

DRAFT
VILLAGE OF UPPER NYACK
Local Law #___ of 2023

Be it enacted by the Board of Trustees of the Village of Upper Nyack as follows:

ARTICLE 1. TITLE

A Local Law repealing and replacing Village of Upper Nyack Local Law #7 of 2022 regulating parking on Village streets in the Village of Upper Nyack.

ARTICLE 2. PURPOSE

The purpose of this Local Law is to repeal the existing regulations in Village of Upper Nyack Local Law #7 of 2022, and adopt the regulations contained herein as Upper Nyack Ordinance 2.2., Parking of Vehicles.

**ARTICLE 3. REPEAL AND REPLACEMENT OF LOCAL LAW #7 OF 2022
(ORDINANCE 2.2)**

Village of Upper Nyack Local Law #7 of 2022 is hereby repealed in its entirety and replaced with the following:

ORDINANCE 2.2

- (a) No vehicle shall be parked or left standing on any Village street, excepting the south side of School Street, between the hours of 3AM and 6AM except utility or emergency vehicles in the fulfillment of their duties.
- (b) No vehicle shall be parked, or left standing, within fifteen (15) feet of any street intersection or fire hydrant in the Village.
- (c) No vehicle shall be parked or left standing other than parallel with the edge of the street heading in the direction of traffic and with front and rear wheels not more than six inches from the curb, except where otherwise indicated by appropriate signs and markings installed or designated by the Clarkstown Police Department.
- (d) [Section Reserved]

(e) No vehicle shall be parked or left standing in any of the following locations, with the exception of emergency vehicles in the performance of emergency services and delivery vehicles while in the process of making deliveries in proximity to such locations:

- i. On the east and west sides of state highway Route 9W from the dividing line between the Village of Nyack and the Village of Upper Nyack to the intersection of Route 9W and Christian Herald Road;
- ii. On Van Houten Street, Lower Castle Heights Avenue east of North Broadway, or the east side of Ellen Street from Castle Heights Avenue to Van Houten Street;
- iii. On the north side of School Street;
- iv. On Larchdale Avenue;
- v. On North Midland Avenue north of Kuyper Drive;
- vi. On Lewis Drive;
- vii. On Bexman Green;
- viii. On the west side of North Broadway from the north property line of the Upper Nyack School to lower Birchwood Avenue;
- ix. On the west side of North Broadway from Castle Heights Avenue to a point 350 feet north from 8 am to 4 pm, Monday through Friday, from September 1st through June 30th;**
- x. On the west side of North Broadway from Nyack Beach State Park to Old Mountain Road;
- xi. On the east side of North Broadway from Old Mountain Road to Nyack Beach State Park;
- xii. On the east side of North Broadway for 225 feet south from the southern corner of Tompkins Court and North Broadway and for 100 feet north from the northern corner of Tompkins Court and North Broadway;
- xiii. On both sides of Birchwood Avenue for 225 feet from North Broadway, between the hours of 8 a.m. and 9:30 a.m. and 2:30 p.m. and 4 p.m. Monday through Friday from September 1st through June 30th;
- xiv. On both sides of Birchwood Avenue, within 45 feet of the corner of Birchwood Avenue and North Midland Avenue;

- xv. On both sides of Locust Drive, within 45 feet of the corner of Locust Drive and North Broadway;
- xvi. On both sides of Locust Drive, within 45 feet of the corner of Locust Drive and North Midland Avenue;
- xvii. On the south side of Lexow Avenue, within 45 feet of the corner of Lexow Avenue and North Broadway;
- xviii. On the north side of Lexow Avenue within 125 feet of the corner of North Broadway;
- xix. On both sides of Lexow Avenue, within 45 feet of the corner of Lexow Avenue and North Midland Avenue;
- xx. On the north end of Daisy Street, at the dead end;
- xxi. On the west side of North Midland Avenue from the corner of Highmount Avenue south for a distance of 58 feet;
- xxii. In front of any active business or residential driveway without the permission of the owner.

(f) [section reserved]

(g) No vehicle shall be operated or parked on any public street in the Village without a current registration and inspection.

(h) Any vehicle violating this Local Law may be towed away at the owner's expense in addition to any fine being levied.

(i) Parking of a vehicle in any area that is designated as a "handicapped" parking space without a valid handicapped parking permit or license plates is prohibited.

(j) Except as otherwise set forth below, any person violating the provision of this Local Law shall be liable for a fine not exceeding \$50.00 for a first offence and \$ 75.00 for the same offence within any 24-month period.

- i. Any person violating the provision of Ordinance 2.2(i)(parking in a handicapped space without a handicapped permit or license plate) shall be liable for a fine not exceeding \$125.00 for a first offense and \$175.00 for the same offense within any 24-month period.

- (k) No person shall park or cause to be parked, any bus designated for carrying more than ten (10) persons on a public street or the public right of way except during active loading and unloading of passengers except for school buses dropping off or picking up students from the Upper Nyack Elementary School.

- (l) No vehicles shall be parked in the public right of way or on a public street during a posted snow emergency declared by the Mayor of the Village of Upper Nyack except in the designated parking places set aside for homes without driveways on the south side of School Street and the west side of Front Street north of Highmount Avenue.

ARTICLE 4. SEPARABILITY

Should any section, sentence or provision of this Local Law be determined by any court of competent jurisdiction to be unconstitutional or invalid in any way, such determination shall not affect the validity of this Local Law as a whole or any part thereof other than the part expressly so determined to be unconstitutional or invalid.

ARTICLE 5. REPEALER AND EFFECT ON OTHER LAWS

Upon the filing of this Local Law, Local Law #7 of 2022 of the Village of Upper Nyack shall be repealed.

Except as otherwise stated in this Article 5, nothing in this Local Law shall be construed to vary or modify the provisions of any other general or Local Law or to authorize the violation thereof. Where there is a conflict between this Local Law and any other applicable law the more restrictive law shall control.

ARTICLE 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.