

CHAPTER 60

TRAFFIC AND VEHICLES

ARTICLE I GENERAL PROVISIONS

~ 60.1 Definitions of words and phrases

A. The words and phrases used in this chapter shall for the purpose of this chapter have the meanings respectively ascribed to them by Article I of the Vehicle and Traffic Law of the State of New York.

B. The following words and phrases which are not defined by Article I of the Vehicle and Traffic Law of the State of New York shall have the meanings respectively ascribed to them in this Section for purposes of this chapter.

1. "Curb line" shall mean the prolongation of the lateral line of a curb or, in the absence of a curb, the lateral boundary line of the roadway.
2. "Holidays" shall mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, and shall be considered holidays.
3. "Official time standard" shall mean the time standard which is in current use in this state whenever certain hours are named herein or on traffic control devices.
4. "Public parking lot" shall mean a plot or parcel of land or building owned and/or leased by this Village, not including highways, upon or within which the parking of vehicles is regulated by signs and/or parking meters.

~ 60.2 Authority to install traffic control devices

The Superintendent of Public Works in coordination with the Chief of Police shall install and maintain traffic control devices under the provision of this chapter to make effective the provisions of said chapter and shall install and maintain such additional traffic control devices as the Board of Trustees may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York subject to the provisions of Sections 1681, 1682 and 1684 of that law.

ARTICLE II

STOP AND YIELD INTERSECTIONS

~ 60.21 Through highways

A. East Main Street between Park Place and the easterly village limits is hereby designated a through highway and stop signs shall be erected on the following entrances thereto:

1. Hal-Bar Road from the south.
2. Lacy Street from the south.
3. High Street from the north.
4. Richmond Lane from the south.
5. Temple Street from the south.
6. North Avenue from the north.

B. West Main Street between Prospect Street and the westerly Village limits is hereby designated a through highway and stop signs shall be erected on the following entrances thereto:

1. South Avenue from the south.
2. Railroad Street from the north.
3. Rochester Street from the north.
4. Farmers Road from the north.
5. Bronson Street from the north.
6. Dooer Avenue from the south.
7. River Street from the south.

C. Genesee Street between Park Place and Linden Street is hereby designated a through highway and stop signs shall be erected on the following entrances thereto:

1. Clinton Street from the east.
2. Fisk Place from the west.
3. Oak Street from the east.
4. Spring Street from the west.
5. Pine View Heights from the east.

~ 60.22 Stop intersections

The following intersections are hereby designated as stop intersections and stop signs shall be erected on entrances thereto as indicated:

Intersection of	With Stop Sign(s) on	Entrance(s) From
North Avenue Reed Street	Reed Street Valley Lane	east and west south

Rochester Street
Rochester Street
Wadsworth Avenue
Wadsworth Avenue
Wadsworth Avenue
Linden Street
Spring Street
Linden Street
Isham Avenue
Clinton Street
Maple Street
West Main Street
Linden Street

Reed Street
Cemetery Street
Isham Avenue
Spring Street
Linden Street
Genesee Street
Sackett Road
Sackett Road
Dooer Avenue
Richmond Lane
Bronson Avenue
Wadsworth Avenue
Genesee Street

east
east
west
east and west
north and south
north
south
north and south
south
north
south
south
north

TEXT

WHEREAS, the Chief of Police and the Village Board have received complaints about the speed of vehicles entering Routes 5 and 20 from the municipal parking lot and from Genesee Street, and the existing layouts of those streets present hazards to pedestrians and motorists in that area; and

WHEREAS, the Chief of Police and Village Board have recommended that stop signs be installed to replace the present yield signs at the northeast corner of the exit from the municipal parking lot between 19 Park Place and the Fire Department building, and at the northeast corner of the intersection of Genesee Street and Park Place for vehicles traveling north on Genesee Street, in order to diminish the speed of vehicles traveling in that area and to promote the health, safety and welfare of residents of that neighborhood and motorists and pedestrians using those streets;

NOW, THEREFORE, it is

RESOLVED, that the removal of existing yield signs and installation of two stop signs at the following points are hereby authorized, one to be placed at the northeast corner of the exit from the municipal parking lot (also the southwest corner of the Fire Department building), and one to be placed at the northeast corner of the intersection of Genesee Street and Park Place to govern vehicles traveling northerly on Genesee Street; and it is further

RESOLVED, that the Police Department of the Village of Avon and any other law enforcement agency or officer shall be and hereby is authorized to enforce the effect of those stop signs and to issue uniform traffic tickets for the violation of either of those stop signs under the Vehicle and Traffic Law of the State of New York.

REID A. WHITING
ATTORNEY AT LAW
P.O. BOX 100, 31 WEST MAIN STREET
LE ROY, NEW YORK 14482
(585) 768-6550 FAX (585) 768-9381

To: Patricia Baker, Village Clerk
From: Reid A. Whiting, Esq.
Re: Insertion of local laws into the Municipal Code
Date: August 16, 2010

The Fisk Place stop signs governed by Local Law 1 of 2008 should be inserted in Chapter 60, Traffic and Vehicles at 60.22 by adding a subsection (a) to it. The new provisions governing Park Place, Local Law 3 of 2010, should also be added to §60.22 by adding a subsection (b) to it.

The Cold War and Veterans exemptions, enacted by Local Law 1 of 2007 and Local Law 2 of 2008, should be added to Chapter 110, Taxation, at §110.8 with subdivision (a) to incorporate the provisions of that local law.

I apologize for my delay in responding.



Reid A. Whiting

Local Law Filing

(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 Avon

- Town
 Village

Local Law No. 1 of the year 2008.

A local law Stop Signs - Fisk Place and South Avenue.

Be it enacted by the Board of Trustees of the

- County
 City

of Avon as follows:

- Town
 Village

RESOLVED, that the installation of two stop signs is hereby authorized, one to be placed at the southeast corner of 137 South Avenue, tax parcel 34.10-1-3, to govern southbound traffic on South Avenue; and the other to be placed on the southerly boundary of 40 Fisk Place, tax parcel 34.10-1-34, to govern traffic heading northwest to northerly on Fisk Place prior to the curve to the right which is the southwest corner of 40 Fisk Place; and it is further

RESOLVED, that the Police Department of the Village of Avon and any other law enforcement agency or officer shall be and hereby is authorized to enforce the effect of those stop signs and to issue uniform traffic tickets for the violation of either of those stop signs under the Vehicle and Traffic Law of the State of New York.

Village of Avon
Proposed Local Law No. 1 of 2008

Re: Stop Signs on Fisk Place and South Avenue

WHEREAS, the Chief of Police and the Superintendent of the Department of Public Works have received complaints about the speed of vehicles traveling on South Avenue and Fisk Place and the layout of those streets presents hazards to the residents of that area, pedestrians and motorists; and

WHEREAS, the Chief and Superintendent have recommended that stop signs be installed at the southeast corner of 137 South Street, tax parcel 34.10-1-3, and along the south boundary of 40 Fisk Place, tax parcel 34.10-1-34, in order to diminish the speed of vehicles traveling southerly on South Avenue and northwest to northerly on Fisk Place in order to promote the health, safety and welfare of residents of the South Avenue/Fisk Place neighborhood and motorists and pedestrians using those streets;

NOW, THEREFORE, it is

RESOLVED, that the installation of two stop signs is hereby authorized, one to be placed at the southeast corner of 137 South Avenue, tax parcel 34.10-1-3, to govern southbound traffic on South Avenue; and the other to be placed on the southerly boundary of 40 Fisk Place, tax parcel 34.10-1-34, to govern traffic heading northwest to northerly on Fisk Place prior to the curve to the right which is the southwest corner of 40 Fisk Place; and it is further

RESOLVED, that the Police Department of the Village of Avon and any other law enforcement agency or officer shall be and hereby is authorized to enforce the effect of those stop signs and to issue uniform traffic tickets for the violation of either of those stop signs under the Vehicle and Traffic Law of the State of New York.

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The Cold War and Veterans exemptions, enacted by Local Law 1 of 2007 and Local Law 2 of 2008, should be added to Chapter 110, Taxation, at §110.8 with subdivision (a) to incorporate the provisions of that local law.

