

ARTICLE 56-100: REGULATION ON PARKING

Section 56-101. Application of Article

The provisions of this local law shall apply except when it is necessary to stop a vehicle to avoid conflict with other traffic or to comply with directions of a police officer or official traffic control device.

Section 56-105. All-Night Parking

The parking of vehicles, except publicly operated buses for the purpose of receiving or discharging passengers, is hereby prohibited on streets and highways within the Town of Busti, except state highways, between the hours of twelve o'clock midnight and seven o'clock A.M., during the period beginning November first and ending March thirty-first of each year.

Section 56-110. Parking Prohibited in Designated Locations

The parking or standing of motor vehicles is hereby prohibited in any and all of the following locations:

- (a) On the right of way, shoulder, and road surface of Chautauqua Boulevard from its intersection with First Avenue and State Route 394 to its intersection with Second Avenue.
- (b) On the right of way, shoulder, and road surface of First Avenue from its intersection with State Route 394 and Chautauqua Boulevard to the southerly terminus of First Avenue.
- (c) On the right of way, shoulder, and road surface of West Summit Avenue from its intersection with State Route 394 to Marietta Place.
- (d) On the right of way, shoulder, and road surface of Big Tree-Sugar Grove Road from its intersection with State Route 394 to Hunt Road.
- (e) On such highway or highways or portion thereof, including right of way and shoulders within the Town of Busti wherein the State Department of Transportation by its rules, orders, or regulations prohibits parking and/or standing.
- (f) On town or county highways where such vehicles are found parked or standing during snowstorms, floods, fires, or other public emergencies, or constitute an obstruction to traffic.
- (g) Parking or standing by vehicles operated by non-handicapped persons and not being utilized or owned by handicapped persons in zones designated as "parking for handicapped only."
- (h) On the right of way, shoulder and road surface of Big Tree-Sugar Grove Road, from its intersection with Baker Street to its intersection with Cowing Road.

(i) On the right of way, shoulder, and road surface of that portion of south side of Kortwright Road between Busti Sugar Grove Road and Big Tree-Sugar Grove.

Section 56-115. Vehicles Parked or Standing in Violation of this Local Law

(a) Vehicles parked or standing in violation of this local law, or in violation of any orders adopted by the State Department of Transportation relating to state highways, or any vehicles parked or abandoned on highways during snowstorms, floods, fires, or other public emergencies, or found on any highways where said vehicles constitute an obstruction to traffic, may be removed pursuant to an order of a public safety officer as that term is defined by the Criminal Procedure Law of the State of New York.

(b) No vehicles removed pursuant to this section shall be returned to its owner until a charge reasonably imposed for such removal together with any storage charges reasonably imposed shall have been paid.

(c) In no event shall storage charges exceed the charge of ten dollars (\$10.00) per day nor shall removal charges exceed the sum of two hundred dollars (\$200.00).

Section 56-120. Duty of Police Officers to Report Violations and Information Required

(a) It shall be the duty of the police or public safety officers of the Town, acting in accordance with the instructions issued by the Chief of Police, to report the following information in regard to violations of this Local Law:

(1) The state license number of such vehicles;

(2) The time which such vehicles is parked in violation of any of the provision of this article;

(3) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation;

(4) Each such officer shall attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of a provision of this Local Law or other law and that the owner should report to the office of the town court in regard to such violation;

(5) The owner shall pay to the town court, or traffic violations bureau if one is hereafter established, the respective amount for the violation as indicated on the said summons attached to such vehicle.

(b) The failure of such owner to make such payment to the town court or traffic violations bureau within the time prescribed as indicated on said summons shall render such owner subject to the penalties provided by this local law for violation of the provisions of this local law.

Section 56-125. Penalties for Violation of Local Law

Every person convicted for a traffic infraction for violations of any of the provision of this local law or regulations adopted by the Department of Motor Vehicles in accordance with the provisions of the Vehicle and Traffic Law of the State of New York shall be punished as follows:

(a) For a first conviction thereof, by a fine of not more than fifty dollars (\$50.00) or by imprisonment of not more than fifteen (15) days, or by both such fine and imprisonment;

(b) For a second conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment;

(c) Upon a third and subsequent conviction, within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than two hundred fifty dollars (\$250.00), or by imprisonment of not more than ninety (90) days, or by both such fine and imprisonment.

Section 56-130. Repeal of Prior Ordinances and Local Laws

Prior ordinance and local laws inconsistent herewith are hereby repealed except that this repeal shall not effect the prosecution or punishment of any person for any act done or committed in violation of any local law or ordinance prior to the taking effect of this local law.

ADOPTED 9/1/81

AMENDED 6/7/82

Local Law No. 1 1990

LOCAL LAW TO RESTRICT PARKING ON BIG TREE ROAD

Section One: This local law shall be entitled Local Law to Restrict Parking on Big Tree Road.

Section Two: Section 56-110 of the Busti Town Code is hereby amended to add the following subsection:

(h) On the right of way, shoulder, and road surface of Big Tree-Sugar Grove Road, from its intersection with Baker Street to its intersection with Cowing Road.

Section Three: This local law shall take effect immediately upon filing with the Secretary of State.

6/14/90

Local Law No. 2 1992

LOCAL LAW TO RESTRICT PARKING ON KORTWRIGHT ROAD

Be it enacted by the Town Board of the Town of Busti as follows:

Section One: This Local Law shall be entitled Local Law to Restrict Parking on Kortwright Road.

Section Two: Section 56-110 of the Busti Town Code is hereby amended to add the following subsection:

(i) On the right of way, shoulder, and road surface of that portion of the south side of Kortwright Road between Busti Sugar Grove Road and Big Tree Sugar Grove Road.

Section Three: This Local law shall take effect immediately upon filing with the Secretary of State.

6/24/92