

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2014**

**A LOCAL LAW AMENDING THE
UNIFORM TRAFFIC CODE
OF THE TOWN OF NORTH HEMPSTEAD.**

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the residents of the Town of North Hempstead to make amendments to the Uniform Traffic Code in order to adjust the penalties for certain offenses.

Section 2.

Article VII of the Uniform Traffic Code of the Town of North Hempstead is hereby amended as follows:

Article VII. Miscellaneous Provisions

Editor's Note: Former §§ 41 through 44 of this article were renumbered following the amendment of Art. VI 9-10-2002 by L.L. No. 14-2002.

§ 44. Penalties for offenses.

[Amended 6-10-1997 by L.L. No. 11-1997; 3-27-2001 by L.L. No. 5-2001]

A. Every person convicted of a violation of the following sections of this Code shall be punished in accordance with the following schedule:

(1) For violation of §§ 36B and 37B, by a fine of \$~~[400]~~ **225**, plus any surcharge payable to other governmental entities, and penalties under § 45 for late payment, if applicable.

(2) For violation of § 15B(~~[9]~~**1**) **through and including 15B(11), of § 15C, and of any offense in Articles III and IV of this Code**, by a fine of \$~~[75]~~ **80**, plus any surcharge payable to other governmental entities, and penalties under § 45 for late payment, if applicable.

~~[(3) For violation of § 15B(1) through and including 15B(8), of § 15B(10) and of § 15C, by a fine of \$60, plus any surcharge payable to other governmental entities, and penalties under § 45 for late payment, if applicable.]~~

~~[(4) For violation of any [parking] offense in Article[s III, IV and] IX of this Code, except those enumerated above in the preceding Subsection A(~~[2]~~**1**) and (~~[3]~~**2**), by a fine~~

of \$30, plus any surcharge payable to other governmental entities, and penalties under § 45 for late payment, if applicable.

(~~5~~4) For commission of any other violation under this Code, except for those enumerated above in this Subsection A and except for violations under the Vehicle and Traffic Law of the State of New York, by a fine of \$100, plus any surcharge payable to other governmental entities, and penalties under § 45 for late payment, if applicable.

B. Notwithstanding anything to the contrary in this section, the maximum amount payable for the violation of any provision of this Code, including fines, surcharges of other governmental entities and penalties for late payment, shall be \$500 for any one offense.

§ 45. Penalties for late payment.

[Added 6-10-1997 by L.L. No. 11-1997]

The Clerk is authorized to utilize the following fines for parking summonses returnable in the District Court of Nassau County or the Nassau County Traffic and Parking Violations Agency:

A. For parking summonses paid on or before the return date indicated thereon, only the fine amount indicated on the summons shall be imposed.

B. For parking summonses paid after the return date indicated thereon, \$10 in addition to the fine amount indicated on the summons shall be imposed as an increased fine for late payment, except for those parking infractions where the increased fine will exceed the maximum amount of fine established by law, ordinance or regulation.

C. For parking summonses paid after the return date indicated thereon, and after the issuance of the first warning notice for the particular summons, the following will apply, except for those parking infractions where the increased fine will exceed the maximum amount of fine established by law, ordinance or regulation:

(1) Where the parking violation is of a law, regulation or ordinance providing for a maximum fine of \$100 per violation, a total of \$50 in addition to the fine amount indicated on the summons shall be imposed as a late payment fine.

(2) Where the parking violation is of a law, regulation or ordinance providing for a maximum fine of \$50 per violation, a total of \$25 in addition to the fine amount indicated on the summons shall be imposed as a late payment fine.

(3) Where the parking violation is of a law, regulation or ordinance providing for a maximum fine of \$25 per violation, a total of \$10 in addition to the fine amount indicated on the summons shall be imposed as a late payment fine.

D. For parking violations unpaid after the time prescribed in the first warning notice, the second notice will include an additional fine of the balance of the maximum amount allowed by law as a late payment fine.

E. The present form of parking ticket shall remain with the ticket number printed in bar code, including vehicle identification information consisting of registration expiration date and registration type. The following notice shall also be included in red, upper-case, bold-face characters:

"IF PAYMENT IS NOT MADE BY THE DATE INDICATED, ADDITIONAL FINES WILL BE ASSESSED."

§ 46. When effective.

A. Except those parts, if any, which are subject to approval under § 1684 of the Vehicle and Traffic Law of the State of New York, this Traffic Code and any regulations adopted hereunder shall take effect as provided by law.

