

LOCAL LAW NO. L, YEAR 1959 COUNTY OF CHENANGO STATE OF NEW YORK

A LOCAL LAW establishing a county parking area, adopting rules and regulations covering the use and providing for the enforcement thereof.

BE IT ENACTED by the board of supervisors of the county of Chenango, State of New York, as follows:

Section 1. The lot of land purchased from the City of Norwich, New York, located at the northeast corner of the intersection of Academy and Court Streets in said city, being approximately one hundred sixty-five feet north and south on the west side of Court Street and approximately one hundred ninety-eight feet east and west on the north side of Academy Street, is hereby established as a public parking area to be used for and in connection with the new county office building to be erected westerly of such parking area as a convenience to the public and in the interest of more efficient regulation of vehicular parking near and about such county office building.

Section 2. The following words, when used in this local law, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise, to wit:

(a) The word "vehicle" shall mean any device in, upon, or by which any person or property is or may be transported upon a highway except a device which is operated upon rails or tracks.

(b) The word "person" shall mean and include every natural person, firm, co-partnership, association, or corporation.

(c) The word "operator" shall mean and include every person who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner or is in actual physical control of a vehicle.

(d) The word "park" shall mean and include the permitting of any vehicle to be parked or put in place and let remain or leave standing in or upon the county owned property heretofore described in section one.

(e) The word "area" shall mean and include the county owned property heretofore described in section one.

(f) The word "sheriff" shall mean and include the sheriff of the county of Chenango and any and all deputies, designees, or subordinates designated by him from time to time in and about the operation and policing of the parking area herein described.

(g) Unless otherwise herein indicated above or by the context in which they might be used, all words used herein shall have the meaning ascribed to them by the general construction law of the State of New York.

Section 3. The building committee of the board of supervisors of the county is hereby directed to cause to be arranged and marked off individual spaces of suitable size for normally sized vehicles within the area so as to provide a reasonable number of parking spaces, and to provide suitable parking meters for the measurement of time any person may park any vehicle on and within any of such parking spaces.

Section 4. Parking of vehicles by persons or operators shall be permitted: one vehicle to each space provided as in section three directed, for such period of time as shall be prescribed by the particular meter assigned to the space so used after such meter is activated by the deposit of the fee prescribed thereon. A fee of five cents is hereby prescribed and established for each one hour of parking use by any person or

or operator of any parking space designated pursuant to section three. Such fee shall be paid prior to use of the space by deposit of one nickel in the meter established for the space. Upon expiration of the time so purchased, as indicated on the meter, it shall be and hereby is unlawful for any person or operator further to use or occupy such space. Any person or operator suffering or permitting any vehicle to remain on and in such space after the expiration of the time purchased, as shown by the meter, shall be subject to the punishment or fine hereinafter prescribed. Indication of expiration of time as shown by the meter shall be conclusive evidence against such person or operator of the expiration of the time which may have been previously purchased and of the unlawful parking of the vehicle concerned thereafter. In any event, and anything above to the contrary notwithstanding, it shall be unlawful for any person or operator to park any vehicle within the area from twelve o'clock midnight of one day until six o'clock in the forenoon of the following day.

In any event, and anything above to the contrary notwithstanding, it shall be unlawful for any person or operator improperly to park outside or across lines prescribed for parking spaces or otherwise to use the area unreasonably and contrary to the intent of this local law.

Section 5. Anything herein to the contrary notwithstanding, at the direction of the board of supervisors, the sheriff shall withhold from public use a sufficient number of parking spaces in the area on each regular or special meeting day of the board or on any meeting day of a committee of the board for the exclusive use of the members of the board while such members are actually in attendance at a regular or special meeting of the board or any committee thereof, and it shall be lawful for any such member of the board to park the vehicle used for his transportation to such meeting in one of the spaces so provided for that day without payment of any fee.

