

(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 of Lyndonville
Town
Village

Local Law No. 2 of the year 19 99.

A local law A local law to enact a Comprehensive Vehicles and Traffic Chapter for the Village of Lyndonville to be included as Chapter 225 of the Code of the Village of Lyndonville.

(Insert Title)

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

County
City of Lyndonville, Orleans County, New York as follows:
Town
Village

Section 1. Adoption of chapter.

The following Vehicles and Traffic Chapter is hereby enacted by the Board of Trustees, to be included as Chapter 225 of the Code of the Village of Lyndonville, to read as follows:

VEHICLES AND TRAFFIC

**ARTICLE I
General Provisions**

§225-1. 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:

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

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.

§ 225-2. Authority to install traffic control devices.

The Superintendent of Public Works shall install and maintain or cause to have installed or maintained traffic control devices when and as required under the provisions of this chapter, to make effective the provisions of this chapter, and may install and maintain such additional traffic control devices as he may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York, subject to the provisions of §§ 1682 and 1684 of that law.

§ 225-3. Schedules; adoption of regulations.

- A. For the purpose of maintaining an accurate record of all regulations adopted under the provisions of this chapter, there is hereby established a system of schedules, appearing as Article VII of this chapter, in which shall be entered all regulations after adoption. Such schedules shall be deemed a part of the section to which they refer. All regulations shall be adopted with reference to the appropriate schedule as indicated in the various sections of this chapter.
- B. Regulations shall be adopted by the Board of Trustees in accordance with provisions of the Village Law and the Vehicle and Traffic Law, or by an officer or agency authorized by the Board of Trustees to adopt regulations pursuant to § 1603 of the Vehicle and Traffic Law.

ARTICLE II
Traffic Regulations

§ 225-4. Speed limits.

The maximum speed at which vehicles may proceed on or along any streets or highways within the village is hereby established at thirty (30) miles per hour.

§ 225-5. School speed limits.

No person shall operate a motor vehicle or motorcycle on any portion of any highway within the corporate limits of the Village of Lyndonville passing a school building from a point three hundred (300') feet away from the point of intersection of the building line of the school building and the center line of said highway to a point measured along the center line of said highway three hundred (300') feet away from the point of intersection of the opposite building line of said school building and the center line of said highway at a rate of speed in excess of

twenty (20) miles per hour during school days between the hours of 7:00 a.m. and 6:00 p.m. This section shall not apply to ambulances, fire vehicles or police vehicles when on emergency trips.

§225-6. U-turns.

No person shall make a U-turn on any part of Main Street, State Route 63, within the corporate limits of the Village of Lyndonville.

§ 225-7. Stop intersections.

The intersections described in Schedule I (§ 225-20), attached to and made a part of this chapter, are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Article III
Parking, Standing and Stopping

§ 225-8. 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 directions of a police officer or official traffic control device.

§ 225-9. Parking prohibited at all times.

The following areas are designated as no parking areas in which the parking of motor vehicles, except for law enforcement vehicles, at any time shall be unlawful, to wit:

On the west side of Main Street commencing thirteen (13') feet from the south curb line of Creek View Drive southerly to a point eight (8') feet north of the north edge of the Main Street crosswalk.

On the north side of the alley between the Town Hall and the Post Office, commencing at the west curb line of Main Street westerly to the southwest corner of the Town Hall.

§ 225-10 No standing and no parking.

The following areas is hereby designated as a no parking and no standing area in which area the parking or the standing of motor vehicles at any time, shall be unlawful, to wit:

On the easterly side of North Main Street commencing at the south curb line of Riverside Avenue to a point forty-eight (48') feet southerly therefrom.

§ 225-11. Parking and standing prohibited certain hours.

The following areas are hereby designated as no parking and no standing in which areas the parking or standing of motor vehicles during the hours of 7:00 a.m. through 4:00 p.m. on days in which school is in session shall be unlawful, to wit:

On the easterly side of North Main Street commencing at fifty (50') feet north from the north curb line of Riverside Avenue northerly for a distance of fifty-six (56') feet from the point of beginning.

On the westerly side of North Main Street commencing one hundred ninety five (195') feet from the north line of the bridge over Johnson's Creek northerly for a distance of one hundred fifty-six (156') feet from the point of beginning.

§ 225-12. Nighttime parking.

The parking of vehicles is hereby prohibited on all streets within the Village of Lyndonville and in all public parking lots and areas in the Village of Lyndonville between the hours of 2:00 a.m. and 6:00 a.m. beginning November 1 and ending March 31 of each year.

§ 225-13. Loading zone.

No vehicle shall park on the north side of Eagle Street from the east line of Main Street easterly to a point one hundred fifty (150') feet easterly from the east line of Main Street except for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

ARTICLE IV
Removal and Storage of Vehicles

§225-14. Authority to impound vehicle.