B. Any part or parts of this Traffic Code and any regulations adopted hereunder which are subject to approval under § 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval, in writing, is received from the New York State Department of Transportation.

§ 47. Severability.

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

§ 48. Repealer.

All prior ordinances, regulations and rules, or parts thereof, of this town regulating traffic and parking are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance, regulation or rule hereby repealed prior to the taking effect of this Traffic Code.

Section 3.

Article IX of the Uniform Traffic Code of the Town of North Hempstead is hereby amended as follows:

Article IX. Port Washington Public Parking District

[Added 3-4-1997 by L.L. No. 5-1997]

§ 80. General.

The provisions of this article apply within the Port Washington Public Parking District. All provisions of the Uniform Traffic Code remain in effect in the Port Washington Public Parking District except as provided in this article.

§ 81. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOARD OF COMMISSIONERS

The Town Board of the Town of North Hempstead shall constitute the Board of Commissioners of the Port Washington Public Parking District.

[Added 7-18-2006 by L.L. No. 11-2006]

IDENTIFICATION STICKER

A decal issued by the Port Washington Public Parking District which shall be affixed to the rear bumper of a vehicle prior to the vehicle's being parked in a commuter parking space.

OFF-STREET PARKING AREA

A parcel of property designated as a public place for the parking of motor vehicles.

[Added 7-18-2006 by L.L. No. 11-2006]

OPERATOR

Includes every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or who is in actual physical control of the vehicle.

PARK, PARKING or PARKED

The stopping of a motor vehicle or motorcycle upon any public highway and leaving such motor vehicle or motorcycle unattended, by a person capable of operating it, for a period longer than necessary to load or unload passengers or freight.

PARKING METER

Any mechanical device or meter not inconsistent with this article, placed or erected for the regulation of parking by authority of this article. Each parking meter installed shall indicate by proper legend the legal parking time established by this article, and when operated shall at all times indicated the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking. *Editor's Note: The definition of "parking meter area." which immediately followed this definition, was repealed 7-18-2006 by L.L. No. 11-2006.*

PARKING METER SPACE

Any space within a parking meter zone, adjacent to a parking meter and which is duly designated, for the parking of a single vehicle, by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters. Not more than one vehicle, as defined herein, shall be stopped, parked or left standing in a designated parking meter space at the same time.

PARKING METER ZONE

Any and all streets and parts of streets set aside under the provisions of this article and any amendments thereto, for the installation of parking meters and upon which parking meters have been installed and are in operation. All frontages of said streets or portions of streets are to be deemed included herein.

PARKING VOUCHER

A permit issued by the Port Washington Public Parking District which authorizes a vehicle to be parked in a commuter parking space for a specified period of time.

PERSONS

Includes any individual, firm, copartnership, association or corporation.

STREET

Any public street, highway, road, avenue, lane, path, court or other public way within the Port Washington Public Parking District, established for the use of vehicles. This definition shall not include parking fields.

VEHICLE

Every vehicle, except electrically-driven invalid chairs being operated or driven by an invalid, operated or driven upon a public highway by any power other than muscular power, which includes motorcycles and motor-driven cycles as defined by the Vehicle and Traffic Law, except vehicles which run only upon rails or tracks and excluding fire and police vehicles.

§ 82. Parking meter zones.

The following named and described areas, streets or portions of streets and such other areas, streets or portions of streets as may hereafter be included in the section by amendment thereto shall constitute a parking meter zone:

| Name of Street | Side | Location |
|------------------|-------|--|
| Bellevue Avenue | East | From Main Street to a point 96 feet southerly thereof |
| Bernard Street | North | Between South Maryland Avenue and Port Washington Boulevard |
| Carlton Avenue | West | From Main Street to a point 132 feet southerly thereof |
| Evergreen Avenue | West | From Main Street to a point 194 feet southerly thereof |
| Fairview Avenue | South | From Port Washington Boulevard to a point 96 feet easterly thereof |
| Haven Avenue | East | From Main Street (Flower Hill Avenue) southerly to a |

| Name of Street | Side | Location |
|-----------------------|-------|--|
| | | point opposite the northerly side of Flower Hill Place, except that there shall be limited parking pursuant to § 44.9C of this article, from a point on the easterly side of Haven Avenue, 214 feet south of Main Street (Flower Hill Avenue) and thence running southerly for a distance of 260 feet |
| Haven Avenue | West | From the easterly side of Main Street to the northerly side of Bayview Avenue |
| Herbert Avenue | West | From a point 25 feet north of Main Street running northerly a distance of 80 feet |
| Highland Avenue | South | From Port Washington Boulevard to a point 182 feet easterly thereof |
| Irma Avenue | East | From a point 25 feet north of Main Street to the northerly side of Mullon Avenue |
| Main Street | North | From the westerly side of Port Washington Boulevard westerly to a point on the westerly side of Main Street opposite the northerly side of Bayview Avenue |
| Main Street | South | From a point 144 feet from the westerly side of Port Washington Boulevard to the easterly side of Jackson Street, except that no vehicle of any kind shall park or stand in the area designated herein as a crosswalk and no vehicle other than taxis or busses shall park or stand in the respective areas designated as a taxi stand or bus stop |
| Maple Street | North | Between South Maryland Avenue and Port Washington Boulevard |
| North Bayle Avenue | East | From Main Street to a point 92 feet northerly thereof |
| North Bayles Avenue | West | From Main Street to a point 354 feet northerly thereof |
| North Maryland Avenue | East | From the northerly side of Main Street to the southerly side of Ohio Avenue |
| Ohio Avenue | North | From North Maryland Avenue to Port Washington Boulevard |

| Name of Street | Side | Location |
|---------------------------|-------|--|
| Port Washington Boulevard | East | From a point 147 feet south of Fairview Avenue northerly to the southerly side of Main Street |
| Port Washington Boulevard | West | From a point 247 feet south of Beechwood Avenue northerly to the southerly side of Main Street |
| Port Washington Boulevard | West | From Main Street to Ohio Avenue |
| Port Washington Boulevard | West | From Marino Avenue southerly to a point 120 feet north of Chestnut Road |
| South Maryland Avenue | East | From a point 244 feet south of Main Street to the northerly side of Bernard Street |
| South Maryland Avenue | West | From the southerly side of Main Street to a point 265 feet northerly thereof |
| Vanderventer Avenue | South | From South Bayles Avenue to Port Washington Boulevard |
| Willowdale Avenue | North | From Port Washington Boulevard westerly to South Bayles Avenue |
| Willowdale Avenue | South | From Port Washington Boulevard westerly to South Bayles Avenue |

§ 83. Off-street parking areas.

[Amended 7-18-2006 by L.L. No. 11-2006]

A. For the relief of traffic congestion in the Port Washington Public Parking District, certain areas acquired are hereby designated and dedicated as public places for the parking of motor vehicles, and such other areas as may hereafter be included in this section by amendment thereto shall constitute a parking meter area.

(1) Area Number One. Lot Nos. 18, 19, 20, 21, 22 and 23 in Block 97, and lot Nos. 215, 116 and 117 in Block 98, Section 5, School District No. 4, as shown on the Nassau County Tax Map, commencing at a point approximately 192 feet southerly from the southerly side of Main Street on the westerly side of South Bayles Avenue and extending southerly along said westerly side of South Bayles Avenue approximately 386 feet, said

parcel extending westerly to the property of the Long Island Railroad for a depth of approximately 140 feet.

(2) Area Number Two. Lot Nos. 9 and 33 in Block 22, Section 5, School District No. 4, as shown on the Nassau County Tax Map, beginning at a point on the westerly side of North Bayles Avenue approximately 100 feet northerly from its intersection with the northerly side of Main Street; running thence westerly and approximately parallel with the northerly side of Main Street 146.70 feet; thence southerly approximately parallel with the westerly side of North Bayles Avenue approximately 4.35 feet; thence again westerly approximately parallel with the northerly side of Main Street 90.92 feet to a point on the easterly side of Herbert Avenue; thence northerly along the easterly side of Herbert Avenue approximately 48.78 feet; thence easterly and approximately parallel with the northerly side of Main Street 91.07 feet; thence northerly and approximately parallel with the easterly side of Herbert Avenue approximately 238.94 feet; thence easterly and approximately parallel with the northerly side of Main Street approximately 145.89 feet to a point on the westerly side of North Bayles Avenue; thence southerly along the westerly side of North Bayles Avenue approximately 290.44 feet to the point or place of beginning.

