

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
AUG 11 2013
MISCELLANEOUS
& STATE RECORDS

~~County~~
~~City~~ of RIVERHEAD
Town
~~Village~~

Local Law No. #13 of the year 20 03

A local law AMENDING CHAPTER 101 ENTITLED "VEHICLES AND TRAFFIC"
(Insert Title)
OF THE RIVERHEAD TOWN CODE.

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

~~County~~
~~City~~ of Riverhead as follows:
Town
~~Village~~
XXXXXX

SEE ATTACHED TEXT:

(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. #13 of 2003 of the (County)(City)(Town)(Village) of Riverhead was duly passed by the Town Board on August 5, 2003, 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. 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 and was deemed duly adopted on 20, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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. 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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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.)

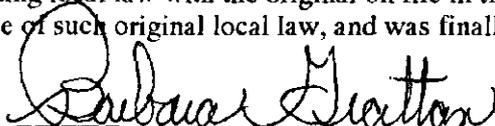
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____, above.



Town Clerk
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

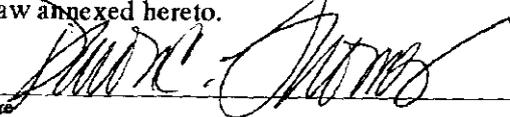
(Seal)

Date: August 7, 2003

(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 Suffolk

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

Town Attorney

Title

~~County~~
~~City~~ of Riverhead, NY
Town
~~Village~~
~~XXXX~~

Date: August 7, 2003

**TOWN OF RIVERHEAD
LOCAL LAW # 13**

§ 101-1. Definitions.

Display- An arrangement of merchandise; objects, designed to please the eye, attract a buyer; to show or exhibit; make visible

Regularly-At specific times or intervals; according to plan

§ 101-10.3. Parking, standing and stopping prohibited in specified places.

A. Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a police officer or other personnel so authorized by the Town Board or official traffic-control device, no person shall:

- (4) Stop, stand or park a vehicle within 15 feet of a fire hydrant except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of an emergency, unless a different distance is indicated by official signs, markings or parking meters.
- (5) Regularly display or park a vehicle for the *purpose* of selling the same on the following roads within the Town of Riverhead or within the parcels that front the following highways or within a distance of (300) feet therefrom of any intersecting street thereof:
 - (a) County Road 58
 - (b) State Route 25
 - (c) Sound Avenue
 - (d) Hubbard Avenue
 - (e) Peconic Bay Boulevard
 - (f) Wading River Road
 - (g) Edwards Avenue
 - (h) County Road 73 (Roanoke Avenue)
 - (i) Osborn Avenue
 - (j) Doctors Path
 - (k) County Road 54 (Hulse Landing Road)
 - (l) Reeves Avenue
 - (m) State Route 25A
 - (n) County Road 43 (Northville Turnpike)
 - (o) Pulaski Street
 - (p) Middle Road
 - (q) County Road 105
 - (r) Meeting House Creek Road
 - (s) Elton Street
 - (t) North Country Road
 - (u) North Wading River Road
 - (v) Fresh Pond Avenue
 - (w) Horton Avenue
 - (x) Mill Road
- (6) Exempt from the provisions of Subsection 5 (a-x) are Person(s) and/or dealerships who have obtained a valid use permit issued by the Town of Riverhead to do such selling of automobiles/motor vehicles.

(7) Stop, stand or park a vehicle for the purpose of Greasing or Repairing such vehicle on a Town or Public highway, except for such repairs as may be necessitated by an emergency.

§ 101-20. Additional parking regulations.

D. No motor vehicle shall be parked upon any highway without first being registered and inspected pursuant to the Vehicle and Traffic Law of the State of New York.

§ 101-21. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within the Town of Riverhead during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which such vehicle is parked or abandoned, said vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board.

B. When any vehicle is found unattended on any Town of Riverhead property or public highway in the Town of Riverhead where such vehicle constitutes an obstruction to traffic or an attractive nuisance such, vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board

C. When any vehicle is parked or abandoned within the Town of Riverhead where parking, stopping or standing is prohibited or said vehicle is parked upon private property without the consent of the owner of such property, such vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board.

D. When any vehicle is parked or abandoned within the Town of Riverhead where said vehicle is in violation with chapter 101-10.3 A(5), such vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board.

§ 101-22. Procedure, storage and charges.

A. Any vehicle in violation of this chapter, while parked in violation of this chapter or abandoned within the Town of Riverhead, may be removed to an impound area designated for the placement of the same by or at the direction of any Riverhead Town Officer authorized to enforce this local law at the expense of the owner thereof. The Town Board and said enforcement agency shall not be responsible for any damage to any vehicle occasioned by such removal.

B. Impound forms shall be used by Police or other personnel so authorized by the Town Board for each removal.

C. (1) Upon impounding an abandoned vehicle, the officer or Police Agency shall make an inquiry as to the owner of the vehicle and shall notify the last registered owner by certified mail of the removal and disposition of such vehicle and the amount which will be required to redeem the same.

(2) If the impounded vehicle is claimed and the owner known, the owner may reclaim the vehicle after proving ownership and paying an impound fee, plus the cost of removal, plus a storage fee per day. Said fees and charges shall be established annually by resolution of the Town Board.

(3) An appearance ticket must be affixed to the vehicle or served on the last registered owner by any Riverhead Town Police Officer or Code Enforcement Officer authorized to enforce this local law.

- (4) Appearances Tickets for violations regarding this chapter shall be handled by Riverhead Town Justice Court. Fines levied shall be an addition to impound, removal, and storage fees.

D. If a vehicle remains unclaimed for a period of 45 days from the date notice is sent to the last registered owner, or if the owner cannot be found or served and said vehicle:

- (1) Has no valid number plates or registration and is of wholesale value deemed by blue book, taking into consideration the condition of the vehicle, of (\$1250) ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS or less, ownership shall immediately vest in the Town of Riverhead and shall be junked/salvaged or dismantled for use other than a motor vehicle.
- (2) Has no valid number plates or registration and is of wholesale value deemed by blue book, taking into consideration the condition of the vehicle of vehicle having a value in excess of (\$1250) ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS shall be disposed of at a public auction to the highest bidder. The proceeds from the sale of such vehicle less impound fee, costs of removal, storage fee and costs of sale, shall be held for (1) one year. If not claimed within said one-year period, such proceeds shall be paid into the general fund of the Town of Riverhead.
- (3) Pursuant to VTL §1224 Subsection (2); the Town of Riverhead shall not be required to obtain title to an abandoned vehicle that is subject to the provisions of this subdivision if the vehicle will be sold or otherwise disposed of as junk or salvage, dismantled for use other than as a motor vehicle, or otherwise destroyed.

F. The provisions of this section shall not apply to vehicles operated by any government agencies or other emergency vehicles while actually in the performance of their duties.

§ 101-26. Penalties for offenses.

B. Except for parking tickets issued under Vehicle and Traffic Law § 1203-a and/or Article VIII of Chapter 101 of the Code of the Town of Riverhead, persons cited on a town parking summons for a violation of this chapter, permit parking or parking-related violations shall be subject to a fine of \$35 and shall answer and/or appear on or before the designated return date. Persons failing to appear on or before the designated return date shall be subject to the following surcharges in addition to the prescribed fines: