

RESIDENTIAL PARKING PROGRAM

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Chapter 127

RESIDENTIAL PARKING PROGRAM

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§ 127-1. Purpose and intent. [Added __-__-2023 by L.L. __-2023]

§ 127-2. Definitions. [Added __-__-2023 by L.L. __-2023]

§ 127-3. Legislative History. [Added __-__-2023 by L.L. __-2023]

§ 127-4. Issuance of residential parking permits. [Added __-__-2023 by L.L. __-2023]

§ 127-6. Fees. [Added __-__-2023 by L.L. __-2023]

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§ 127-7. Temporary Service-Access Parking Permit: nonresident parking exceptions. [Added __-__-2023 by L.L. __-2023]

§ 127-8. Exemptions. [Added __-__-2023 by L.L. __-2023]

§ 127-9. Penalties for offenses. [Added __-__-2023 by L.L. __-2023]

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[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 6-7-05 as L.L. No. 2005-02. Amendments noted where applicable.]

GENERAL REFERENCES

Vehicles and Traffic – see Ch. 126.

Commented [ES1]: Re: Marie's request to include General References.

§ 127-1. Purpose and intent. [Added __-__-2023 by L.L. __-2023]

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The Board of Trustees hereby finds that a residential parking permit system in certain areas of the Village of Cold Spring is necessary in order to preserve the character of the neighborhoods, improving access to residences and parking for residents, and reducing traffic hazards, congestion, and air and noise pollution detrimental to the health, safety, and welfare of its residents.

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In addition, residents of the central area of the Village of Cold Spring cannot reliably park their vehicles on the street near their homes because of heavy visitor traffic and commercial activities. In anticipation of the parking flow changes that will occur after the Village implements metered parking on Main Street, the Village expects visitors to look for free parking and additional parking areas on resident side streets and in public parking

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lots near Main St. The Village looks to direct visitor parking traffic to metered parking, metered municipal lots, and the Metro Metro-North parking lot, and away from residential side streets. To improve street parking for these residents, the Village establishes herein a residential parking permit system as authorized by New York State Vehicle and Traffic Law (§1640-H*2). Under the residential parking permit system, the residents of this area may purchase from the Village permits enabling them to park at specific times in resident-permit-only portions of streets where New York law allows such a system. These additions were codified for the expansion of the previously adopted resident permit parking system to include east of the Metro North Tracks to 9D, in the New York State Vehicle and Traffic Law as §1640-h on October 9, 2015, and was further expanded to include specific streets north of Northern Avenue and east of 9D in the New York State Vehicle and Traffic Law as _____ on _____, 2023. This law shall take effect upon filing with the Secretary of State.

Commented [ES2]: Re: Marie's edit.

§ 127-2. Definitions. [Added - -2023 by L.L. -2023]

As used in this article, the following terms shall have the meanings indicated, unless the context clearly requires otherwise:

RESIDENT

Any individual currently using as their primary residence a home, condo, apartment, or other form of legal housing unit within the Village of Cold Spring who can provide adequate documentation for proof of residence within a Village tax parcel, in accordance with the provisions of this article.

RESIDENTIAL PERMIT PARKING (RPP)

Parking areas on public streets which, during specific hours of the day, only allow Resident permit holders to park, as posted on the area's street signage.

RESIDENT VEHICLE

A Village Resident's legally owned car, van, pickup truck, SUV, or any other motorized passenger vehicle used as a mode of transportation, not including buses, campers, mobile homes, boats, semi-trucks, delivery vans, or commercial trucks, with the exception of commercial trucks that are used as a Resident's personal vehicle as well, semi-trucks, or delivery vans.

§ 127-3. Legislative History. [Added - -2023 by L.L. -2023]

A. Residential Permit Parking Area A: West of Metro-North Commuter Railroad. [Amended 7-20-21 by L.L. 15-2021]

1. The Village Board, acting upon the authority granted to it by the Legislature of the State of New York, under Article 39, Section 1640-h, Chapter 71 of the New York Vehicle and Traffic Law, signed into law by the Governor on September 9, 2003, adopted

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- Commented [JD4]: What about residents who may use a commercial truck or van as both their personal and business vehicle?
- Commented [ESSR4]: Proposed amendment with exception for residents' personal/work vehicles was acceptable by legal department.
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- Commented [ES6]: Tying the term back to the definition.
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RESIDENTIAL PARKING PROGRAM

a residential parking plan for the area west of the railroad tracks within the limits of the Village.