(3) Area Number Three. Beginning at a point formed by the intersection of the southerly side of Main Street and the easterly side of Haven Avenue; and from said point of beginning running thence easterly along the southerly side of Main Street a distance of 240.11 feet, more or less, to a point; running thence south $1^{\circ}47'10''$ east, 543.45 feet, more or less; running thence north $27^{\circ}12'27''$ west, 44.36 feet, more or less; running thence north $89^{\circ}56'40''$ west, 60 feet, more or less; running thence north $1^{\circ}47'10''$ west, 439 feet, more or less; running thence north $89^{\circ}56'40''$ west, 65 feet, more or less; running thence south $1^{\circ}47'10''$ east, 40 feet, more or less; running thence south $37^{\circ}04'19''$ west, 60.21 feet, more or less; running thence south $3^{\circ}28'20''$ east, 553.74 feet, more or less; running thence south $87^{\circ}11'10''$ west, 10 feet more or less; running thence south $2^{\circ}48'50''$ east, 100 feet, more or less; running thence south $87^{\circ}11'10''$ west, 30.23 feet, more or less; running thence north $11^{\circ}02'50''$ west, 150.97 feet and running thence north $0^{\circ}48'50''$ west, 660.31 feet, more or less, to the point or place of beginning.

(4) Area Number Four. Lot Nos. 16, 17, 18, 25, 26, 30, 31, 35, 36 and portion of 40 in Block 126, Section 5, School District No. 4, as shown on the Nassau County Land and Tax Map, beginning at a point on the southerly side of Main Street, approximately 148.15 feet west of the intersection with Port Washington Boulevard; thence southerly a distance of 79.84 feet; thence westerly 250 feet to the east side of Maryland Avenue; thence southerly 150 feet to the north side of Maple Street; thence easterly 11.02 feet; thence northerly 78.09 feet; thence west 11.02 feet to the point or place of beginning.

(5) Area Number Five. Lot No. 23 and portion of Lot Nos. 19, 21, 22, 27 and 76, Block D, Section 5, School District No. 4, as shown on the Nassau County Land and Tax Map, beginning at a point on the north side of Main Street, 328.76 feet west of the intersection of Irma Avenue; thence northerly approximately 67.26 feet; thence easterly 85 feet; thence northerly 132.38 feet; thence westerly 85 feet; thence northerly 122.74 feet; thence

westerly 123.17 feet; thence southerly 284.45 feet; thence east 93 feet; thence southerly 67.36 feet; thence westerly 31 feet to the point or place of beginning.

(6) Area Number Six. Consisting of two parcels bounded and described as follows:

(a) Parcel A. Beginning at a point on the westerly side of Shore Road distant 332.335 feet northerly when measured along the westerly side of Shore Road from the corner formed by the intersection of the northerly side of Main Street with the westerly side of Shore Road; running thence south 77 degrees 30 minutes 58 seconds west 116.468 feet to a point; running thence south 55 degrees 46 minutes 54 seconds west 157 feet to a point; running thence south 42 degrees 46 minutes 54 seconds west 42 feet to a point in the easterly boundary line of other land of the Port Washington Sewer District; running thence north 18 degrees 26 minutes 06 seconds west 221.02 feet; running thence north 80 degrees 26 minutes 27 seconds east 331.857 feet to a point on the westerly side of Shore Road; running thence southerly and along the westerly side of Shore Road along the arc of a curve bearing to the right having a radius of 350.81 feet, a distance along said arc of 122.006 feet to the point or place of beginning.

(b) Parcel B. Beginning at a point on the westerly side of Shore Road distance 104.50 feet northerly from the corner formed by the intersection of the northerly side of Main Street with the westerly side of Shore Road; running thence north 69 degrees 37 minutes west 92 feet; thence north 20 degrees 23 minutes east 27 feet; thence north 69 degrees 37 minutes west 6 feet; thence north 16 degrees 26 minutes 39 seconds east 60.272 feet; thence north 3 degrees 30 minutes 48 seconds east 49.101 feet; thence north 2 degrees 30 minutes 06 seconds east 29.416 feet; running thence north 77 degrees 20 minutes 58 seconds east 116.468 feet to a point on the westerly side of Shore Road; running thence southerly and along the westerly side of Shore Road the following four courses and distances: (1) Along the arc of a curve bearing to the right having a radius of 350.81 feet a distance of 45.113 feet; (2) Along the arc of a curve bearing to the right having a radius of 350.81 feet a distance of 5,665 feet; (3) South 11 degrees 17 minutes 55 seconds west 87.49 feet; (4) South 19 degrees 00 minutes 00 seconds west 89.567 feet to the point or place of beginning.

