public highways and no such access exists on the premises. **[Amended 3-1-2023 by L.L. No. 2-2023]**

F. No hardship allowed. No hardship exemptions shall be granted to any applicant for:

- (1) Any vehicle with a gross weight of 5,000 pounds or more, except for passenger vehicles in the class of vehicles known as "sport utility vehicles" which may exceed this maximum. **[Amended 6-17-2015 by L.L. No. 2-2015]**
- (2) A tractor or trailer.

- (3) Vehicles used primarily for livery or commercial purposes.
- (4) Any vehicle which has been scofflawed by the New State Department of Motor Vehicles for unanswered parking summonses or for which three or more unanswered parking summonses issued by the Village of Ossining remain outstanding.
- (5) A commercial vehicle as defined in § 250-1. **[Added 3-1-2023 by L.L. No. 2-2023]**
- G. Termination of hardship exemption. Any exemption granted pursuant to the provisions hereof shall be valid for a period of one year from the last day of the month of issuance; provided, however, that such exemption shall be null and void upon the sale, transfer or other conveyance of title to such vehicle, the suspension or revocation of the applicant's driver's license or vehicle registration or the cancellation of insurance for the vehicle. **[Amended 10-21-2003 by L.L. No. 8-2003]**
- H. Hardship certificate.
  - (1) The granting of a hardship exemption from the strict enforcement of the provisions of this section shall be evidenced by a numbered certificate issued by the Village which shall be conspicuously displayed on the applicant's vehicle as directed by such certificate.
  - (2) Such certificate, when so displayed, shall entitle the applicant to park the vehicle at one of the on-street parking locations designated by the resolution of the Board of Trustees pursuant to Subsection C hereof between the hours of 3:00 a.m. and 6:00 a.m.
- I. Temporary exemption. Any owner or operator of a motor vehicle who has a temporary need to park such vehicle at a premises where no parking is provided or available shall be entitled to a temporary hardship exemption to park a specific vehicle at one of the on-street parking locations designated by resolution of the Board of Trustees pursuant to Subsection C hereof between the hours of 3:00 a.m. and 6:00 a.m. for a maximum period of five consecutive nights, provided that the applicant is not a regular occupant or user of such premises. A temporary hardship exemption granted pursuant to this subsection shall not be renewable or granted to the same applicant or vehicle for a period of six months from the date of expiration. A temporary hardship exemption may be obtained from the desk officer of the Police Department, who shall obtain the name and address of the applicant, the license plate number of the vehicle to be parked and the address of the premises to be used.
- J. Penalty for violation. A violation of this section shall be punishable by a fine authorized pursuant to Article V of this chapter, **which fine shall be approved by the Board of Trustees and published in the annual fee schedule.**

**§ 250-30 Parking at the railroad station.**

**[Amended 2-17-2004 by L.L. No. 3-2004; 12-6-2004 by L.L. No. 12-2004; 8-17-2022 by L.L. No. 6-2022]**

- A. Railroad station parking areas.
  - (1) The following on-street and off-street parking locations constitute railroad station parking areas:
    - (a) Lower Main Street lot (Section, Block and Lot Nos. 97.07-1-29, 30 and 31), as well as along adjacent Main Street, as posted by railroad station permit parking signs.