I apologize for my delay in responding.



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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 Avon
- Town
- Village

Local Law No. 3 of the year 20 10

A local law to substitute stop signs for yield signs on Park Place, Village of Avon
(Insert Title)

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

- County
- City of Avon as follows:
- Town
- Village

TEXT IS ATTACHED

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

(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. 3 of 20 2010 of the ~~(County)(City)(Town)(Village)~~ of Avon was duly passed by the Board of Trustees on July 19 20 2010, in accordance with the applicable *(Name of Legislative Body)* 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 approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* 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 approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____ *(Elective Chief Executive Officer*)*

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 approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____. Such local *(Elective Chief Executive Officer*)* 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.

* 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.

5. (City local law concerning Charter revision proposed by petition.)

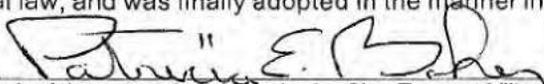
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

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 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

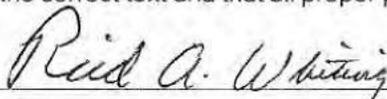
(Seal)

Date: 7-22-10

(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 GENESEE

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
Reid A. Whiting, Village Attorney
Title

County _____
City of Avon
Town _____
Village _____

Date: July 20, 2010

~ 60.23 Four-way stop intersections

The following intersections are hereby designated as four-way stop intersections and stop signs be erected on all entrances to:

1. Clinton Street with Hal-Bar Road.
2. Clinton Street with Lacy Street.
3. Clinton Street with Temple Street.
4. Spring Street with River Street and Linden Street.
5. North Avenue with Reed Street (Local Law #1-2004)

Authority: V & T L ~1640(a)[1]

ARTICLE III

SPEED REGULATIONS

~ 60.31 Maximum speed limits

A. Thirty (30) miles per hour is hereby established as the maximum speed at which vehicles may proceed on or along highways within this Village except on highways as follows:

1. Clinton Street.
2. Lacy Street.
3. East River Road.

B. Twenty-five (25) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on or along highways as follows:

1. Clinton Street.
2. Lacy Street.

C. Forty (40) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on or along highways as follows:

1. East River Road between the signs erected at approximately the boundary of the Village of Avon and the intersection of East River Road and North Avenue. [~ 60.31 amended by Local Law 5 of 1984, 3/20/84]

~ 60.32 Maximum school speed limits

Maximum school speed limits at which vehicles may proceed on or along highways within this Village are hereby established at fifteen (15) miles per hour on Clinton Street adjacent to the Avon Central School between a point three hundred (300) feet east of the east building line of the school and a point three hundred (300) feet west of the west building line of the school.

ARTICLE IV

PARKING, STANDING AND STOPPING:

~ 60.41 Application of article

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

~ 60.42 All night parking prohibited

The parking of vehicles is hereby prohibited on all highways within this Village between 2:00 a.m. and 6:00 a.m. from November 1 to April 1.

~ 60.43 Parking prohibited in certain locations:

The parking of vehicles is hereby prohibited in any of the following locations:

1. On the east side of Temple Street south of Oak Street [amended by Local Law 6 of 1989, 11/30/89]
2. On the south side of Clinton Street
3. On the west side of Lacy Street
4. On the east side of Hal-Bar Road
5. On the east side of High Street
6. On both sides of Reed Street
7. On the east side of Valley Lane
8. On the east side of North Avenue
9. On the north side of Cemetery Street
10. On both sides of Railroad Street