(7) Area Number Seven. Beginning at the northwesterly corner of South Bayles Avenue and Munson Street, running thence north 85 degrees 45 minutes 00 seconds west along the northerly line of Munson Street 216.65 feet to the easterly line of the land of the Long Island Rail Road; thence South 0 degrees 6 minutes 0 seconds east 230 feet along the easterly line of the land of the Long Island Rail Road to the northerly line of South Street; thence south 85 degrees 45 minutes 0 seconds east 216.65 feet along the northerly line of South Street to the westerly line of South Bayles Avenue; thence north 0 degrees, 6 minutes 0 seconds west 230 feet along the westerly line of South Bayles Avenue to the point or place of beginning.

(8) Area Number Eight. Parcel.

(a) Beginning at a point on the northerly side of Vandeventer Avenue distant 250 feet easterly from the corner formed by the intersection of the northerly side of Vandeventer Avenue and the easterly side of South Bayles Avenue, said point of beginning also being the southeasterly corner of the land now or formerly of Kate B. Taber; thence running along the land now or formerly of Kate B. Taber north 3 degrees 43 minutes 30 seconds west, 130.26 feet to the land now or formerly of George W. Suydam; thence running along the last mentioned land north 87 degrees 10 minutes 14 seconds east, 96.18 feet to the land now or formerly of Howard Van Nostrand; thence running along the last mentioned land south 5 degrees 26 minutes 30 seconds east, 125.83 feet to the northerly side of Vandeventer Avenue; thence running along the northerly side of Vandeventer Avenue south 84 degrees 33 minutes 30 seconds west, 100 feet to the point or place of beginning.

(b) Parcel B. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Port Washington, Town of North Hempstead, County of Nassau and State of New York, being known as Lot 19, Block 99, Section 5 on the Tax Map of the County of Nassau and being more particularly described as follows:

Beginning at a point on the northerly side of Vandeventer Avenue, distant 425 feet easterly from the corner formed by the intersection of the easterly side of South Bayles Avenue with the said northerly side of Vandeventer Avenue; and

Running thence north 3 degrees 43 minutes west 173.39 feet to land now or formerly of Jacobs Brothers;

Thence north 89 degrees 10 minutes 40 seconds east along said land of Jacobs Brothers 95.12 feet;

Thence south 3 degrees 43 minutes east 168.60 feet to the northerly side of Vandeventer Avenue;

Thence south 86 degrees 17 minutes west along the northerly side of Vandeventer Avenue, 95 feet to the point or place of beginning.

(c) Parcel C. All that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being at Port Washington, Town of North Hempstead, County of Nassau and State of New York, bounded and described as follows:

Beginning at a point on the northerly side of Vandeventer Avenue, distant 350 feet easterly from the corner formed by the intersection of the easterly side of South Bayles Avenue with the northerly side of Vandeventer Avenue;

Thence easterly from said point 75 feet along the northerly side of Vandeventer Avenue to lands now or formerly of Vandeventer;

Thence northerly 3 degrees 43 minutes west 173.39 feet along lands now or formerly of Adolphe Rafter to land formerly of Jacobs Brothers; now known on a

certain map entitled "Property of Jacobs Brothers", filed in the Nassau County Clerk's Office by Map No. 261;

Thence south 89 degrees 10 minutes west 75.1 feet along said map property;

Thence south 3 degrees 43 minutes east 177.18 feet along the land now or formerly of Vanderverter to the northerly side of Vanderverter Avenue at the point or place of beginning.

(d) Parcel D. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Port Washington, Town of North Hempstead, County of Nassau and State of New York, bounded and described as follows:

Beginning at a point on the westerly side of Port Washington Boulevard (Middle Neck Road) (old line) distant 127.19 feet northerly from the corner formed by the intersection of the northerly side of Vanderverter Avenue and the westerly side of Port Washington Boulevard;

Running thence south 86 degrees 17 minutes west 117.40 feet along the land now or formerly of Joseph Hehn, Jr., to the land now or formerly of Adolphe Rafter;

Thence north 3 degrees 43 minutes west 41.60 feet along land now or formerly of Adolphe Rafter to the Jacob Bros. Map;

Thence north 89 degrees 10 minutes 40 seconds east 119.53 feet along the Jacob Bros. Map to the westerly side of Port Washington Boulevard;

Thence southerly along the westerly side of Port Washington Boulevard on a curve bearing to the left having a radius of 11,496.69 feet a distance of 35.62 feet to the point or place of beginning.