- (b) East Parking Field (east of railroad tracks) (Section, Block and Lot Nos. 97.07-1-8, 9, 10, 11, 12 and 16), as posted by railroad station permit parking signs.
  - (c) Barlow Lane lots (Section, Block and Lot Nos. 97.07-1-18 and 19), as posted by railroad station permit parking signs.
  - (d) Quimby Street East lot (Section, Block and Lot No. 97.07-1-1), as posted by railroad station permit parking signs.
  - (e) West side of Westerly Road near the railroad station ramp, as posted by railroad station permit parking signs.
  - (f) West Parking Field (west of railroad tracks) (Section, Block and Lot No. 97.06-1-18), as posted by railroad station permit parking signs.
  - (g) East side of Westerly Road, as posted by railroad station permit parking signs.
  - (h) Quimby Street West, as posted by railroad station permit parking signs.
  - (i) East side of Water Street proceeding northerly between Central Avenue and Broadway, as posted by railroad station permit parking signs.
  - (j) Old Broadway extension (former location of bridge) off Water Street, as posted by railroad station permit parking signs.
- (2) The railroad station parking areas described in this section are hereby designated for both Village resident and nonresident use except as herein noted.
- B. Restricted hours of use. With the exception of parking in the Quimby Street East and Quimby Street West parking areas as detailed below, the use of unmetered parking areas or portions thereof in railroad station parking fields and lots is restricted to those who have valid station parking permits between the hours of 6:00 a.m. and 9:00 p.m. Monday through Friday.
  - C. Permits generally. No vehicle shall be parked in any such area during the time specified in Subsection B unless the Village Clerk has issued to the registered owner of the motor vehicle a railroad station parking permit. Vehicles will be identified by license plate numbers with the list of such vehicles and the corresponding license plate numbers maintained by the Village Clerk. Railroad station parking permits may be obtained by any resident or nonresident of the Village by submitting an application to the Village Clerk giving the name and address of the applicant, the registration number of the automobile for which the railroad station parking permit is sought, such other information required to implement this section and the required fee as published in the Village's annual fee schedule. The railroad station parking permit is not assignable by the permit holder.
  - D. Railroad station parking permit periods. Railroad station parking permits shall be issued annually for the period January 1 through December 31. All railroad station parking permits shall expire on December 31 of the year the permit was issued.
  - E. Railroad station parking permit fees. The annual fee charged for railroad station parking permits must be paid before the permit is issued. Depending on permit availability and when the application is submitted, the fee may be prorated. The Board of Trustees is responsible for determining the fee to be published in the annual fee schedule.

- F. Overnight parking. Subject to regulations and restrictions set forth in this section, overnight parking will be allowed in the Lower Main Street Lot, subject to availability, between the hours of 6:00 p.m. and 6:00 a.m. The fee for permits for overnight parking in the Lower Main Street Lot for a semiannual or annual period shall be set by the Board of Trustees and published in the annual fee schedule.
- G. Parking on Saturdays, Sundays and holidays. Parking at the railroad station parking lots shall be open to the general public on Saturdays, Sundays and those holidays noted in § 250-1B.
- H. Parking on plaza level. Motor vehicles parked on the north side of the Metro North Station ramp on plaza level shall be backed to the curb.
- I. Daily permits. The Quimby Street East lot (97.07-1-1) will be designated as a "pay by day" railroad station parking lot between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday. The Board of Trustees shall determine the daily rate to be charged which rate will be published in the annual fee schedule. Between the hours of 7:00 p.m. and 7:00 a.m., the Quimby Street East parking lot will be available for overnight municipal parking, the fee to be published in the annual fee schedule.
- J. Parking by the hour. The parking spaces at the Quimby Street West lot, west of Westerly Road are designated as parking by the hour. The hourly rate will be in effect Monday through Sunday, 24 hours per day, seven days per week. The hourly fee to be charged for use of the parking spaces will be published in the annual fee schedule. The prohibition on overnight parking between the hours of 3:00 a.m. and 6:00 a.m. shall not apply to vehicles parked at the Quimby Street West lot where the hourly rates have been paid and time has not expired.

**§ 250-31 Municipal parking lots.**

**[Amended 1-15-2002 by L.L. No. 2-2002; 1-6-2004 by L.L. No. 1-2004; 2-17-1994 by L.L. No. 3-2004; 2-20-2007 by L.L. No. 3-2007; 9-17-2013 by L.L. No. 3-2013; 8-17-2022 by L.L. No. 6-2022]**

Day and night permit and metered parking is hereby provided in the following municipal parking lots:

- A. Municipal Building Parking Lot (89.19-2-49).
- B. State Street Parking Lot (97.07-3-87).
- C. Broadway North Parking Lot (89.19-1-90).
- D. Spring/Main West Parking Lot (89.19-4-91, 92 and 98).
- E. Spring/Main East Parking Lot (89.19-4-38, 39, 40 and 41).
- F. Broadway South Parking Lot (89.19-4-6).
- G. Brandreth Street Parking Lot (89.19-4-3, 27).
- H. North Highland Avenue East Parking Lot (89.19-2-68, 69).
- I. Croton Avenue Parking Lot (89.19-2-64).
- J. Eastern Avenue Parking Lot (89.19-3-51).

- K. Waller Avenue South Parking Lot (97.07-3-40).
- L. Waller Avenue North Parking Lot (89.19-4-69).
- M. St. Paul's Place Parking Lot (97.01-3-4).
- N. Central Avenue Linear Parking Lot (along Central Avenue, north and south sides).