Section 6. The sheriff shall police the area and inspect the several meters and issue a summons in the name of the county to the person or operator unlawfully parking a vehicle in the area contrary to the provisions of this local law. Such unlawful parking is hereby made an offense contrary to this local law and the penal law of the state of New York. Whenever any vehicle shall be found parked in violation of this law such vehicle, in the discretion of the sheriff, may be removed and conveyed by or under the directions of the sheriff by means of towing the same or otherwise to some suitable place of storage, and such removal and storage shall be at the risk and expense of the owner of such vehicle. Before the owner or person in charge of such vehicle shall be permitted to remove the same from the custody of the sheriff he shall furnish evidence of his identity and ownership or right to possession, pay the proper charges, and sign a receipt for such vehicle.

Section 7. Whenever any vehicle shall be found parked in violation of this law the sheriff shall place on such vehicle a notice to the owner thereof that such vehicle has been parked in violation of the provisions of this local law and shall thereby summon such owner to appear at a time indicated before a court of special sessions to answer for such violation in accordance with this law. Jurisdiction is hereby conferred upon and granted to such court of special sessions to hear, try and determine all questions of law or of fact arising under this local law and to impose the fine or punishment hereinafter provided. Such summons may permit the owner, as he may elect, to plead guilty to the offense indicated thereon, signing his true and correct name thereto as such election, and to authorize thereby his appearance in said court of special sessions at the time prescribed to be noted, and to pay a fine of one dollar for the first such parking offense, two dollars for the second such offense within a six months' period from the first offense, and five dollars for the

third such offense within a six months' period from the first offense. This election shall not be permitted to an owner committing more than three such offenses within a six months' period from the first offense. Such voluntarily paid fine shall be paid to the sheriff, who shall issue to such violator a proper receipt therefor.

Section 8. Any person, whether as principal or as agent, violating or assisting in the violation of any of the provisions of this local law may upon conviction thereof be punished by a fine not exceeding one hundred dollars, (\$100.00), or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment.

Section 9. All fines voluntarily paid to the sheriff as set forth in section six shall be property of the county and paid over by him to the treasurer of the county, who shall deposit the same in a special reserve account to be designated as the "parking area reserve fund" and accounted for by him to the board of supervisors in the same manner as for other reserve funds. One-half of the fines paid to the court of special sessions, if it be the city court of the city of Norwich, shall be the property of the county and shall be paid over by the judge thereof to the county treasurer, who shall receive and account for the same as above prescribed. The remaining one-half of the fines paid to the said city court hereunder shall be the property of the city of Norwich and shall be paid over and accounted for by the judge of such court in the same manner as other fines received by him or his court for traffic violations. If such court of special sessions be not the city court of city of Norwich, then all fines collected hereunder by any such court shall be the property of the municipality for which the court is established and has jurisdiction.

Section 10. The board of supervisors of the county by resolution may from time to time authorize the expenditure of funds from the above described parking area reserve fund for the purposes of purchasing new meters, repairing and maintaining meters, repairing and maintaining the area, or paying any other expense in or about the repair, maintenance and operation of the area and the equipment and appurtenances thereof. By a vote of two-thirds of the whole membership of the board, funds in the parking area reserve fund may be withdrawn or transferred and used for any lawful county purpose.

Section 11. If any section, part of a section, sentence, clause or phrase of this local law shall be held unconstitutional or invalid, the remaining provisions thereof shall nevertheless remain in full force and effect.

Section 12. This local law shall take effect December first, nineteen hundred fifty-nine.

CERTIFICATE

STATE OF NEW YORK COUNTY OF CHENANGO BOARD OF SUPERVISORS SS.

I, GIBSON K. DAVIS, Clerk of the Board of Supervisors of the County of Chenango, State of New York, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a local law of such County, designated as Local Law No. 1, Year 1959, and entitled, "A LOCAL LAW establishing a county parking area, adopting rules and regulations covering the use and providing for the enforcement thereof," and of the whole thereof.

I, FURTHER CERTIFY that such Local Law was duly enacted by the said Board of Supervisors on the 9th day of November, 1959, after a public hearing duly held thereon, as prescribed by Section 304 of the County Law of the State of New York, on the 4th day of November, 1959.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Board of Supervisors this 12th day of November, 1959.

SEAL
Recorded: November 12, 1959 at 10:35 A.M.
P. M. C. Davis
Clerk

Gibson Davis
Clerk, Board of Supervisors
Chenango County, New York