Excepting therefrom so much land as has been taken for the widening of Port Washington Boulevard under vesting No. 295/54.

(e) Parcel E. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Port Washington, Town of North Hempstead, County of Nassau and State of New York, bounded and described as follows: Beginning at a point on the northerly side of Vanderverter Avenue, distant 90 feet westerly from the corner formed by the intersection of the northerly side of Vanderverter Avenue with the westerly side of Port Washington Boulevard (Middle Neck Road);

Running thence along the northerly side of Vanderverter Avenue south 86 degrees 17 minutes west 20.34 feet to land now or formerly of Adolphe Rafter;

Thence along said land north 3 degrees 43 minutes west 127 feet to land now or formerly of Vanderverter;

Thence along said north 86 degrees 17 minutes east 117.40 feet to the westerly side of Port Washington Boulevard;

Thence southerly along the westerly side of Port Washington Boulevard on a curve bearing to the left having a radius of 11,496.69 feet a distance of 37.05 feet to land now or formerly of Lewis Coal and Oil Co., Inc.;

Thence along said land the following two courses and distances;

[1] South 86 degrees 17 minutes west 95 feet;

[2] South 3 degrees 43 minutes east 90 feet to the northerly side of Vanderver Avenue, at the point or place of beginning.

B. Regulation of area use. The following regulations shall apply to all off-street parking areas:

(1) All vehicles parked within an off-street parking area shall be parked within a marked parking space only.

(2) Spaces within each off-street parking area may be designated by the District as "Commuter Parking," "Shopper Parking," "Taxi Stands" and "Merchant Parking." Such designation shall be made by a resolution of the Board of Commissioners.

(3) Spaces may be designated by the Board of Commissioners as "Taxi Stands" only after a recommendation for such designation has been made by the Town Clerk. Such designation shall comply with the provisions of Chapter 52, § 52-35, of the Town Code, No vehicles of any kind, other than those licensed as taxicabs pursuant to Chapter 52 of the Town Code, shall be permitted to park in designated taxi stands.

(4) There shall be no parking in any of the off-street parking areas by any vehicle between the hours of 3:00 a.m. and 6:00 a.m., except that vehicles licensed as taxicabs pursuant to Chapter 52 of the Town Code and displaying the license medallion required by Chapter 52, § 52-9A, of said Code may park during all hours in the areas designated as taxi stands.

(5) If any vehicle shall remain parked in an off-street parking area, even within the time allowed in this article, without having deposited the proper coin or coins in the parking meter designated for said parking space or without properly displaying a parking voucher, such vehicle shall be considered as parked overtime and beyond the time fixed by this article, and the owner thereof shall be deemed guilty of a violation of this article which shall be punishable as hereinafter set forth.

C. Commuter parking.

(1) The use of all parking spaces designated as a commuter parking spaces shall be restricted to residents of the Port Washington Public Parking District, except that such restriction shall not apply on Saturdays, Sundays or holidays or after 3:00 p.m. on weekdays.

(2) No vehicle may be parked in a commuter parking space while the use of such space is restricted as set forth above, unless an identification sticker has been issued for such parking by the District and is affixed to the rear bumper on the operator's side of the

vehicle. The fee for the issuance of this identification sticker shall be \$15 per calendar year or any portion thereof.

(3) The District shall require that each applicant for an identification sticker produce two of the following items as satisfactory evidence that the applicant is a resident of the District:

(a) Motor vehicle registration;

(b) Motor vehicle leasing agreement;

(c) Deed or lease showing ownership or rental of a residential property within the District;

(d) Tax bill; or

(e) Such other documentation deemed acceptable.

(4) The operator of a vehicle desiring to park in a space designated for commuter parking shall display a parking voucher by hanging it from the vehicle's rearview mirror. The fee for such parking voucher shall be \$1 for each day or part thereof.

D. Shopper parking.

(1) The use of all parking spaces designated as shopper parking shall be regulated by a parking meter. There shall be an hourly fee of \$0.25 per hour or part thereof. This fee shall be in effect from 6:00 a.m. to 6:00 p.m. Monday through Friday, except holidays.

(2) The maximum period of time a vehicle may be parked in a space designated for shopper parking shall be two hours.

