

# 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

County  City  Town  Village  
(Select one:)

DEC 28 2016

of New Castle

DEPARTMENT OF STATE

Local Law No. 10 of the year 2016

A local law to amend Chapter 123, Article IX, of the Town Code concerning Parking Meters  
(Insert Title)  
and Restricted Parking.

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

County  City  Town  Village  
(Select one:)

of New Castle

as follows:

Section 1. Chapter 123, Section 32, Subsection A of the Code of the Town of New Castle, entitled "Display of permit; exceptions" is hereby amended as follows:

§ 123-32 Parking permits for restricted parking areas.

A. Display of permit; exceptions.

(1) A vehicle displaying a Town of New Castle parking permit may be parked in a restricted parking area at any time during the period for which such permit is valid. The permit shall be displayed in a location on the dashboard in such a manner that it shall be readily visible and readable or in a transparent plastic holder supplied by the Town and affixed to the rear window on the driver's side so as to be clearly visible from the outside of the vehicle.

(2) Motorcycles and mopeds and other two-wheeled motor-powered vehicles may park in the portion of the restricted area designated by signs for that purpose, as determined by the Chief of Police, without fee or display of permit.

(3) The Chief of Police shall designate up to 100 parking spaces and provide for appropriate signs to restrict parking for use by compact cars only. A "compact car" shall be defined to mean an automobile with two axles with a wheel base not exceeding 107 inches.

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

- (4) A vehicle displaying a Town of New Castle Clean Pass priority parking permit and a resident commuter parking permit may park in the portion of the restricted area designated for Clean Pass priority parking at any time during the period for which such permit is valid. The size and location of the Clean Pass priority parking area shall be determined by the Town Board by resolution and shall be identified by signage. The Clean Pass priority parking permit shall be affixed on the left side of the rear bumper of the vehicle. Clean Pass priority parking restrictions will be in effect weekdays Monday through Friday, excluding federal holidays, from 5:00 a.m. to 9:30 a.m.
- (5) An all-electric vehicle or plug-in hybrid displaying a Town of New Castle Clean Pass priority parking permit and a resident commuter parking permit may park in the portion of the restricted area reserved for electric vehicles while the vehicle is charging. The location of the electric vehicle priority parking spaces shall be determined by the Town Board by resolution and shall be identified by signage. Priority parking restrictions for electric vehicles will be in effect weekdays Monday through Friday, excluding federal holidays, from 5:00 a.m. to 9:30 a.m.

**Section 2.** Chapter 123, Section 35, Subsection H of the Code of the Town of New Castle is hereby amended as follows:

§ 123-35 Unlawful acts.

- H. To park a motor vehicle which does not conform to the definition of "compact car" as defined in § 123-32A, in a space designated for compact cars only.

## **Section 2.** Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 123 of the Town of New Castle is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

## **Section 3.** Numbering for Codification

It is the intention of the Town of New Castle and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of New Castle; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

**Section 4. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 5.** This local law shall take effect immediately upon filing with the Office of the Secretary of State.

(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. 10 of 2016 of the ~~(County)(City)(Town)(Village)~~ of New Castle was duly passed by the Town Board on December 13, 2016, in accordance with the applicable *(Name of Legislative Body)* 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, 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) *(Name of Legislative Body)* (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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* 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.)**

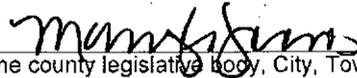
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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/ 1 above.

  
\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 12/21/16

(Seal)