11. On both side of Maple Street
12. On the west side of Bronson Avenue
13. On the south side of Oak Street
14. On the south side of Pine View Heights
15. On the east side of Genesee Street from Pine View Heights to the south line of the Village
16. On both sides of Fisk Place
17. On both sides of Rochester Street
18. On both sides of South Avenue
19. On both sides of Spring Street from Wadsworth Avenue to Linden Street and on both sides of Spring Street from the fire hydrant located on the north side of Spring Street westerly to the Consolidated Rail Corporation tracks. [Amended by Local Law 7 of 1984, 2/21/84]
20. On both sides of Linden Street
21. On the west side of River Street
22. On the east side of Dooer Avenue
23. On the north side of Isham Avenue
24. On the east side of Sackett Road
25. On the north side of West Main Street (Routes 5 & 20) from the east line extended of the Piraino Dodge property westerly to the east curb line of Bronson Avenue
 - (a) on the south side of West Main Street (Route 5&20); except between the driveways for 111 West Main Street to 113-117 West Main Street where on-street parking shall be permitted; from 150 feet east of Wadsworth Avenue to 60 feet east of Rochester Street;
 - (b) on the north side of West Main Street (Routes 5&20) from 245 feet west of Bronson Road to Rochester Street. (Local Law #4-2007)
26. On both sides of East Main Street from Hal-Bar Road easterly to the easterly Village line
 - (a) from the Village Circle to Polebridge road
 - (b) on East Main Street (Route 5&20) except for the south side of East Main Street from 100 feet west of Temple Street to 290 feet east of Temple Street, where on-street parking shall be permitted. (Local Law #4-2007)
27. Between the curb line and the edge of the right-of-way of Routes 5 & 20 (99 feet wide) on Main Street between Route 39 and the east line of the Village [added by Local Law 7 of 1989, 11/30/89]
28. On the west side of Genesee Street from a point thirty (30) feet north of Fisk Place South to Fisk Place [added by Local Law 8 of 1989, 11/30/89]

~ 60.45 Parking time limited in designated locations

A. The parking of vehicles is hereby prohibited for a period of longer than two (2) hours in any of the following locations between 8:00 a.m. and 6:00 p.m. on

Mondays, Tuesdays, Wednesdays and Saturdays; and between 8:00 a.m. and 9:00 p.m. on Thursdays and Fridays, with no prohibition on Sundays and legal holidays:

1. [Repealed by Local Law 3 of 1988, 7/18/88]
2. Prospect Street.
 - a. Beginning at a point on the east side of Prospect Street thirty (30) feet north of the intersection of the east curb line of Prospect with the north line of Park Place; thence north along the east line of Prospect Street to the south curb line extended of Cemetery Street with the exception of that portion thereof between the southerly line of the south driveway and the northerly line of the north driveway or adjacent to lands now used by the United States Government for a Post Office.
 - b. Beginning at a point on the west side of Prospect Street thirty-three (33) feet north of the intersection of the north curb line of West Main Street extended and the west curb line of Prospect Street extended; thence northerly along the west side of Prospect Street to the south curb line of Cemetery Street.

B. The parking of vehicles is hereby prohibited for a period longer than fifteen (15) minutes in any of the following locations between 8:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays and Saturdays; and between 8:00 a.m. and 9:00 p.m. on Thursdays and Fridays with no prohibition on Sundays and legal holidays:

1. Prospect Street.
 - a. On the easterly side of Prospect Street between the northerly and southerly lines extended of lands used or occupied by the United States Government for a Post Office.

C. Except for ambulance attendants, members of the Village of Avon Fire Department and Village officials and employees, the parking of vehicles is hereby limited adjacent to the west and south sides of the Village Hall located at 74 Genesee Street as follows:

1. Parking is prohibited for a period longer than one (1) hour between the hours of 8:00 a.m. and 5:00 p.m.
2. Parking is prohibited between the hours of 12:00 a.m. and 8:00 a.m.
3. Parking is prohibited in the parking spaces designated by signs for police vehicles and ambulance attendants. [Added 8-3-1987 by L.L. No. 2-1987]
4. The parking of vehicles on Genesee Street north of Clinton Street is prohibited between 3:00 a.m. and 5:00 a.m. and restricted to two (2) hours between 7:00 a.m. and 5:00 p.m. [Added 7-18-1988 by L.L. No. 3-1988; amended 1-20-1999 by L.L. No. 13-1998; 8-15-2000 by L.L. No. 4-2000]

~ 60.49 **Angle parking**¹

Angle parking is hereby authorized in the following locations:

1. On the east side of Prospect Street.

Authority: V & T L ~ 1640(a)[6], (b) for parking restrictions; ~ 1641(2) for angle parking

ARTICLE V
PARK PLACE TRAFFIC REGULATIONS

~ 60.51 **Purpose**

This article is enacted to compile in one (1) article the various traffic regulations that apply to or affect the traffic circle located between East Main Street and West Main Street because of their interrelationships.

