

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.

County City Town Village
(Select one.)

of Cortland

FILED
STATE RECORDS

FEB 03 2017

DEPARTMENT OF STATE

Local Law No. 1 of the year 2017

A local law to Amend Local Law No. 4 of 1990 Regulating Traffic and Parking on Property of the
(Insert Title)
County of Cortland

Be it enacted by the Legislature of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Cortland

as follows:

See attached.

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

(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. 1 of 2017 of the (County)(City)(Town)(Village) of Cortland was duly passed by the Cortland County Legislature on January 26, 2017, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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.)

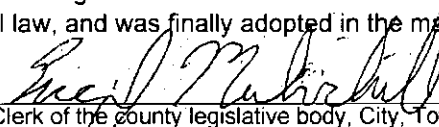
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

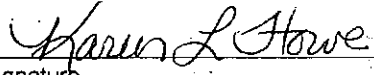
Date: 1/27/2017

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Cortland

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature
County Attorney

Title

County
City of Cortland
Town _____
Village _____

Date: January 30, 2017

Local Law No. 1 of 2017 – a Local Law to Amend Local Law No. 4 of 1990 Regulating Traffic and Parking on Property of the County of Cortland

WHEREAS, the Cortland County Legislature adopted Local Law No.4 for the year 1990 on August 8th 1990, AND

WHEREAS, the Legislature desires to amend Local Law No. 4 to reflect changes in parking policy and maintenance procedures in County owned parking facilities,

WHEREAS, the Cortland County Judiciary and Public Safety Committee has reviewed and recommended the adoption of the attached Local Law; AND

WHEREAS, said local law has been in its final form upon the desks of the members of the Legislature at least seven days exclusive of Sunday, prior to this date, AND

WHEREAS, a public hearing was held January 26, 2017, and proper notice of said public hearing was provided, NOW THEREFORE BE IT

RESOLVED, that, upon approval of the County Attorney, the attached local law, titled Local Law No. 1 of 2017, "A Local Law Amending Local Law No. 4 For The Year 1990 Regulating Traffic and Parking on Property of the County of Cortland", is hereby adopted by the Cortland County Legislature.

LOCAL LAW NO. 1 FOR THE YEAR 2017

A LOCAL LAW AMENDING LOCAL LAW NO. 4 FOR THE YEAR 1990 REGULATING TRAFFIC AND PARKING ON PROPERTY OF THE COUNTY OF CORTLAND.

Be it enacted by the County Legislature of the County of Cortland as follows:

Local Law No. 4 of 1990 is hereby amended to read as follows:

SECTION ONE - POLICY:

The County of Cortland (County) owns, rents and oversees real property in order to conduct the business of the County and provides various services throughout the County. This results in the need for parking for employees, visitors and those doing business with the County. For those individuals parking in parking areas owned, rented or overseen by the County, safety and appropriate use are of paramount importance. In order to facilitate these concerns, the County has developed regulations for consistent use, safety and enforcement of the County parking areas.

SECTION TWO - REFERENCE:

County Law §215

Criminal Procedure Law Article 150

Local Law #4 of 1990

Municipal Home Rule Law §10

Vehicle and Traffic Law §1670

Vehicle and Traffic Law §1803(4)

1988 N.Y. Op. (Inf.) Att'y Gen. 51

1982 N.Y. St. Comp. 58

SECTION THREE - PURPOSE:

The purpose of this Parking Regulation Policy and Procedure is to ensure the County establishes a consistent system for the use, safety and enforcement of the County parking areas.

SECTION FOUR - APPLICATION OF LAW:

The provisions of this Local Law shall apply to motor vehicles and the owner and operators thereof, operated, located or situated upon real property owned, rented, leased or otherwise controlled by the County of Cortland and the Local Law shall apply except where it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a policer officer or official traffic control device.

SECTION FIVE - DEFINITIONS:

All words appearing in this Local Law which are defined in the New York State Vehicle and Traffic Law shall have the same definition as is set forth in that law as if the same had been set forth in this Local Law.

SECTION SIX - ALL NIGHT PARKING

The parking of vehicles OTHER THAN County owned or leased vehicles or vehicles of County employees then on duty is hereby prohibited on all property owned, rented, leased or otherwise controlled by the County of Cortland between the hours of 11:00 p.m. and 6:00 a.m.

SECTION SEVEN - PARTICULAR LIMITATION OF PARKING IN COUNTY OWNED MUNICIPAL LOTS

The parking of motor vehicles in the municipal parking lots of the County of Cortland shall be limited to County and State owned vehicles and vehicles of persons then visiting a County or State agency, and vehicles of employees of the County of Cortland and State of New York while said employee is working at a County or State agency located in a County operated facility, and such other vehicles as may from time to time be authorized to park in said lots. Said authorization shall be given by the Cortland County Safety Officer or his/her designee(s).

SECTION EIGHT - AUTHORIZED PARKING

Persons authorized to park in County parking lots shall adhere to all parking and driving regulations as can be found on the County Web Site under Parking Regulations Policy and Procedure and as posted in said lot pursuant to this Local Law. The Buildings and Grounds Committee shall be authorized to cause signs to be posted indicating restricted areas and other necessary signage.

SECTION NINE - DESIGNATION OF PARKING SPACES

The Superintendent of Buildings and Grounds in conjunction with the Director of Planning shall cause to be prepared schematic drawings or layouts of each Cortland County parking lot and said drawings shall contain indicated parking spaces, driving lanes, loading zones, handicapped parking areas, fire lanes and such other designated areas as may seem proper for the safe operation and parking of vehicles. These drawings shall be submitted to the Buildings and Grounds Committee for its approval and after modification, if any, and final approval, the same shall regulate traffic and parking in the designated parking area in conjunction with the Parking Regulations Policy and Procedure and posted signs. The drawing and any modifications shall be filed with the Cortland County Safety Officer and the Cortland County Clerk.

