

County of Tioga

Local Law No. 4 of 2005.

A Local Law Repealing Local Law No. 3 of the Year 1992 and Enacting a Local Law Restricting Parking on County Property.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: TITLE

This Law shall be known as the Local Law restricting parking on County Property.

SECTION 2: DECLARATION OF PURPOSE

In order to provide adequate and safe parking for County employees and all other persons using County facilities, all parking in and on property owned by Tioga County shall be regulated by this Local Law.

SECTION 3: DESIGNATED AREAS

(1) Pursuant to Section 215 of the County Law and Sections 1670 and 1803 of the Vehicle & Traffic Law, parking in County lots shall be restricted as follows:

- a) **56 Main St.** – Only County employees and visitors using County facilities or employees or visitors of Cornell Cooperative Extension, Soil & Water Conservation District or Owego Gymnastics and Activity Center shall be allowed to park from 6:00 AM to 6:00 PM.
- b) **231 Main St.** – Only County employees and visitors using County facilities shall be allowed to park from 6:00 AM to 6:00 PM.
- c) **Park Street** – Only County and Court System employees and jurors using County or Court facilities shall be allowed to park from 6:00 AM to 6:00 PM. Authorized parkers will be issued passes to be prominently displayed in the windshield area of the car. Passes will be under the control of the Tioga County Sheriff’s Dept. employees providing security to the Court System. Enforcement of the parking restrictions for this lot shall be by the Village of Owego Police Dept. under the terms of a separate inter-municipal agreement.
- d) **Public Safety Building** – Only County employees and visitors having business at the Public Safety Building shall be allowed to park.
- e) **Highway Dept.** – Only County employees and visitors having business at the Highway Dept. shall be allowed to park. No visitor parking shall be allowed when the Highway Dept. is not in operation.

- f) **Buildings & Grounds** – Only County employees and visitors having business at the Buildings & Grounds facility shall be allowed to park. No visitor parking shall be allowed when the Buildings & Grounds facility is not in operation.
 - g) **Social Services/Route 38** – Only County employees and visitors using County facilities shall be allowed to park from 8:00 AM to 10:00 PM. No visitor parking is allowed outside those hours.
- (2) The Commissioner of Public Works shall, in his discretion, be authorized to restrict parking at such additional days and times as he shall deem necessary.
 - (3) Each Lot shall be posted with a sign setting forth the appropriate parking restrictions.
 - (4) Parking during non-restricted hours shall be limited to passenger vehicles only.

SECTION 4: VIOLATION

It shall be unlawful for any person, other than those persons authorized, to park in a designated County parking lot.

SECTION 5: PENALTY

- (1) Any person who shall fail to comply with the provisions of this Local Law shall be guilty of a violation and shall be punishable:
 - a) By maximum fine of twenty-five dollars (\$25.00) for the first offense; fifty dollars (\$50.00) for the second offense within a twelve (12) month period; and one hundred dollars (\$100.00) for the third and each subsequent offense within a twelve (12) month period.
 - b) By towing with the owner or operator of a towed vehicle being responsible for the costs of removal and storage of said vehicles.
 - c) By both such fine and towing.
- (2) In addition to the criminal penalties provided herein, the County may commence a civil action/proceeding to enjoin or obtain any available legal or equitable remedy, including the imposition of civil fines equal to those set forth in Section 5 (1)(a).
- (3) The County shall have the right to pursue civil penalties or other remedies regardless of whether a criminal proceeding has been or is to be commenced.

SECTION 6: REMOVAL OF VEHICLE

- (1) The Commissioner of Public Works or any Police Officer shall remove and store any vehicle in a County parking lot:
 - (a) When parked in a lot or driveway during a snowstorm, flood, fire or other public emergency; or
 - (b) When unattended and constituting an obstruction to traffic; or
 - (c) When found abandoned.

- (2) Any owner or operator of a vehicle so removed shall be responsible for the payment of reasonable charges for the removal and storage of said vehicle.

SECTION 7: ENFORCEMENT OF APPEARANCE TICKETS

Police Officers, Peace Officers and such persons as shall be so designated by the Commissioner of Public Works are hereby authorized to enforce this Local Law and to issue appearance tickets for violation of this Local Law.

SECTION 8: SEVERABILITY

In any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof involved in the controversy in which such judgment shall have been rendered.

SECTION 9: EFFECTIVE DATE

This Local Law shall be effective immediately upon filing with the Secretary of State.

(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. 4 of 2005 of the (County) of Tioga was duly passed by the Tioga County Legislature on April 12, 2005, in accordance with the applicable provisions of law.

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 disapproved)(repassed after disapproval) by the and was deemed duly adopted 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 disapproved)(repassed after disapproval) by the on , 20 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 disapproved)(repassed after disapproval) by the on , 20 . Such local 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.

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 , become operative.

*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.

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 of 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 1, above.

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

(Seal)

Date: April 12, 2005

(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 Tioga

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
David M. Dutko
Title County Attorney
County of Tioga
City
Town
Village

Date: April 12, 2005