~ 60.52 **One-way roadways**

A. Park Place is hereby designated for one-way traffic in a counter-clockwise direction.

B. Prospect Street from Park Place to West Main Street is hereby designated for one-way traffic in a southerly direction.

C. Genesee Street from West Main Street to southerly line of traffic island at Genesee Street and Park Place is hereby designated for one-way traffic in a southerly direction.

~ 60.53 **Stop and yield intersections**

A. Stop intersection.

1. The intersection of West Main Street with Prospect Street is hereby designated a stop intersection and a stop sign shall be erected on the south entrance of Prospect Street from the north.

2. The intersection of Park Place with traffic lane east of the easterly side of the southerly traffic island on Park Place from the south. [Amended 8-5-1986 by L.L. No. 5-1986]

¹ See also ~ 60.59 for angle parking Park Place area.

B. Yield intersections.

The following intersections are hereby designated as yield intersections and yield signs shall be erected on the street entrances of the second mentioned streets or traffic lanes with the first mentioned streets as follows:

1. East Main Street with Park Place from south. [¶1 Amended by L.L. No. 2-1974, effective 12/26/74 and approved by NYSDOT 1/24/74]
2. West Main Street with Park Place from the north.
3. Park Place with Genesee Street and Park Place traffic island from the west.²

~ 60.54 **Standing restrictions**

The standing of vehicles is hereby prohibited in any of the following locations:

1. All sides of traffic island at intersection of Prospect Street and Park Place.
2. Northeasterly and southerly side of traffic island at Genesee Street and Park Place.
3. All sides of traffic island at southeasterly traffic island on Park Place.
4. From a point on the west side of Prospect Street which is thirty-three (33) feet north of the north curb line extended of West Main Street to a point twenty (20) feet west of the crosswalk on the north side of West Main Street at its intersection with Prospect Street.
5. From a point on the south side of West Main Street twenty (20) feet west of its intersection with Genesee Street to a point on Genesee Street thirty-three (33) feet south of the curb line of West Main Street extended.

~ 60.55 **Parking restrictions**³

The parking of vehicles is hereby prohibited in any of the following locations:

1. On the east side of Genesee Street from a point thirty-five (35) feet south of its intersection with the south curb line of Park Place to the south curb line of Park Place.

²Editor's Note: Former Subsection B4, which immediately followed this subsection, was repealed 8-5-1986 by L.L. No. 5-1986.

³See also ~ 60.60 fire lane, infra.

2. On the south side of Park Place from its intersection with the east curb line of Genesee Street easterly for a distance of thirty-three (33) feet therefrom.

3. On the north side of Park Place from the Episcopal Church property northerly and then westerly to the east line of the driveway of the United States Post Office property.

4. On the east side of Genesee Street adjacent to the Marine Midland Bank between the no parking signs. [Added 6-4-1985 by L.L. No. 4-1985]

~ 60.56 **Parking time limit designated locations**

1. The parking of vehicles on the south side of Park Place is prohibited between 3:00 a.m. and 5:00 a.m. and restricted to two (2) hours between 7:00 a.m. and 5:00 p.m. [Amended 7-18-1998 by L.L. No. 4-1998; by 1-20-1999 by L.L. No. 12-1998; 8-16-2000 by L.L. No. 3-2000]

~ 60.59 **Angle parking**

Angle parking is hereby permitted in any of the following locations:

1. On the west side of traffic island at intersection of Genesee Street and Park Place.

2. On the west side of Genesee Street from a point thirty-three (33) feet south on the south curb line of West Main Street extended to a point four hundred thirty (430) feet southerly therefrom.

3. On the east side of Genesee Street from a point thirty-five (35) feet south of the south curb line of Park Place to a point in the east line of Genesee Street two hundred thirty-one (231) feet southerly therefrom.

