

Proposed Local Law 12-2021

A local Law amending Chapter 250, Article III, section 250-33.1 (Vehicles and Traffic-Parking, Standing and Stopping-Metered Parking) 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, Article III, section 250-33.1 (Vehicles and Traffic-Parking, Standing and Stopping-Metered Parking) is amended with new matter underlined and deleted matter in **[brackets]**.

§ 250-33.1 Metered parking and mobile payment system.

- 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 multi-space 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.

MULTI-SPACE 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 [described] **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 [named] **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 [Board of Trustees] **Village Manager** shall designate.
- F. Installation of parking meters, **multi-space 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, 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 multi-space 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 multi-space parking machines.

G. Operation of parking meters, **mobile payment parking system and multi-space 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 multi-space 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 multi-space parking machine; to make an electronic payment for parking via the multi-space 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 [placed] in a parking meter space, the meter of which indicates that unused time has been left by the previous occupant of said space, [it] **the operator** shall not be required to [deposit a coin or coins] **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, **multi-space parking machines and the mobile payment parking system** [in] **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 [deposit in any parking meter any coin or coins] **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 [him] **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 multi-space 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 multi-space parking machine** installed under the provisions of this article.
 - (5) Deposit or cause to be deposited in any parking meter **or multi-space 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 to enforce the provisions of this section.
- L. Collections.
 - (1) Regular collections of the money deposited in said parking meters **and multi-space 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 multi-space parking machines** into said container, [it] **the container** shall be delivered to the Finance [Office] **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 [said] **the** Village.

Section 2. **Effective date.**

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