SECTION TEN - MARKINGS

Restrictions and restricted areas shall be properly marked so as to advise the public as to the restrictions and restricted areas.

SECTION ELEVEN - ENFORCEMENT

Any Police Officer having jurisdiction at the location of the parking area who has authority to issue parking tickets are hereby authorized to issue violations of the provisions of this local law by issuance of appearance tickets.

SECTION TWELVE - VIOLATION

A person found to be in violation of any provision of this Local Law shall be guilty of an offense and punished by a fine as set by the Cortland County Legislature and contained in the Parking Regulations Policy and Procedure set forth herein as Section Thirteen.

SECTION THIRTEEN - PROCEDURE:

- 1.) Any vehicle using a County parking area will comply with all applicable laws of New York State, Federal Laws, as well as the County Local Law and regulations contained herein;
- 2.) Any vehicle using a County parking area must display its current inspection and registration stickers and have the necessary insurance coverage;
- 3.) Any driver of a vehicle using a County parking area will hold a valid driver's license;
- 4.) Speed Limit - The speed limit in all County owned, rented or overseen parking areas is 5 MPH unless posted signs state otherwise;
- 5.) No vehicle shall be parked in other than a marked space;
- 6.) No vehicle shall be parked within 10 feet of a building except in marked spaces;
- 7.) No vehicle shall be parked in a marked handicapped space unless the vehicle either bears disabled license plates or displays a disabled placard;
- 8.) No person shall stop, park or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directive of a police officer or official device, in any of the following places:

- a.) Unless the place where parking is designated as a parking area;
- b.) On any sidewalk;
- c.) Within 15 feet of any fire hydrant;
- d.) Within 10 feet of any building;

9.) Parking Sign Restrictions

	<u>NO STOPPING</u>	<u>NO STANDING</u>	<u>NO PARKING</u>
Is waiting allowed?	No	No	No
Can the driver stop to load or unload a package or merchandise curbside?	No	No	Yes
Can the driver stop to drop off or pick up passengers?	No	Yes	Yes

10.) If there is more than one sign posted for the same area, the more restrictive sign is the one in effect;

11.) No vehicle repairs will be made in County parking areas except with the permission of the County Safety Officer;

12.) No vehicle will be washed in County parking areas except with the permission of the County Safety Officer;

13.) Abandoned or illegally parked vehicles may be towed and stored at the owner's expense. The vehicle owner is liable for all towing storage and release fees;

14.) The parking of vehicles other than County owned or leased vehicles or vehicles of County employees on duty is prohibited on all property including parking areas owned or leased by the County between the hours of 11:00 pm and 6:00 am;

15.) No rollerblades, skateboards, motorized skateboards, roller-skates or similar coasting devices are to be used in parking areas owned or leased by the County;

16.) All violations under Local Law No. 4 for the year 1990, including any amendments, as well as any citations issued under New York State or Federal Law will be processed and handled through the local city, town or village court having jurisdiction over the parking area/land where the citation occurred;

17.) The penalty for a violation to the Local Law is as follows:

- a.) For a first offense, a minimum fine of twenty-five dollars (\$25.00) up to a maximum fine of one hundred dollars (\$100.00);
- b.) For a second offense, a minimum fine of fifty dollars (\$50.00) up to a maximum fine of one hundred dollars (\$100.00);
- c.) For a third offense, a minimum fine of seventy-five dollars (\$75.00) up to a maximum fine of one hundred dollars (\$100.00); and
- d.) For a fourth and/or subsequent offense, the mandatory fine of one hundred dollars (\$100.00).

SECTION FOURTEEN - DIVISION OF FINES

Any court/municipality having jurisdiction over the issued appearance ticket will receive 50% of the fine amount with the remaining 50% of the fine amount being received by the County of Cortland, paid to the Treasurer of Cortland County for inclusion in the general fund.

SECTION FIFTEEN - FAILURE TO ENFORCE

The failure to enforce any of the provisions of this Local Law shall not be deemed a waiver thereof.

SECTION SIXTEEN - INVALIDITY

If any section, subsection, sentence, clause, phrase or portion of this Local Law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Local Law.

SECTION SEVENTEEN - RIGHT TO AMEND BY RESOLUTION

Any Section contained herein is subject to amendment by passage of a resolution by the Cortland County Legislature.

SECTION EIGHTEEN - COMPETE PROHIBITION OF OPERATION AND

PARKING

The operation and parking of vehicles except County vehicles performing maintenance work, is hereby prohibited on all property owned by the County of Cortland, except in areas designed as parking spaces, driveways, roadways, picnic and park areas not otherwise restricted as to driving and parking.

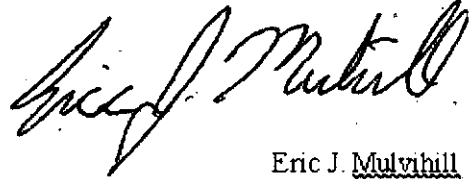
SECTION NINETEEN - EFFECTIVE DATE

These amendments and additions for this Local Law shall take effect 90 days after filing with the New York State Office of the Secretary of State.

STATE OF NEW YORK) SS:
COUNTY OF CORTLAND)

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature, have compared the foregoing copy with the original now on file in this office, and that the above actions were passed by the Cortland County Legislature on the 26th day of January, 2017 and that the same is a correct and true transcript of such actions taken.

IN WITNESS WHEREOF I have hereunto set my hand
and the official seal of the CORTLAND COUNTY
LEGISLATURE, this 26th day of January, 2017.



Eric J. Mulvihill
Clerk of the Cortland County Legislature