4. On the northeast corner of the Village Square from a point forty (40) feet northerly from the curb line of East Main Street (Routes 5 & 20); thence along the curb line of said Village Square to a point two hundred ninety-five (295) feet easterly from the center line of Prospect Street.

~ 60.60 **Fire lane**

The parking of vehicles is hereby prohibited along the north curb line on Park Place from a point two hundred eighty (280) feet easterly from the center line of Prospect Street to a point fifteen (15) feet easterly therefrom for a fire lane fifteen (15) feet in width.

ARTICLE VI
MISCELLANEOUS REGULATIONS

~ 60.61 **Seizure, removal and storage of vehicles** [Amended 6-15-1998 by L.L. No. 3-1998]

A. Authority to seize, remove, and store vehicles.

1. When any vehicle is parked or abandoned on any highway within this Village during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by the Superintendent of Public Works or as arranged by any law enforcement officer.

2. When any vehicle is found unattended on any highway within this Village where said vehicle constitutes obstruction to traffic, said vehicle may be removed by the Superintendent of Public Works or as arranged by any law enforcement officer.

3. When any vehicle is parked or abandoned on any highway within this Village where stopping, standing or parking is prohibited, said vehicle may be removed by the Superintendent of Public Works or as arranged by any law enforcement officer.

4. When any vehicle is illegally parked in a handicapped parking space or in violation of §§ 423(a), 511-b, 1203-b, 1203-c, 1640, or 1670 of the Vehicle and Traffic Law of the State of New York or such other law providing for the seizure, removal or storage of vehicles, said vehicle may be removed by the Superintendent of Public Works or as arranged by any law enforcement officer.

B. Storage and charges.

After removal of any vehicle as provided in this article, such vehicle may be stored in a suitable place at the expense of the owner. Such owner, or person in charge of the vehicle, may redeem the same upon payment to the Village Clerk of the amount of all expenses actually and necessarily incurred in effecting such removal and the cost of storage.

C. Notice of removal.

The Superintendent of Public Works shall, without delay, report the removal and disposition of any vehicle removed as provided in this article to the Police Department, and it shall be the duty of such Police Department to ascertain, to the extent possible, the owner of the vehicle or person having same in charge and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

Authority: V & T L ~ 1640(a)[14]

§0.62 **Truck route system** [Amended 6-4-1985 by L.L. No. 1-1985]

A. A truck route system, upon which all trucks, tractors and tractor-trailer combinations and other vehicles having a total gross weight in excess of ten (10) tons are permitted to travel and operate, shall consist of the following highways:

1. East Main Street.
2. West Main Street.
3. Wadsworth Street.

B. All trucks, tractors, tractor-trailer combinations and other vehicles having a total gross weight in excess of ten (10) tons are hereby excluded from all highways within this Village except from those highways listed in Subdivision A except that this exclusion shall not be construed to prevent any vehicle or combinations from using all highways within this Village for any purpose if such purpose could not be accomplished by the use of the truck route system.

~ 60.63 **Stopping, standing or parking prohibited in specified places** [Added 6-15-1998 by L.L. No. 5-1998]

A. Except when necessary to avoid conflict with other traffic, or when in compliance with law or the directions of a police officer or official traffic control device, no person shall:

1. Stop, stand or park a vehicle:

- street;
- a. On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street;
 - b. On a sidewalk;
 - c. Within an intersection, except when permitted by official signs or parking meters on the side of a highway opposite a street which intersects but does not cross such highway;
 - d. On a crosswalk;
 - e. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - f. Upon any bridge or other elevated structure upon a highway;
 - g. On any railroad tracks;

2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- a. In front of a public or private driveway;
- b. Within twenty feet of a crosswalk at an intersection, unless a different distance is indicated by official signs, markings or parking meters;
- c. Within thirty feet upon the approach to any flashing signal, stop or yield sign or traffic control signal located at the side of the roadway, unless a different distance is indicated by official signs or markings.