2. Due to the limitations on available parking within the area of the Village between the Metro-North Commuter Railroad and the Hudson River, the Village has resolved to apply consistent parking limits by establishing and enforcing two (2) hour parking along the entire riverfront area. Such limits are intended to discourage long term parking by visitors and commuters. Furthermore, in order to support the residents who live and work in the area during the day and to retain the character of the neighborhood and relieve them of the imposition of two (2) hour parking to a limited extent, Residential Permit Parking is established for the area west of the railroad tracks on Main Street, New Street, West Street, Fish Street and Market Street.

B. Residential Parking Permit Area B: East of Metro-North Commuter Railroad, west from Parsonage St/Chestnut St./Morris Ave., south from Grandview Terrace/Northern Ave. to east north of Bank St/Wall St./Rock St. [Added 7-20-21 by L.L. 15-2021]

1. The Village Board, acting upon the authority granted to it by the Legislature of the State of New York, under Article 39, Section 1640-h, Chapter 71 of the New York Vehicle and Traffic Law, signed into law by the Governor on September 25, 2015, and updated on _____, 2023, hereby adopts a residential parking permit system for the area east of the Metro-North railroad tracks within the limits of the Village.

2. Due to the limitations on available parking on residential streets within the area of the Village between the Metro-North Commuter Railroad and New York State Route 9D, the Village has resolved to implement parking limits by establishing and enforcing a residential parking permit parking system which permits Residents who live on Fair Street, Furnace Street, Garden Street, High Street, Kemble Avenue from Main Street to Wall Street, Railroad Avenue, Stone Street, Church Street, Haldane Street, Rock Street, Cross Street, Main Street from Morris Avenue/ Chestnut Street to Lunn Terrace and Northern Avenue, the north side of Main Street between Marion Ave and Church Street, Marion Avenue, Benedict Road, Grandview Terrace, Whitehill Place, Hamilton Street, E. Belvedere Street, W. Belvedere Street, Fishkill Avenue, Academy Street, Mountain Avenue, B Street, Cherry Street, Paulding Avenue, Orchard Street, Locust Ridge, Parsonage Street, Maple Terrace, Parrot Street, and Pine Street to apply for Resident parking permits which would allow permitted Residents to park in any of the Residential Permit Parking areas listed in § 126-43. Schedule XIV: Resident Permit Parking. Such limits are intended to discourage parking by non-residents on those streets in designated areas during the designated hours.

§ 127-4. Resident Permit Parking Areas and Streets [Added - 2023 by L.L. 2023]

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Commented [ES7]: Tying the term back to the definition.

Commented [ES8]: RE: Marie's direction correction.

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Reference ~~§ 126-43. Schedule XIV: Resident Permit Parking~~ ~~§ 126-40. Schedule XIII: Resident Permit Parking~~ for ~~locations, days and hours of parking restrictions~~ restrictions in RPP areas. Hours and days of the week when Residential Permit Parking restrictions are in effect can be found on street signage in the RPP areas and are found in the Master Fee Schedule. The Village Board of Trustees will set the RPP time table from time to time by adopting a resolution setting the days and hours of RPP operation in the Master Fee Schedule.

~~§ 127-1 Residential Parking Program West of Metro-North Commuter Railroad.~~
~~[Amended 7-20-21 by L.L. 15-2021]~~

~~The Village Board, acting upon the authority granted to it by the Legislature of the State of New York, under Article 39, Section 1640 h, Chapter 71 of the New York Vehicle and Traffic Law, signed into law by the Governor on September 9, 2003, hereby adopts a residential parking plan for the area west of the railroad tracks within the limits of the Village.~~

~~A. — Due to the limitations on available parking within the area of the Village between the Metro-North Commuter Railroad and the Hudson River, the Village has resolved to apply consistent parking limits by establishing and enforcing two (2) hour parking along the entire riverfront area. Such limits are intended to discourage long-term parking by visitors and commuters. Furthermore, in order to support the residents, who live and work in the area during the day and to retain the character of the neighborhood and relieve them of the imposition of two (2) hour parking to a limited extent, residential parking is established for the area west of the railroad tracks on Main Street, New Street, West Street, Fish Street and Market Street.~~

~~B. — No permit shall be required on those portions of such streets where the adjacent properties are zoned for commercial / retail use.~~

~~C. — Vehicles registered under Section 404-a of Chapter 71 of the New York Vehicle and Traffic Law, (vehicles registered to the severely disabled) are exempt from this section.~~

~~D. — The residential parking plan is to be in effect between the hours of 8:00 AM to 5 PM daily, seven (7) days a week.~~

~~E. — The number of permits issued shall not exceed eighty (80) percent of the available parking spaces to assure sufficient parking for non-residents at all times. Such parking shall be designated as no less than two (2) hour parking.~~

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~~§ 127-5. Issuance of residential parking permits. [Added - -2023 by L.L. - 2023]~~

~~— Eligibility. Residents of the Residential Permit Parking areas/zones (listed above in § 127-3) are eligible to apply for a limited number of up to two (2) permits per~~

Commented [ES9]: RE: Fran's request for clarification and to permit the Board to change the time schedule for RPP hours with a resolution rather than a code change.

