

**TOWN OF GERMANTOWN
COLUMBIA COUNTY, NEW YORK**
Local Law No. 3 of 2018

**A LOCAL LAW PROHIBITING PARKING OF VEHICLES ON TOWN STREETS,
ROADS AND HIGHWAYS FROM MIDNIGHT TO 6AM FROM NOVEMBER 15TH
THROUGH MARCH 15TH AND PROVIDING REGULATIONS GOVERNING
PARKING IN MUNICIPAL LOTS.**

BE IT ENACTED by the Town Board of the Town of Germantown as follows:

Section 1. Title of Town Law.

This Local Law shall be entitled “A LOCAL LAW PROHIBITING PARKING OF VEHICLES ON TOWN STREETS, ROADS AND HIGHWAYS FROM MIDNIGHT TO 6AM FROM NOVEMBER 15TH THROUGH MARCH 15TH AND PROVIDING REGULATIONS GOVERNING PARKING IN MUNICIPAL LOTS.”

Section 2. Authority.

This Local Law is adopted pursuant to the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York) and section 1660 of the Vehicle and Traffic Law of the State of New York.

Section 3. Prohibited Parking.

A. During the winter months from November 15th to the succeeding March 15th, from Midnight to 6AM, parking shall be prohibited on Town streets, roads and highways.

B. In addition, whenever the Town Superintendent of Highways of the Town of Germantown finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the United States Weather Bureau or other meteorological data indicating the threat of snow, sleet, or freezing rain; that weather conditions could severely impede vehicular traffic in the Town, or are likely to create hazardous road conditions or road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic vital to the health, safety and welfare of the community, the Town Superintendent of Highways shall be authorized to declare a “Highway Snow Emergency.”

C. In addition to the foregoing, a “Highway Snow Emergency” shall automatically go into effect on any part of any snow route on which there has been an accumulation of snow or ice of six inches or more.

D. During a “Highway Snow Emergency” all vehicles shall be prohibited from parking on all Town streets, roads or highways.

Section 3. Municipal Parking Lots.

A. The following parking lots shall be designated as municipal parking lots:

- i. Municipal Lot parking accessed from Main Street in the Hamlet.
- ii. Town Hall parking accessed from Palatine Park Road.
- iii. Palatine Park parking accessed from Palatine Park Road.
- iv. Cheviot Park parking accessed from Cheviot Road.
- v. Lasher Memorial Park parking accessed from Anchorage Road.

B. In any municipal parking lot, it shall be prohibited for:

- i. Any unregistered vehicle or vehicle without a valid inspection sticker to be parked.
- ii. Any unhitched boat or trailer, bus, camper, recreational vehicle (RV), motor home, or large commercial vehicle, including trucks, tractors, or tractor-trailer combinations to be parked.
- iii. Any vehicle to be parked in a designated handicapped parking location without a proper permit.

Section 4. Violations.

Every person convicted of a traffic infraction for a violation of any provision of this Local Law, which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York, shall subject the vehicle owner to a fine of \$100.

Section 5. Removal of Vehicles.

A. Any vehicle parked or abandoned on any Town street, road or highway, or municipal parking lot may be removed by or at the direction of the Town Superintendent of Highways whenever:

- i. such vehicle is parked or standing in violation of any Town, County, or State law or regulation; or
- ii. it is necessary to remove such vehicle to facilitate snow removal or during or following a snowstorm, flood, fire, or other public emergency.

B. All towing and storage charges of vehicles removed pursuant to this Local Law shall be borne by the owner of such vehicle and paid prior to the release of such vehicle.

Section 4. Repealer:

This Local Law No. 3 of 2018 repeals and replaces Local Law No. 1 of 2008, entitled "A Local Law authorizing Town Superintendent of Highways of the Town of Germantown to remove private vehicles obstructing the efficient removal of snow and ice from town streets, roads and public highways," in its entirety.

Section 4. Supersession:

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town Code herein addressed, in so far as such statutes are inconsistent with this Law and any other laws or regulations of the Town of Germantown are superseded to the extent necessary to give this Local Law full force and effect.

Section 5. Severability:

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

Section 6. Effective Date

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