E. Merchant parking.

(1) If the Board of Commissioners shall determine that there are parking spaces available for such purpose, it may designate spaces in any of the off-street parking areas other than in areas Number One and Three.

(2) The use of all parking spaces designated for merchant parking shall be restricted to commercial or retail property owners, their commercial or retail tenants and the employees of such owners or tenants.

(3) No vehicle may be parked in a merchant parking space unless an identification sticker has been issued for such parking by the District and is affixed to the rear bumper on the operator's side of the vehicle. The fee for the issuance of this identification sticker shall be \$100 per calendar year or any portion thereof.

(4) Such identification stickers shall be issued to owners or tenants only; an identification sticker to be used on a vehicle owned by an employee shall be issued to the employer only. The employer shall, at the time such application is made, sign an affidavit providing the name and residential address of the employee and the make, model and plate number of the employee's vehicle. The employer shall be required to notify the District within 72 of the termination of employment.

(5) The District shall require that each applicant for an identification sticker produce one of the following items as satisfactory evidence that the applicant is a commercial or retail property owner or tenant:

(a) Deed or lease showing ownership or rental of a commercial or retail property located within the District;

(b) Tax bill; or

(c) Such other documentation deemed acceptable.

F. Regulation of traffic in off-street parking areas Number One and Number Three.

(1) All vehicles shall travel in a southerly direction on all north-south lanes within the field, except that two-way traffic is permitted on the westerly lane between the prolongations of the southerly side of Bayview Avenue and the northerly side of Franklin Avenue.

(2) All vehicles shall travel in an easterly direction on east-west lanes within the field, except that they shall travel in a westerly direction when entering the field from South Bayles Avenue or when exiting on Haven Avenue.

(3) The openings on Main Street and on South Bayles at the northerly end of the field shall be entrances only.

(4) The opening on South Bayles Avenue at the southerly end of the field shall be an exit only.

(5) There shall be no parking, standing or stopping in other than designated parking spaces at any time, except that passengers may be discharged in the area in front of the depot herein designated as an unloading zone.

§ 84. Parking meters.

The Commissioners of the Port Washington Public Parking District shall provide for the installation, regulation, control, operation and use of parking meters provided for in this article and shall cause said meters to be maintained in good workable condition. Meters shall be placed upon the curb next to individual parking places and meters shall be constructed so as to display a signal showing legal parking upon deposit therein of the proper coin, or coins, of the United States as indicated by the instructions on said meter, and for the period of time purchased by the coin or coins deposited in said meter as provided by this article, said signal to remain in evidence until expiration of said parking period so designated, at which time a change of signal or some other mechanical operation shall indicate expiration of said parking period.

§ 85. Designation of parking meter spaces.

A. The Town Board, acting as Commissioners of the Port Washington Public Parking District, is hereby authorized to mark off individual parking spaces in the parking zones designated and described by this article and in such other zones as may hereafter be established. Said parking spaces are to be designated by lines painted or durably marked upon the curbing or surface of the street. At each space so marked it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

B. All parking meter spaces shall be so marked that vehicles will be required to park parallel with the curb or edge of the pavement on any state highway, county road and/or town road.

§ 86. Installation of parking meters.

A. In said parking meter zones, the Town Board, acting as Commissioners of the Port Washington Public Parking District, shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking space designated as provided in § 85 hereof. Such installation shall be not more than two feet from the curb or more than four feet from the front line of the parking space as indicated, and the Commissioners of the Port Washington Public Parking District shall be responsible for the regulation, control, maintenance and use of such parking meters.

B. Each parking meter shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this article. Each meter shall be so arranged that upon the expiration of the period of legal parking time purchased by the coin or coins deposited, it will indicate by a proper visible signal that the lawful parking period had expired, and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner or manager thereof shall be subject to the penalties hereinafter provided.

§ 87. Operation of parking meters.

Except in a period of emergency determined by an officer of the Port Washington Fire Department or Port Washington Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit or the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, if any, and failure to deposit such proper coin, and to set the timing mechanism, if any, in operation when so required, shall constitute a violation of this article. Upon deposit of such coin (and the setting of the time mechanism, if any, in operation when so required) the parking space may be lawfully occupied by such vehicle during the period of time purchased by the coin or coins

deposited, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time set for parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time and such parking shall be deemed a violation of this article.

§ 88. Parking time limits.

