

RESIDENTIAL PARKING PROGRAM

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Chapter 127

RESIDENTIAL PARKING PROGRAM

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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.]

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

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.

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 lots near Main St. The Village looks to direct visitor parking traffic to metered parking, metered municipal lots, and the 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

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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.

§ 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 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, 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. Resident 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 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

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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. Resident Parking Permit Area B: East of Metro-North Commuter Railroad, west from Chestnut St./Morris Ave., south from Northern Ave. to east 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 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 Ave/Chestnut St to Lunn Terr. 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 resident 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

Reference § 126-43. Schedule XIV: Resident Permit Parking ~~§ 126-40. Schedule XIII: Resident Permit Parking~~ for locations, days and hours of parking restrictions in RPP areas.

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~~§ 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.~~

~~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.~~

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

~~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.~~

~~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.~~

~~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.~~

~~§127-1 _____ §127-2~~

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

- A. Eligibility. Residents of the parking zones (listed above in § 127-3) are eligible to apply for a limited number of permits 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:
- a. Parcels with a single-family residence with a driveway: 1 permit
 - b. Parcels with a single-family residence with no driveway: 2 permits
 - c. Parcels with multi-family residences or apartment buildings: 1 per residential unit
- B. Permit applications shall be administered by the Clerk of the Village of Cold Spring.

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- C. Applicants must provide a valid driver's license, the license plate number of the applicant's vehicle, and two documents providing legal proof of residence within the Village parking area, which can include a valid driver's license and or a combination any two (2) of the following documents displaying the resident's current address: a vehicle registration card, utility bill, property lease, or a notarized letter from property landlord.
- D. Residential Parking Permits shall be valid for a one (1) year from the issuing date. Such permits shall be renewed annually.
- E. Permits issued under this article shall be specific for a single 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.
- A.F. A permitted vehicle issued a permit shall have affixed a valid residential parking permit near the top of the rear window on the driver's side.
- B.G. If the permit or portion of the 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. The Clerk may require display of the damaged permit before a new permit is issued.

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

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. **[Amended 7-20-21 by L.L. 15-2021]**

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~~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.~~

- ~~C. 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.~~

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

From time to time a resident 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 resident may request a temporary parking permit from the Village Clerk. Temporary parking permits are a hang tag which should be displayed on the rear-view mirror of the visitor's 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 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 CH. §126-23.

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

~~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.~~

~~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.~~

~~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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~~A. — 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.~~

~~B. — 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.~~

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

~~C. — 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.~~

~~D. — 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.~~

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

~~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.~~

~~E. — 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.~~

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