

1 of 1978

A Local Law To Regulate Parking Of Motor Vehicles On Private Places

adopted: 3-13-78

SECTION 1. Definition - private place: A parking lot or area in private ownership in use for vehicular traffic by the owner or lessee, and by members of the public having express or implied permission from the owner or lessee thereof.

SECTION 2. No member of the public shall park, stand, store or leave a motor vehicle upon any privately owned parking area or lot without express or implied permission from the owner or lesee of such premises.

SECTION 3. To effectuate the prohibition on parking on such premises as above described, a conspicuous sign or signs shall be posted at such parking lot or parking area informing the public as to the permitted conditions of parking thereon. A sign as hereinafter described shall be deemed substantial compliance with this section.

PARKING RESTRICTED

(6 inches)

EXCEPT FOR (LIST PERSONS OR CON-  
DITIONS PERMITTED) ONLY

(4 inches)

UNDER PENALTY OF LAW

(2 inches)

VIOLATION - LOCAL LAW NO. 1, 1978

POLICE ENFORCEMENT

(2 inches)

SECTION 4. Such signs or sign shall be no more than three feet high by four feet wide, with red lettering on a white background. The words "police enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean a request by the owner or lesee that the police or special patrolmen shall enforce the provisions of this section against persons parking, standing, storing, or leaving vehicles on such premises without the consent of the owner or lessee, and that the police are authorized to enter upon such premises to enforce the provisions of this local law. Such sign or signs shall state the conditions of parking or the persons authorized by the owner or lessee to use said premises for parking or both; and persons not included within such authorization or violating the regulations and conditions set out on said signs shall be deemed to be using said premises unlawfully without the authority and consent of the owner or lessee. This section may be enforced by the police or special patrolmen in the same manner as elsewhere provided for in the Village Ordinances or Local Laws for the enforcement of traffic or parking ordinances, including the use of tags, summonses and towing, and any other procedure authorized by law.

SECTION 5. Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

SECTION 6. If such premises adjoin or abut a building or structure whose entrance or exits open upon such parking area, no vehicle shall be left parked, standing, or placed in such manner as to obstruct such entrances or exits to the street or public right of way; such passageway shall be equal in width to the width of said entrances or exits in each instance, but in no case shall be less than five feet wide, and shall permit persons to enter and leave such building or structure with safety. A sign attached to such building or structure at the place of such entrances or exits shall inform users of such parking area as to such restrictions, and failure to obey the regulations herein contained shall be deemed a violation of this local law.

SECTION 7. On demand of the police, any owner or lessee requesting police enforcement of this local law, shall furnish to the police a statement, in writing, signed by him or his agent, to the effect that a specified vehicle was unlawfully parked, stored or left upon his premises at a certain time or during a certain period without his consent or permission, and such owner or lessee shall be available to testify to such facts in court at the request of the police. Failure of an owner or lessee to comply with the request of the police as above set out shall be sufficient cause for the Chief of Police or his subordinates to cease enforcing this local law at the premises of such owner or lessee who fails to give the cooperation required herein.

SECTION 8. Every person convicted of a violation of this local law shall, for a first conviction thereof, be punished by a fine of not more than five dollars or by imprisonment for not more than five days or by both such fine and imprisonment; for a second conviction within one year thereafter such person shall be punished by a fine of not more than ten dollars or by imprisonment for not more than ten days or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than fifteen dollars or by imprisonment for not more than fifteen days or by both such fine and imprisonment.

SECTION 9. This local law shall take effect immediately.