A. Parking a vehicle in a designated space in a parking meter zone shall be lawful by depositing the coin or coins as indicated on the meter, which shall be as follows: \$0.25 for each hour or part thereof.

[Amended 3-27-2001 by L.L. No. 5-2001]

B. Said parking meter shall be operated in said parking meter zones every day between the hours of 8:00 a.m. and 5:00 p.m. (prevailing time) except Sundays and holidays; provided, however, that within the meaning of this article, the term "holiday" shall include the following days only: New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, the Fourth of July, the first Monday in September, Columbus Day, Election Day, Veterans Day, the day designated and set aside by the President of the United States as a day of Thanksgiving and the twenty-fifth day of December.

[Amended 7-18-2006 by L.L. No. 11-2006; 6-19-2012 by L.L. No. 9-2012]

C. The maximum parking time for legal continuous parking in any one metered space shall be limited and restricted to a period of not longer than one hour at a time, except that the maximum parking time for legal continuous parking on the north side of Main Street, from Irma Avenue to Shore Road; on the south side of Main Street, from South Washington Street to Haven Avenue; on the west side of South Washington Street, from Main Street to Webster Avenue; and on the west side of Port Washington Boulevard, from Vanderverter Avenue to Davis Avenue; on the west side of Haven Avenue, from Main Street to Bayview Avenue; on the east side of Haven Avenue, from Main Street to a point opposite the north curblines of Franklin Avenue; on the east side of Irma Avenue, from Main Street to a point opposite the north curblines of Virginia Avenue; on the north side of Main Street, from Port Washington Boulevard to Irma Avenue; on the north and west sides of Main Street, from Shore Road to a point 120 feet south of a point opposite the south curblines of Anchorage Road; on the south and southwest sides of Main Street, from Bank Street to South Washington Street; and on the south side of Main Street, from Haven Avenue to Port Washington Boulevard, shall be limited and restricted to a period of not longer than two hours at a time; and on the east side of Haven Avenue, from a point opposite the south curblines of Franklin Avenue, south, to a point opposite the north curblines of Bayview Avenue, shall be limited and restricted to a period of not longer than four hours at a time, and nothing herein contained shall permit the purchase from time to time of a longer time of continuous parking in such spaces.

[Amended 6-19-2012 by L.L. No. 9-2012; 6-25-2013 by L.L. No. 3-2013]

§ 89. Violations.

It shall be unlawful and a violation of the provisions of this article for any person:

A. To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described.

B. To park any vehicle across any line or marking of parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings or to park any vehicle in a parking meter space already occupied in whole or in part by another vehicle.

C. To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.

D. To deposit or cause to be deposited in any parking meter any slugs, device or metal substance or other substitute for lawful coins.

§ 90. Enforcement.

It shall be the duty of the Port Washington Police Department to enforce the provisions of this article and also any other person or persons lawfully designated for that purpose by the Supervisor and Town Board of the Town of North Hempstead.

§ 91. Use of funds.

[Amended 7-18-2006 by L.L. No. 11-2006]

All funds received by the Port Washington Public Parking District for the issuance of identification stickers, parking vouchers, and coins deposited in meters shall be used solely for the expenses incurred in the administration and operation of the District.

§ 92. Penalties for offenses.

[Amended 3-27-2001 by L.L. No. 5-2001]

Penalties for violations of this article are provided in § 4~~4~~ of this Code.

§ 93. Reservation of power.

Nothing in this article shall be construed as prohibiting the Supervisor and Town Board of the Town of North Hempstead from providing for bus stops, taxicab stands and other matters of similar nature, including the loading and unloading of trucks, vans or other commercial vehicles, except upon state highways maintained by the state.

§ 94. Repeal of conflicting ordinances.

All ordinances or parts of ordinances inconsistent with the provisions of this article are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this article shall be cumulative of other ordinances regulating and governing the subject matter covered by this article.

§ 95. Severability.

If any section or provision or parts thereof in this article shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the article as a whole or of any other section or provision or part hereof.

§ 96. Exercise of police power.

This entire article shall be deemed and construed to be an exercise of the police power of the Town of North Hempstead for the preservation and protection of public safety and is enacted pursuant to the authority contained in § 1660 of the Vehicle and Traffic Law of the State of New York and § 198 of the Town Law of the State of New York. All of its provisions shall be liberally construed with a view to the effectuation of such purpose.

Section 4.

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