**§ 250-32 Parking time limits in designated municipal parking lots.**

**[Amended 10-17-2000 by L.L. No. 3-2000; 8-7-2001 by L.L. No. 2-2001; 1-15-2002 by L.L. No. 2-2002; 2-17-2004 by L.L. No. 3-2004; 3-3-2004 by L.L. No. 5-2004; 10-18-2005 by L.L. No. 2-2005; 2-13-2006 by L.L. No. 2-2006; 3-7-2006 by L.L. No. 3-2006; 2-20-2007 by L.L. No. 3-2007; 11-7-2007 by L.L. No. 13-2007; 1-8-2008 by L.L. No. 1-2008; 3-15-2011 by L.L. No. 2-2011; 9-17-2013 by L.L. No. 3-2013; 8-17-2022 by L.L. No. 6-2022]**

- A. Parking is prohibited for a period longer than two hours Monday through Saturday in designated portions of the following municipal parking lot: North Highland Avenue East. Parking is prohibited for a period longer than three hours Monday through Saturday in the Brandreth Street, Croton Avenue, Eastern Avenue, Waller Avenue South Broadway North Municipal Parking lots, except as provided in § **250-33C** and **D. [Amended 3-1-2023 by L.L. No. 2-2023]**
- B. Parking is prohibited in the Broadway North Parking Lot between the hours of 11:00 p.m. and 6:00 a.m. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- C. Parking is prohibited in the Spring/Main East Parking Lot between the hours of 12:00 midnight and 2:00 p.m. on Saturdays throughout the year. Any vehicle parked in violation of this subsection shall be deemed to constitute an obstruction to traffic and will be subject to removal by the Village.
- D. Visitor parking at the Municipal Building Parking Lot is hereby permitted Monday through Friday in designated metered spaces allowing for one-hour parking from 8:00 a.m. to 8:00 p.m. Metered parking shall be established in the first five parking spaces along the easterly side of the driveway entrance to the Municipal Parking Lot, which shall be designated "one-hour metered parking." The remaining 30 parking spaces are designated for municipal employee parking only between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday. Monday through Sunday 8:00 p.m. to 8:00 a.m. will be overnight permit parking pursuant to § **250-33A** for all parking spaces in the Municipal Building Lot except as noted. Six parking spaces on the westerly side of the driveway exit are designated as parking by the hour Monday through Sunday 8:00 p.m. to 8:00 a.m. The hourly fee to be charged for the use of the parking spaces will be published in the annual fee schedule. The prohibition on overnight parking between the hours of 3:00 a.m. and 6:00 a.m. shall not apply to vehicles parked in these designated spaces where the hourly rates have been paid and time has not expired. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- E. Central Avenue Linear Parking Lot has 32 available marked parking spaces. Parking is prohibited along Central Avenue, south and north sides where so marked between the hours of 6:00 p.m. and 7:00 a.m. Monday through Sunday except for holders of overnight municipal parking permits who have submitted an application to the Village Clerk pursuant to § **250-33** and paid the fee as published in the annual fee schedule. Between the hours of 7:00 a.m. and 6:00 p.m. Monday through Sunday parking in the Central Avenue Linear Parking Lot will be permit parking for individuals employed by businesses on Main Street between North Highland



Avenue and State Street. The parking permit for these employed individuals shall only be issued to the owner of a passenger vehicle who is not a resident of the Village of Ossining but who is a merchant, store employee, office worker, business or professional person or other person gainfully employed in the aforementioned locations. The fee for such permit parking will be set by the Board of Trustees and published in the annual fee schedule.

- F. State Street Parking Lot has 40 parking spaces only to be used by members of the Ossining Volunteer Fire Department and municipal employees. The Village shall develop a process for identifying those vehicles which may legally park in the State Street Parking Lot.
- G. Broadway North Parking Lot has 67 parking spaces designated as three-hour parking.
- H. Spring/Main Street West Parking Lot has 51 spaces designated as metered parking available from 10:00 a.m. to 8:00 p.m. Monday through Saturday, overnight parking from 8:00 p.m. to 8:00 a.m., and parking for no charge on Sunday and daily between 8:00 a.m. and 10:00 a.m. Spring/Main Street West Parking Lot also has 15 parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- I. Spring/Main Street East Parking Lot has 19 spaces designated as metered parking available from 10:00 a.m. to 8:00 p.m. Monday through Saturday, overnight parking from 8:00 p.m. to 8:00 a.m., and parking for no charge on Sunday and daily between 8:00 a.m. and 10:00 a.m. Spring/Main East Parking Lot also has six spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- J. Broadway South Parking Lot has 18 spaces designated as two-hour parking, 24 spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33 and five spaces designated for municipal vehicles only. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- K. Brandreth Street Parking Lot has 17 parking spaces designated as three-hour parking and 42 parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- L. North Highland Avenue East Parking Lot has two parking spaces designated as half-hour metered parking, four parking spaces designated as two-hour metered parking and three parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- M. Croton Avenue Parking Lot has seven parking spaces designated as three-hour parking and nine parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- N. Eastern Avenue Parking Lot has two parking spaces designated as three-hour parking and seven parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- O. Waller Avenue South Parking Lot has six parking spaces designated as three-hour parking and 15 parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- P. Waller Avenue North Parking Lot has five parking spaces designated as long-term parking requiring a municipal permit as detailed in § 250-33. **[Amended 3-1-2023 by L.L. No. 2-2023]**

- Q. St. Paul's Parking Lot has 26 parking spaces designated as long-term parking requiring a municipal permit as detailed in § **250-33**.

**§ 250-33 Permit parking; fees.**

**[Amended 10-17-2000 by L.L. No. 3-2000; 1-15-2002 by L.L. No. 2-2002; 2-19-2002 by L.L. No. 3-2002; 2-17-2004 by L.L. No. 3-2004; 3-3-2004 by L.L. No. 5-2004; 2-13-2006 by L.L. No. 2-2006; 10-7-2020 by L.L. No. 1-2020; 8-17-2022 by L.L. No. 6-2022]**

- A. Permit parking shall be permitted in designated parking spaces in the following municipal parking lots: Municipal Building, Spring/Main Street West, Spring/Main Street East, Broadway South, Brandreth Street, North Highland Avenue East, Croton Avenue, Eastern Avenue, Waller Avenue South, Waller Avenue North, St. Paul's Place and Central Avenue Linear Parking. However, no permits shall be issued to commercial vehicles as defined in § **250-1B** for any municipal parking lot. Further, no permits for parking in municipal parking lots shall be issued for the following: a) any vehicle with a gross weight of 5,000 pounds or more, except for passenger vehicles in the class of vehicles known as "sport utility vehicles" which may exceed this maximum weight; b) a tractor or trailer; c) vehicles used primarily for livery or commercial purposes; and d) any vehicle which has been scofflawed by the New York State Department of Motor Vehicles for unanswered parking summonses or for which three or more unanswered parking summonses issued by the Village of Ossining remain outstanding. Permits for parking in municipal parking lots shall be issued annually by the Village Clerk for the period of January 1 through December 31. All permits for parking in municipal parking lots shall expire on December 31 of the year the permit was issued. Issuance of a permit for parking in municipal parking lots requires submission to the Village Clerk of a complete application including the payment of such fees set by the Board of Trustees. Fees will be published in the annual fee schedule. Permits purchased after January 1 will be sold by the Village Clerk on a pro-rata basis as determined by the fees set by the Board of Trustees. **[Amended 3-1-2023 by L.L. No. 2-2023]**
- B. Except as otherwise stated in this chapter, the permits for parking in municipal parking lots described in Subsection **A** of this section shall provide for daytime parking between the hours of 8:00 a.m. and 6:00 p.m., nighttime parking between the hours of 6:00 p.m. and 8:00 a.m., or twenty-four-hour parking in the aforesaid municipal parking lots. Vehicle license plate numbers shall be used to determine if a vehicle is legally parked in any municipal parking lot.
- C. Permits issued for nighttime parking, with the exception of Central Avenue Linear Parking Lot, shall also be valid in spaces otherwise designated for two-hour parking in such lots between the hours of 12:00 midnight and 8:00 a.m., without restriction as to time limitation during such hours.
- D. Parking shall be permitted in Broadway North, Broadway South and Brandreth Street parking lots (except in those areas designated for handicapped parking and municipal vehicles) for temporary purposes in connection with Recreation Department programs for such times as are provided in a temporary recreation parking permit to be issued by the Recreation Department.

**§ 250-33.1 Metered parking and mobile payment system.**

**[Added 12-6-2005 by L.L. No. 6-2005; 9-14-2021 by L.L. No. 12-2021]**

- A. Installation authorized. For the control of parking and traffic and the good and welfare of the Village, the Board of Trustees shall provide for the installation, maintenance and operation of parking meters and a mobile payment system, including, where deemed appropriate, multispace parking machines, in accordance with the provisions herein set forth.

- B. Definitions. For the purposes of interpreting and applying the terms of this section, the following definitions will be observed:

**COINS**

Lawful coins of the United States of America.

**OFF-STREET METERED PARKING LOT**

Any off-street metered parking area owned or leased by the Village.

**MOBILE PAYMENT PARKING SYSTEM**

A method of paying for parking through which a mobile device (including smartphone application and mobile web application) may be used to make a payment electronically for parking in certain Village-owned parking meter zones.

**MULTISPACE PARKING MACHINE**

A machine located in the vicinity of Village-owned parking meter spaces which machine can accept payment for parking in the form of lawful coins of the United State of America as well as credit cards and debit cards.

**PARKING METER**

Any mechanical device or meter, not inconsistent with this article, placed or erected for the regulation of parking by authority of this article. Each meter installed shall indicate by proper legend the legal parking time established by the Village and when operated shall at all times indicate the balance of legal parking time and at the expiration of such period shall indicate illegal or overtime parking.

**PARKING METER SPACE**

Any space within a parking meter zone or off-street metered parking lot which is allocated to the parking of a single vehicle and designated by suitable marks upon the curb, if any, or pavement adjacent thereto or by the location of a parking meter associated therewith.

**PARKING METER ZONE**

Any and all streets, or portions of streets, set aside under the provisions of this section or of any amendment hereto and upon which parking meters have heretofore been installed and are in operation or hereafter shall be installed and in operation.

- C. Parking meter zones. The streets or parts of streets identified in Schedule XXVI (§ **250-62.1**) shall constitute parking meter zones. The parking of motor vehicles in parking meter zones is hereby prohibited for a longer period of time than that stated in such schedule.
- D. Off-street metered parking lots. The areas identified in Schedule XXVII (§ **250-62.2**) shall constitute off-street metered parking lots. The parking of motor vehicles in off-street metered parking lots is hereby prohibited for a longer period of time than that stated in such schedule.
- E. Designation of parking spaces.
- (1) Individual parking meter spaces in parking meter zones shall be designated by lines painted or marked upon the curbing or surface of the street or by the location of the parking meter associated therewith at or near the front or rear of such space.
  - (2) Parking meter spaces in off-street metered parking lots shall be designated by lines painted or marked upon the adjacent pavement.

- (3) Said spaces shall be so marked by such employees of the Village as the Village Manager shall designate.
- F. Installation of parking meters, multispace parking machines and operation of mobile payment parking system.
- (1) In parking meter zones, parking meters shall be installed upon the curb or sidewalk immediately adjacent to the parking meter spaces therein. Such installation shall not be more than four feet from the curb nor more than four feet from the front or rear line of the parking meter space.
  - (2) In off-street metered parking lots, parking meters shall be installed near the front line of the parking meter space, facing the vehicle to be parked therein, and the vehicle must be parked facing such parking meter.
  - (3) Each parking meter shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins **or use of the mobile payment parking system where available**, for the period of time prescribed by this section. Each meter shall be so arranged that upon the expiration of the lawful time limit, it will indicate by proper visible signal that the lawful parking period has expired, and in such case the right of such vehicle to occupy such space shall cease and the operator or owner thereof shall be subject to the penalties hereinafter provided.
  - (4) The Board of Trustees authorizes the use of multispace parking machines to be installed at selected locations to accept payment by coins or electronically for parking in designated parking meter zones.
  - (5) The Board of Trustees authorizes the use of a mobile payment parking system through which a mobile device may be used to make a payment electronically for parking in certain Village-owned parking meter spaces. Payments made through the use of a mobile payment parking system (through credit and/or debit cards) shall be made in lieu of payments to parking meters or multispace parking machines.
- G. Operation of parking meters, mobile payment parking system and multispace parking machines.
- (1) The operator of any vehicle, upon entering any parking meter space, shall:
    - (a) Deposit or cause to be deposited in the parking meter associated with said space the coin or coins required by this section and specified by the directions on such meter and shall then set in operation the time mechanism of such meter in accordance with said directions;
    - (b) Use the mobile payment parking system via a mobile device to make an electronic payment for parking at Village-owned parking meter zones; or
    - (c) Deposit coins or use a credit card or debit card at a multispace parking machine to make a payment for parking at Village-owned parking meter zones.
  - (2) Failure to deposit such coin or coins via the parking meter or multispace parking machine; to make an electronic payment for parking via the multispace parking machine or mobile payment parking system; or to set the timing mechanism in operation shall constitute a violation of this section; provided, however, that if a vehicle is in a parking meter space, the meter of which indicates that unused time has been left by the previous occupant of said space, the operator

