

Local Law Filing

(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.

FILED
STATE RECORDS

DEC 20 2016

- County
- City of REMSEN, NEW YORK
- Town
- Village

DEPARTMENT OF STATE

Local Law No. ONE of the year 20 16

A local law prohibiting and regulating all-night parking on all
(Insert Title)
non-State highways within the Village

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

- County
- City of REMSEN, NEW YORK, as follows:
- Town
- Village

See "SCHEDULE A,"

Attached Hereto and Made a Part Hereof

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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. ONE of 20 16 of the (County)(City)(Town)(Village) of Remsen, New York, was duly passed by the Board of Trustees on December 13, 20 16, and was (approved)(not approved) (repassed after disapproval) by the Mayor, Francis L. Stacy and was deemed duly adopted (Elective Chief Executive Officer*) on December 13, 20 16, 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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

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 _____ 20 _____, 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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, 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 chairperson 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.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ 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 _____ 20 _____, 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 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, 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 a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

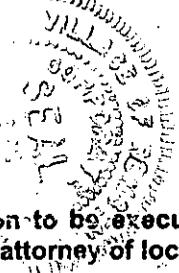
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 "2." above.

Mary T. Bessmer
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body MARY T. BESSMER

Date: December 13, 2016

(Seal)



(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 ONEIDA

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.

James W. Moseman
Signature
James W. Moseman, Village Attorney
Title

County
~~City~~ of Remsen, New York
~~Town~~
Village

Date: December 13, 2016

SCHEDULE A

Attached to and Made a Part of
Local Law No. One of the Year 2016
of the Village of Remsen, New York,
a Local Law Prohibiting and Regulating
All-Night Parking On All Non-State Highways Within the Village

SECTION I: TITLE

This local law shall be known as Local Law No. One of the Year 2016, a local law prohibiting and regulating all-night parking on all non-state highways within the Village of Remsen.

SECTION II: PURPOSE

The purpose of this local law is to protect and promote the public health, welfare and safety of the Village and its inhabitants and to aid in the safe and efficient movement of traffic and the removal of snow from the highways within the Village by regulating and prohibiting all-night parking on all non-state highways within the Village throughout the year.

SECTION III: PROVISIONS

A. For the purposes of this local law, the terms “park” or “parking” shall mean 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.

B. For the purposes of this local law, the terms “stand” or “standing” shall mean the stopping of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

C. For the purposes of this local law, the term “highway” shall mean any road, street, avenue, alley, public place, public driveway or any other public way, for the entire width between boundary lines of each of same, which is publicly maintained and when any part thereof is open to the use of the public for purposes of vehicular travel.

D. It shall be unlawful at all times throughout the year for the driver and/or owner of a motor vehicle to park or permit such vehicle to be parked or remain standing, on any non-state highway within the Village limits between the hours of 2:00 o'clock a.m. and 6:00 o'clock a.m.

E. Any owner and/or operator who violates any provision of this law shall be jointly and severably subject to a fine not to exceed the sum of \$100.00 for the first violation hereof, and by a fine not to exceed the sum of \$150.00 for any subsequent violation(s) within any consecutive (24) twenty-four month period.

F. Further any vehicle found to be parked or standing in violation of this local law for a third, or more, time within any consecutive (24) twenty-four month period may, in addition to any prior stated fine, be removed under the direction of an Enforcement Officer to such place as said officer may direct. Payment of reasonable charges for such removal and storage shall be paid, jointly or severably, by the operator and/or owner of such motor vehicle and such charges shall constitute a garage man's lien against said offending vehicle.

SECTION IV: ENFORCEMENT

Enforcement of a violation of this local law shall be initiated by the issuance of an appearance ticket and/or the towing of any offending vehicle . The following individuals are "Enforcement Officers" authorized to issue appearance tickets and/or to order the towing of such offending vehicle for the enforcement of this local law: State Police Officer, County Sheriff Deputy, Village Mayor or Village Trustee, Village Safety Officer, or by any other law enforcement officer or other person so designated by the Village Board of the Village of Remsen.

SECTION V: SEVERABILITY

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

SECTION VI: EFFECTIVE DATE

This local law shall take effect immediately upon filing with the office of the Secretary of State.