Commented [JV10R9]: The Master fee Schedule is for fees and not for legislation of when something can be done. If the hours/days that permits are required changes, that should be done by legislation. Resolution to change the days may be acceptable, but I suggest conferring with the Village Attorney for clarification

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~~legal residential unit, within their residential parking zone. Based on whether or not a property has off street parking, and/or the number of residential units within the tax parcel, each tax parcel is eligible for up to the following number of permits:~~

- ~~— Parcels with a single family residence with a driveway: 1 permit~~
- ~~— Parcels with a single family residence with no driveway: 2 permits~~
- ~~— Parcels with multi family residences or apartment buildings: 1 per residential unit~~

~~A. Permit applications shall be administered by the Clerk of the Village of Cold Spring.~~

~~B. Applicants must provide a valid driver's license, the vehicle registration, the license plate number of the applicant's Resident Vehicle, and, if their license and registration is not issued to a Village address, two additional (2) documents providing legal proof of residence within the Village residential permit parking area, which can include a valid driver's license and or a combination of any two (2) of the following documents displaying the Resident's current address in the Village of Cold Spring, for example: a vehicle registration card, utility bill, property lease, or a notarized letter from property landlord, voter registration card, Village of Cold Spring water or tax bill, etc.~~

~~C. Residential parking permits shall be valid for the remainder of the calendar year in which they were issued. Such permits shall be renewed annually, in December, for the following calendar year beginning on January 1 of each year.~~

~~— Residential Parking Permits shall be valid for a one (1) year from the issuing date. Such permits shall be renewed annually.~~

~~D. Permits issued under this article shall be specific for a single Resident Vehicle, shall not be transferred, and shall be displayed only as the Village Clerk prescribes. The permittee shall immediately notify the Village of any change or amendment from the information contained in the original application.~~

~~E. A permitted Resident Vehicle issued a permit shall have affixed a valid residential parking permit near the top of the rear window on the lower back corner, of the back side window, on the driver's side.~~

~~F. If the permit or portion of the Resident Vehicle to which a permit has been affixed is damaged such that it must be replaced, the permittee, upon application therefor, shall be issued a replacement at a replacement fee as set forth in the Master Fee Schedule. The Clerk may require display of the damaged or removed permit before a new permit is issued.~~

~~§ 127-6. Fees. [Added - -2023 by L.L. -2023]~~

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Commented [ES11]: Amended as per 10-23-23 board decision to remove driveway considerations and to offer all eligible residents up to 2 permits per legal unit.

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Commented [ES12]: Re: Marie's suggestion to provide license and registration to ensure care is registered to the Resident.

Commented [ES13]: Re: Marie's corrections.

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Commented [TS14]: Sticker decals are recommended as something that prevents permits from being passed from vehicle to vehicle or to guests. Confirmed with Officer Burke best location for display for the purpose of enforcement.

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Fees for permits, when issued, are found in the Master Fee Schedule. The Village Board of Trustees will set the fee amount from time to time by adopting a resolution setting the fee in the Master Fee Schedule. Fees shall be pro-rated based upon the month in which the permit is issued. [Amended 7-20-21 by L.L. 15-2021]

~~A. Any income generated through the fees shall be credited to the General Fund.~~

~~Requirements for and proof of eligibility for residential parking shall be administered by the Clerk of the Village and may be updated from time to time as the Village finds necessary, so long as such requirements and administration are consistent with this Section and Section 1640 h of Chapter 71 of the New York Vehicle and Traffic Law of this state under which residential parking has been authorized.~~

~~B. Permits shall be issued on a limited basis only to those legal residents who provide proof of their residency in a form acceptable to the Village Clerk and under the terms and conditions as set forth by the Village Clerk made available at the Village Office upon request, which terms and conditions shall be uniformly applied and which may be modified as necessary by resolution of the board to effect the intent of this local law.~~

~~This law shall take effect upon filing with the Secretary of State. Any income generated through the fees shall be credited to the General Fund.~~