shall not be required to make a payment for parking so long as the occupancy of said space does not exceed said indicated unused time.

- H. Days and hours of parking. Parking meters, multispace parking machines and the mobile payment parking system for the parking meter zones and off-street metered parking lots shall be operated on such days, during such hours and for such time limits as may be established by the Board of Trustees, which shall be clearly stated on signs erected under the supervision of the Police Department.
- I. Fees. The fees for use of the parking meter zones and off-street metered parking lots established pursuant to this section shall be as set from time to time by the Board of Trustees. The schedule of fees shall be kept on file in the office of the Village Clerk.
- J. Violations. It shall be unlawful and a violation of the provisions of this section for any person to:
  - (1) Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone or off-street metered parking lot as established by the Board of Trustees or to make a payment using coins or electronically for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone or off-street metered parking lot.
  - (2) Permit any vehicle placed by or for the operator in any parking meter space to remain therein while the meter associated therewith is displaying a signal indicating that such vehicle has been parked beyond the period prescribed for such parking space or where the time for parking purchased through the multispace parking machine or mobile payment parking system has expired.
  - (3) Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated or indicated by such lines or markings or by the location of the parking meter associated therewith.
  - (4) Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter or multispace parking machine installed under the provisions of this article.
  - (5) Deposit or cause to be deposited in any parking meter or multispace parking machine any slugs, device or metal substance or other substitute for lawful coins.
  - (6) Park a vehicle in any place within an off-street metered parking area except a parking meter space therein.
  - (7) Enter or leave an off-street metered parking lot by vehicle other than by the respective entrance and exit passageways indicated by signs thereon.
  - (8) Park a motor truck or commercial vehicle weighing more than two tons or of more than 20 feet gross length or more than eight feet in width in any off-street metered parking lot at any time.
  - (9) Do or permit to be done any repair work on any motor vehicle, except emergency repairs, in any off-street metered parking lot.
- K. Enforcement. [It shall be the duty of the Police Chief] **The Police Department shall** [to] enforce the provisions of this section.
- L. Collections.

- (1) Regular collections of the money deposited in said parking meters and multispace parking machines shall be made by an employee of the Village of Ossining designated by the Village Manager.
- (2) A special collection container shall be used for such collections. Promptly after the withdrawal of the money contained in said meters and multispace parking machines into said container, the container shall be delivered to the Finance Department of the Village of Ossining for custody and counting. After ascertainment of the monies so delivered, such monies shall be deposited into the general fund of the Village.

**Section 3.** Chapter 250, Article V (Vehicles and Traffic, Miscellaneous Provisions) is deleted in its entirety and is replaced with a new Article V, the new matter underlined.

**§ 250-37 [Fines and penalties for offenses.] Fines and penalties; failure to appear  
[Amended 9-17-2013 by L.L. No. 3-2013]**

- A. [Every person convicted of a traffic infraction, as set forth in a parking summons, violation notice, appearance ticket and/or other accusatory instrument, for a violation of any provision of this chapter which is not a traffic violation under any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not more than \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment; for a second such conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$200 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$300 or by imprisonment of not more than 90 days, or by both such fine and imprisonment.
- B. A failure to respond to a traffic infraction by the date and time of the assigned court date reflected on the face thereof will be deemed an admission of liability and a default judgment may be entered accordingly, and, given that such failure to respond will result in additional costs to the Village and the Court and the expenditure of other resources, the Village and/or the Court, in its discretion, may establish and/or impose penalties in addition to the fines established for violations of traffic infractions in this chapter and elsewhere. Such penalties may be assessed by the Court having jurisdiction over such traffic infractions as authorized in the normal course of judicial business and shall be established by resolution of the Village Board and included in a fee schedule to be maintained by the Village Clerk. Where a parking summons, violation notice, appearance ticket or other accusatory instrument (collectively "ticket") for a violation of any provision of this chapter which is not a traffic violation under any provision of the Vehicle and Traffic Law of the State of New York is not responded to by the defendant by the appearance date on the notice, the fine to be imposed shall be increased as follows: **[Amended 8-17-2022 by L.L. No. 6-2022]**
  - (1) Where there is no response to the ticket for 45 days from the ticket issuance date, the fine shall be doubled.
  - (2) Where there is no response to the ticket for 60 days from the ticket issuance date, the fine shall be tripled.
  - (3) Where there is no response to the ticket for 90 days from the ticket issuance date, the fine shall be quadrupled.]

