

(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~~ of Cape Vincent  
~~Town~~  
Village

Local Law No. 4 of the year 19 91

A local law Prohibiting All Night Parking  
(Insert Title)

Be it enacted by the Village Board of Trustees  
(Name of Legislative Body) of the

~~County~~  
~~City~~ of Cape Vincent  
~~Town~~  
Village as follows:

Section I. " Statement of Authority "

The Village Board of Trustees of the Village of Cape Vincent pursuant to the authority granted it under Article 4 of the Village Law, Article 39 of the Vehicle and Traffic Law of the State of New York and Section 10 of the Municipal Home Rule Law enacts as follows:

Section II. " Statement of Purpose and Finding "

The Village Board of the Trustees of the Village of Cape Vincent hereby finds that in order to insure proper snow removal and safety upon the Village streets and highways during the months of probable snowfall requires that all motor vehicles be parked off the street, and out of street right-of-ways during certain hours. The purpose of this local law is to prohibit parking during such times as snow plowing activities or other snow removal activities may be required to insure the safety of the residents of the Village of Cape Vincent.

Section III. " Short Title "

This local law shall be known as " The Village of Cape Vincent All Night Parking Law"

Section IV. " Definitions "

1. Street or highway is defined to include not only the paved areas of the street or highway in the Village of Cape Vincent, but any area within the street right-of-way where sidewalks exist. It will be presumed that the area from the

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

edge of the sidewalk most distant from the street pavement of the street or highway is part of the street right-of-way.

2. Motor vehicle as used in this local law shall include all motor vehicles as so defined in the Vehicle and Traffic Law of the State of New York and shall specifically include snowmobiles.

3. Person shall mean any natural person, firm, partnership, association or corporation.

4. Park shall mean any standing of a motor vehicle whether occupied or not except when temporarily required for the purpose of loading or unloading.

#### Section V. " Parking Prohibited "

Between the hours of 2 AM and 7 AM from November 1 through April 1 of each year, no person shall park a motor vehicle upon any of the streets or highways in the Village.

#### Section VI. "Signage"

The Village Board shall direct that signs indicating no parking from 2 AM and 7 AM November 1 through April 1 at each entrance into the Village of Cape Vincent.

#### Section VII. "Penalties"

Any person violating the parking rules set forth in this local law shall be guilty of a violation punishable as follows:

- A. First violation—minimum fine of \$15, maximum fine of \$25.
- B. Second violation within three years—minimum fine of \$ 25, maximum fine of \$ 50 and/or imprisonment for a period not to exceed 5 days.
- C. Third, or subsequent violation within three years—minimum fine of \$ 50, maximum fine of \$ 100 and/or imprisonment for a period not to exceed 15 days.

#### Section VIII. "Severability"

If any clause, section, or provision of this local law is found to be invalid or unenforceable for any reason it shall not effect the validity or enforceability of any other or remaining section of this local law.

Section IX. " Effective Date "

This local law shall take effect immediately upon filing with the Office of the Secretary of State, and the posting of signage as set forth herein.