~~F.~~

§ 127-7. Temporary Parking Permit: nonresident parking exception. [Added - - 2023 by L.L. -2023]

~~From time to time a Rresident may have a home-service provider, contractor, or a guest come to the home requiring access to street parking for a temporary period of time. For those instances, a Rresident may request a temporary parking permit from the Village Clerk. Temporary parking permits are a hang tag which should be ~~displyed~~displayed on the rear-view mirror of the visitor's ~~vehicle~~car. Such temporary parking permits are available on a limited basis for a limited time, as specified by the Clerk.~~

§ 127-8. Exemptions. [Added - -2023 by L.L. -2023]

~~Motor vehicles registered pursuant to § 404-a (Registration of motor vehicles of severely disabled persons) of the New York State Vehicle and Traffic Law shall be exempt from any permit requirement established pursuant to this chapter.~~

§ 127-9. Enforcement. [Added - -2023 by L.L. -2023]

~~The Cold Spring Police Department and mutual aid agencies shall enforce the provisions of this Chapter.~~

§ 127-10. Penalties for offenses. [Added - -2023 by L.L. -2023]

~~Any person violating any provisions of this article of this chapter may be ticketed or have their vehicle towed and, upon conviction, be punished by a fine as detailed ChH. §126-23.~~

§ 127-2. [Added 7-20-21 by L.L. 15-2021] Residential Parking Program East of Metro-North Commuter Railroad.

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Commented [ES15]: Re: Marie's correction.

Commented [JV16R15]: What happens if someone needs a temporary permit on the weekend when the Village offices are closed?

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Commented [ES17]: Re: Marie's comment on un-bolding text.

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RESIDENTIAL PARKING PROGRAM

~~The Village Board, acting upon the authority granted to it by the Legislature of the State of New York, under Article 39, Section 1640-h, Chapter 71 of the New York Vehicle and Traffic Law, signed into law by the Governor on September 25, 2015, hereby adopts a residential parking permit system for the area east of the Metro North railroad tracks within the limits of the Village.~~

~~Due to the limitations on available parking on residential streets within the area of the Village between the Metro North Commuter Railroad and New York State Route 9D, the Village has resolved to implement parking limits by establishing and enforcing a residential parking permit system on Stone Street, Railroad Avenue, Cross Street, Garden Street, Church Street, High Street, Haldane Street, Northern Avenue, Rock Street, Kemble Avenue between Main Street and the intersection with Wall Street/Rock Street, and Furnace Street. Such limits are intended to discourage parking by non-residents on those streets in designated areas during the designated hours.~~

~~A. Vehicles registered under Section 404-a of Chapter 71 of the New York Vehicle and Traffic Law, (vehicles registered to the severely disabled) are exempt from this section.~~

~~B. The residential parking permit system is to be in effect between the hours of 10:00 AM to 5:00 PM daily, seven (7) days a week for those streets. Only those vehicles which display a Residential Parking Permit will be permitted to park in designated areas during the designated hours.~~

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~~C. The number of parking spaces available for non-Residential Parking Permit holders shall be at least twenty (20) percent of the total available parking spaces on those streets and shall be in designated areas.~~

~~D. Fees for Residential Parking Permits, when issued, are found in the Master Fee Schedule. The Village Board of Trustees will set the fee amount from time to time by adopting a resolution setting the fee in the Master Fee Schedule.~~

~~E. Any income generated through the fees shall be credited to the General Fund.~~

~~F. Requirements for and proof of eligibility for Residential Parking Permits shall be administered by the Clerk of the Village and may be updated from time to time as the Village finds necessary, so long as such requirements and administration are consistent with this Section and Section 1640-h of Chapter 71 of the New York Vehicle and Traffic Law of this state under which residential parking has been authorized.~~

~~G. Residential Parking Permits shall be issued on a limited basis only to those legal residents of those streets who provide proof of their residency in a form acceptable to the Village Clerk and under the terms and conditions as set forth by the Village Clerk made available at the Village Office upon request, which terms and conditions shall be uniformly applied and which may be modified as necessary by resolution of the board to effect the intent of this local law.~~

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~~H. Residential Parking Permits shall be valid for a one (1) year period from January 1 to December 31. Such permits shall be renewed annually.~~

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~~I. Temporary parking permits for tradespeople who are required to work at a property in the Residential Parking area are available from the Village Clerk. Such temporary parking permits are available on a limited basis.~~

~~J. Temporary parking permits for guests of residents in the Residential Parking area are available from the Village Clerk. Such temporary parking permits are available on a limited basis.~~

~~K. This law shall take effect upon filing with the Secretary of State.~~

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