- A. When any vehicle is parked or abandoned on any street or public parking lot within this village during a snowstorm, flood, fire or other public emergency which affects that portion of the public street or parking lot upon which said vehicle is parked or abandoned, said vehicle may be removed by or under the direction of the Deputy Sheriff assigned to the Village, Fire Chief or Superintendent of Public Works.
- B. When any vehicle is found unattended on any street or public parking lot within the village where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by or under the direction of the Deputy Sheriff assigned to the Village or Superintendent of Public Works.

§225-15. Storage and charges.

After removal of any vehicle as provided in this Article, the Deputy Sheriff assigned to the village may store or cause such vehicle to be stored in a suitable place at the expense of the

owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the person with whom stored of the amount of all expenses actually and necessarily incurred in effecting such removal and storage.

§ 225-16. Notice of removal.

It shall be the duty of the said Deputy Sheriff to ascertain to the extent possible the owner of the vehicle or the person having the same in charge and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same. Said Deputy Sheriff shall also without delay report the removal and disposition of any vehicle removed as provided in this Article to the Village Clerk.

ARTICLE V
Handicapped Parking

§ 225-17. Permit required; parking areas established.

Pursuant to § 1640-a, Subdivision 10, of the Vehicle and Traffic Law of the State of New York and pursuant to the written request of the owner or person in general charge of the operation and control of each of the places hereinafter designated, it shall be a violation for any person to stop, stand or park a vehicle in any area or parking space designated as a place for handicapped parking, unless the vehicle bears a permit issued under Vehicle and Traffic Law § 404-a, in the following area:

On the west side of Main Street commencing four (4') feet south from the south edge of the Main Street crosswalk south for a distance of twenty-two (22') feet from the point of beginning.

§ 225-18. Penalties for offenses.

Any person who stops, stands or parks in spaces marked for use by the handicapped in accordance with this Article and Vehicle and Traffic Law § 1203-c without a permit issued under Vehicle and Traffic Law § 1203-a or without a registration issued under Vehicle and Traffic Law § 404-a shall be subject to a fine of fifty dollars (\$50) for the first offense and one hundred dollars (\$100) for the second offense occurring within a period of two (2) years within the same municipality.

ARTICLE VI
Miscellaneous Provisions

§ 225-19. Penalties for offenses.

Every person convicted of a traffic infraction for a violation of any provision of this chapter except Article V, which is not a violation of 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 fifty dollars (\$50) or by imprisonment for not more than fifteen (15) days, or by both such

fine and imprisonment; for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment for not more than forty-five (45) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than two hundred fifty dollars (\$250) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

ARTICLE VII
Schedules

§ 225-20. Schedule I: Stop Intersections.

In accordance with the provisions of § 236-9, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

STOP SIGNS IN THE VILLAGE OF LYNDONVILLE

Lake Avenue:	West on Main Street
Miller Drive:	East on to Willowbrook
Willowbrook:	North on to Eagle Street
Willowbrook:	South on to Eagle Street
Eagle Street:	East on to Eagle Street
Eagle Street:	West on to Eagle Street
Willowbrook:	North to Maple Avenue
Lynwood Drive:	South on to Maple Avenue
First Street:	North on to Maple Avenue
First Street:	South on to Eagle Street
Eagle Street:	West on to Main Street
Maple Avenue:	West on to Maple Avenue
Creekview:	South on to Creekview
Creekview:	East on to Main Street
Riverside Street:	West on to Main Street

Church Street:	West on to Main Street
Railroad Avenue:	West on to Main Street
West Avenue:	West on to Main Street
Housel Avenue:	East on to Main Street

Section 2. When effective.

- A. Except those parts, if any, which are subject to approval under § 1684 of the Vehicle and Traffic Law of the State of New York, this chapter and any regulations adopted hereunder shall take effect as provided by law.
- B. Any part or parts of this chapter and any regulations adopted hereunder which are subject to approval under § 1684 of the Vehicle and Traffic Law of the state of New York shall take effect from and after the day on which approval in writing is received from the New York State Department of Transportation.

Section 3. Severability.

If any Article, section, subsection, paragraph, sentence, clause or provision of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the Article, section, subsection, paragraph, sentence, clause or provision thereof directly involved in the controversy in which such judgment shall have been rendered.

(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 1999 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ ~~(Village)~~ of Lyndonville was duly passed by the Board of Trustees on June 14, 1999, in accordance with (Name of Legislative Body) the applicable provisions of law.

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 19____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved) (Name of Legislative Body) (not disapproved) (repassed after disapproval) by the _____ and was deemed (Elective Chief Executive Officer*) duly adopted on _____ 19____, 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 19____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved) (Name of Legislative Body) (not disapproved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 19____. 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 _____ 19____, 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 19____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19____, and was (Name of Legislative Body) (approved) (not disapproved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 chairman 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.

(City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ 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 _____ 19____, 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 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 19____, 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 of 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 1, above.

(Seal)

Debra L. Miller
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 15, 1999

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORLEANS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]
Signature

Village Attorney
Title

~~County~~
~~City~~ of Lyndonville
~~Town~~
~~Village~~

Date: June 15, 1999