

Warren County Board of Supervisors

RESOLUTION NO. 258 OF 2012

Resolution introduced by Supervisors Bentley, Merlino, Monroe, Conover, Wood, Taylor, Frasier, Dickinson and Mason

INTRODUCING LOCAL LAW NO. 7 OF 2012 AND AUTHORIZING PUBLIC HEARING THEREON

RESOLVED, that proposed Local Law No. 7 of 2012 entitled "A Local Law Establishing Motor Vehicle Parking Regulations for the West Brook Parking Lot located in the Village and Town of Lake George", attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Room in the Warren County Municipal Center on the 18th day of May, 2012, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. 7 of 2012, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

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COUNTY OF WARREN

PROPOSED LOCAL LAW NO. 7 OF 2012

A LOCAL LAW ESTABLISHING MOTOR VEHICLE PARKING REGULATIONS FOR THE WEST BROOK PARKING LOT LOCATED IN THE VILLAGE AND TOWN OF LAKE GEORGE

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Title. This Local Law shall be known as “A Local Law Establishing Motor Vehicle Parking Regulations for the West Brook Parking Lot located in the Village and Town of Lake George”.

SECTION 2. Purpose. To regulate motor vehicle parking in the West Brook Parking Lot located in the Village of Lake George for motor vehicle parking during the months of May through October of each year. To that end, this local law sets forth that Warren County or its designated assignee may collect parking fees for use of the West Brook Parking Lots as well as impose and thereafter collect fines for violations of this local law as set forth herein.

SECTION 3. Authority. This local law is enacted pursuant to Section 215(11) of the County Law of the State of New York in conjunction with New York State Vehicle and Traffic Law, Article 5 of the General Municipal Law of the State of New York, and Section 10 of the Municipal Home Rule Law of the State of New York.

SECTION 4. Definition. Motor Vehicle - the term “motor vehicle” as used in this local law shall have the same meaning and application as that term defined in Section 125 of the New York State Vehicle & Traffic Law and as otherwise used and applied in the New York State Vehicle and Traffic Law.

SECTION 5. Hours of Operation/Fees. The hours of operation of the West Brook Parking Lot and the fee schedule per motor vehicle (not fee per parking space) unless otherwise specified are as established by separate resolution of the Warren County Board of Supervisors for the parking of any motor vehicle in the West Brook Parking Lot, which resolution shall be amended accordingly on an as needed basis. Restrictions on the hours of operation or other use restrictions of the West Brook Parking Lot shall be set

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forth in signage located at the West Brook Parking Lot.

SECTION 6. Violations. The following is expressly prohibited and, if engaged in, constitutes a violation of this Local Law.

a.) Parking a motor vehicle at the West Brook Parking Lot without payment of the prescribed fee or in excess of the time previously paid.

b.) Parking a motor vehicle in an area of the West Brook Parking Lot that is not designated for motor vehicle parking.

c.) Parking a motor vehicle in a designated handicapped space at the West Brook Parking Lot without a handicapped person designation on the motor vehicle.

d.) Parking more than one motor vehicle in a parking space at the West Brook Parking Lot designated for a single motor vehicle.

e.) Parking a motor vehicle outside the established and posted hours of operation at the West Brook Parking Lot.

SECTION 7. Penalties. A violation of any provision of this local law including non-payment of any motor vehicle parking fees established by resolution of the Warren County Board of Supervisors, shall, pursuant to Section 215(11) of the County Law of the State of New York, constitute an offense punishable by a fine not exceeding One Hundred Dollars (\$100). The following suggested fines mirror those set by the Village of Lake George for similar violations:

Overtime parking - \$15.00

Restricted/unauthorized parking - \$15.00

Handicapped parking - \$75.00

Double parking(parking more than one motor vehicle in a designated parking space) - \$15.00

Parking outside of hours of operation - \$15.00

All such fines unpaid within fifteen days of issue shall double in penalty.

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SECTION 8. Removal and Impoundment. In addition to any fines for non-compliance of this local law, in the event a motor vehicle is parked in the West Brook Parking Lot for more than one (1) hour without the payment of the prescribed parking fees, or if a motor vehicle is parked in the West Brook Parking Lot in violation of this local law, or in the event a motor vehicle constitutes an obstruction to traffic flow in the West Brook Parking Lot, Warren County, or its designated assignee may cause the motor vehicle to be removed from the West Brook Parking Lot and thereafter impounded. Any and all towing, storage, impoundment or related costs or expenses shall be borne solely by the owner of the motor vehicle. Proof of payment of these costs must be provided prior to release of the motor vehicle.

SECTION 9. Enforcement. The enforcement of this local law including the collection of the fees and fines set forth herein and any other parking regulations adopted by the Warren County Board of Supervisors concerning the West Brook Parking Lot, may be assigned and delegated to the Village of Lake George, New York or other assignee. The designated assignee and its personnel are hereby authorized to issue parking tickets or other necessary documents and to otherwise enforce this local law as established through an Intermunicipal Agreement between the County of Warren and the designated assignee.

SECTION 10. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 11. Effective Date. This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State.