**A) The Board of Trustees adopts the schedule of fines and penalties in Schedule XXVIII (Section**

250-62.3), attached to and made a part of this chapter. The schedule of fines and penalties shall be published in the annual fee schedule and shall be reviewed by the Board of Trustees as necessary.

**B) The failure of the vehicle owner to answer the summons with a plea on or before the return date may be deemed an admission of liability, result in a civil judgment (including imposition of costs) and a judgment of conviction.**

**1) For the failure to answer within thirty (30) days from the date of the violation, a penalty equal to the original fine (Section 250-62.3) shall be added to the fine amount.**

**2) For the failure to answer within sixty (60) days from the date of the violation, an additional late penalty equal to the original fine (Section 250-62.3) shall be added to all fines, penalties and surcharges previously assessed.**

**3) For the failure to answer within ninety (90) days from the date of the summons, an additional late penalty equal to the original fine (Section 250-62.3) shall be added to all fines, penalties and surcharges previously assessed.**

**C) For fines imposed by the court, the penalties accrue as delineated in section 250-37B. Repeat violations also may result in scofflaw status resulting in suspension of the vehicle's registration or denial of registration renewal. Additionally, vehicles may be subject to immobilization and/or towing pursuant to article VII (Enforcement of Parking Tickets).**

**Section 4.** Chapter 250, Article VI (Vehicles and Traffic, Schedules) is amended by adding a new section 250-62.3, Schedule XXVIII, Fines and Penalties for Stopping, Standing, Parking and other miscellaneous violations. The new matter is underlined.

**250-62.3 Schedule XXVIII: Fines and Penalties for Stopping, Standing, Parking and other miscellaneous violations**

Section	Description	Fine	Surcharge
<u>Village Code § 250-16</u>	<u>Parking in a No Parking Zone</u>	<u>\$40.00</u>	
<u>Village Code § 133-3</u>	<u>Parking in a Fire Lane</u>	<u>\$100.00</u>	
<u>Village Code § 250-17</u>	<u>No Stopping</u>	<u>\$35.00</u>	
<u>Village Code § 250-18</u>	<u>No Standing</u>	<u>\$35.00</u>	
<u>Village Code § 250-19</u>	<u>Parking Prohibited Certain Hours</u>	<u>\$40.00</u>	
<u>Village Code § 250-20</u>	<u>No Stopping Certain Hours</u>	<u>\$40.00</u>	
<u>Village Code § 250-22</u>	<u>Time Limit Parking</u>	<u>\$40.00</u>	
<u>Village Code § 250-23</u>	<u>Angle Parking</u>	<u>\$35.00</u>	
<u>Village Code § 250-28</u>	<u>Hindering Snow Removal</u>	<u>\$100.00</u>	
<u>Village Code § 250-29</u>	<u>No Parking 3AM- 6AM, Improper Area</u>	<u>\$50.00</u>	
<u>Village Code § 250-29</u>	<u>No Parking 3AM- 6AM, No Tag</u>	<u>\$50.00</u>	
<u>Village Code § 250-29</u>	<u>No Parking 3AM- 6AM, Commercial Vehicle</u>	<u>\$100.00</u>	
<u>Village Code § 250-30</u>	<u>Railroad Station Parking</u>	<u>\$40.00</u>	
<u>Village Code § 250-31</u>	<u>No Tag Parking in Municipal Lots</u>	<u>\$40.00</u>	
<u>Village Code § 250-32</u>	<u>Overtime Parking in Municipal Lots</u>	<u>\$40.00</u>	
<u>Village Code § 250-32</u>	<u>No Parking in Municipal Lots from 11PM to 8AM</u>	<u>\$40.00</u>	
<u>Village Code § 250-33.1</u>	<u>Overtime Meter Parking</u>	<u>\$40.00</u>	

<u>VTL § 402(1)(a)</u>	<u>No Front License Plate</u>	<u>\$75.00</u>	<u>\$93.00</u>
<u>VTL § 401-1(a)</u>	<u>No Vehicle Registration, Parked &lt; 60 Days</u>	<u>\$65.00</u>	<u>\$93.00</u>
<u>VTL § 401-1(a)</u>	<u>No Vehicle Registration, Parked &gt; 60 Days</u>	<u>\$75.00</u>	<u>\$93.00</u>
<u>VTL § 306-b</u>	<u>No Inspection, Parked &lt; 60 Days</u>	<u>\$65.00</u>	
<u>VTL § 306-b</u>	<u>No Inspection, Parked &gt; 60 Days</u>	<u>\$75.00</u>	
<u>Village Code 250-23.13C</u>	<u>Parked in Wrong Direction</u>	<u>\$40.00</u>	
<u>Village Code 250-23.12</u>	<u>Parked by Fire Hydrant</u>	<u>\$100.00</u>	
<u>Village Code 250-23.10</u>	<u>Parked by Fire Station Driveway</u>	<u>\$100.00</u>	
<u>Village Code 250-23.2</u>	<u>Parking/ Stopping on Sidewalk</u>	<u>\$35.00</u>	
<u>Village Code 250-23.7</u>	<u>Parked Blocking Driveway</u>	<u>\$35.00</u>	
<u>Village Code 250-23.14</u>	<u>Abandoned Vehicle</u>	<u>\$250.00</u>	
<u>Village Code 250-23.17</u>	<u>Stop/stand/park vehicle. attended/unattended on roadway blocking traffic</u>	<u>\$40.00</u>	
<u>Village Code 250-23.1</u>	<u>Double parked/stopped/stand</u>	<u>\$40.00</u>	
<u>Village Code 250-23.3</u>	<u>Stop/stand/parked in intersection</u>	<u>\$40.00</u>	
<u>Village Code 250-23.4</u>	<u>Stop/stand/parked on crosswalk</u>	<u>\$40.00</u>	
<u>Village Code 250-23.8</u>	<u>Stand/parked within 20' of crosswalk</u>	<u>\$40.00</u>	
<u>Village Code 250-23.9</u>	<u>Stand/parked within 30' of signal/stop sign</u>	<u>\$40.00</u>	
<u>Village Code 250-23.11</u>	<u>Stand/parked vehicle. blocking cut curb area</u>	<u>\$40.00</u>	
<u>Village Code 250-23.13A</u>	<u>Parked wrong side/more than 12" from curb (2-way road)</u>	<u>\$40.00</u>	
<u>Village Code 250-23.13B</u>	<u>Parked wrong side/more than 12" from curb (1-way road)</u>	<u>\$40.00</u>	
<u>Village Code 250-23.13D</u>	<u>Repaired vehicle on highway).</u>	<u>\$40.00</u>	
<u>Village Code 250-23.5</u>	<u>Street Excavation or Obstruction</u>	<u>\$40.00</u>	
<u>Village Code 250-23.6</u>	<u>Bridge or elevated structure</u>	<u>\$40.00</u>	
<u>Village Code 250-23.15</u>	<u>On-street parking spaces; handicapped</u>	<u>\$150.00</u>	
<u>Village Code 250-23.16</u>	<u>Off-street parking spaces; handicapped</u>	<u>\$250</u>	
<u>Village Code 250-23.18</u>	<u>Stopping, standing or parking on village streets</u>	<u>\$40.00</u>	

**Pursuant to section 250-37, upon the failure of the owner of a vehicle to answer the summons on or before the return date, the following late penalties will be imposed: a) if the fine is not paid within thirty (30) days from the date of the summons, a late penalty equal to the original fine shall be added to the fine amount; b) if the fine is not paid within sixty (60) days from the date of the summons, an additional late penalty equal to the original fine shall be added to all fines, penalties and surcharges previously assessed; and c) if the fine is not paid within ninety (90) days from the date of the summons, an additional late penalty in equal to the original fine shall be added to all fines, penalties and surcharges previously assessed.**

**Section 5.      Effective date.**

**This local law shall become effective upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.**