B. No person shall stop, stand or park a vehicle within fifteen feet of a fire hydrant except when such vehicle is attended by a licensed operator who is seated in the front seat and who can immediately move such vehicle in case of emergency, unless a different distance is indicated by official signs, markings or parking meters.

~ 60.64 **Additional Parking** [Added 6-15-1998 by L.L. No. 5-1998]

A. Except where angle parking is authorized, every vehicle stopped, standing, or parked wholly upon a two-way road way shall be so stopped, standing, or parked with the right-hand wheels of such vehicle parallel to and within twelve inches of the right-hand curb or edge of the roadway.

B. Except where angle parking is authorized, every vehicle stopped, standing, or parked wholly upon a one-way roadway shall be so stopped, standing, or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or edge of the roadway, or its left-hand wheels within twelve inches of the left-hand curb or edge of the roadway.

C. Except where angle parking is authorized, every vehicle stopped, standing, or parked partly upon a roadway shall be so stopped, standing, or parked parallel to the curb or edge of the roadway. On a one-way roadway such vehicle shall be facing in the direction of authorized traffic movement; on a two-way roadway such vehicle shall be facing in the direction of authorized traffic movement on that portion of the roadway on which the vehicle rests.

D. No person regularly engaged in the sale or repair of vehicles shall park a vehicle on any highway for the rpose of:

1. Displaying such vehicle for sale.
2. Greasing or repairing such vehicle, except for such repairs as may be necessitated by an emergency.

~ 60.65 **Handicapped parking** [Added 6-15-1998 by L.L. No. 5-1998]

No person shall stop, stand or park a vehicle in any area designated as a place for handicapped parking unless the vehicle bears a permit issued under ~ 1203-a of the Vehicle and Traffic Law of the State of New York, as amended, or a registration issued under ~ 404-a of the Vehicle and Traffic Law of the State of New York, as amended, and such vehicle is being used for the transportation of a severely disabled or handicapped person.

~ 60.66 **Dumping snow onto parking places for handicapped prohibited** [Added 6-15-1998 by L.L. No. 5-1998]

Any person who knowingly dumps or shovels snow onto a parking place for handicapped persons rendering such place unusable for parking purposes shall be subject to a fine of Fifty Dollars (\$50.00) for the first offense and a fine not to exceed Two hundred Dollars (\$200.00) for every offense thereafter.

~ 60.67 **Abandoned vehicle** [Added 6-15-1998 by L.L. No. 5-1998]

No person shall park or abandon upon any highway within this Village during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned.

~ 60.69 **Penalties** (Amended 5-3-2010 by L.L. No. 2-2010; 10-29-1990 by L.L. No. 2-1990; 6-15-1998 by L.L. No. 5-1998)

Local Law Filing

(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 Town Village
(Select one:)

of Avon

Local Law No. 2 of the year 20¹⁰

A local law amending Section 60.69 of the Village of Avon Municipal Code concerning penalties
(Insert Title)
for offenses.

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

County City Town Village
(Select one:)

of Avon

as follows:

A. Penalties for offenses.

1. Any person convicted of a violation of any of the provisions of Article IV or V of this chapter shall, for a conviction thereof, be punished by a fine of Twenty-Five Dollars (\$25.00); for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of Thirty Dollars (\$30.00); upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of Forty-Five Dollars (\$45.00).
2. Any person convicted of a violation of any of the provisions of Section 60.63 and 60.64 of this chapter shall, for a conviction thereof, be punished by a fine of Thirty-Five Dollars (\$35.00); for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of Forty-Five Dollars (\$45.00); upon a third or subsequent conviction, such person shall be punished by a fine of Sixty-Five Dollars (\$65.00).
3. Any person convicted of a violation of Sections 60.62, 60.65 or 60.66 of this chapter shall, for a conviction thereof, be punished by a fine of One Hundred Twenty Dollars (\$120.00); for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of One Hundred Seventy Dollars (\$170.00); upon a third or subsequent conviction, such person shall be punished by a fine of Two Hundred Seventy Dollars (\$270.00).

(Continued on attached sheet)

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

4. Any person convicted of a violation of Section 60.67 of this chapter shall, for a conviction thereof, be punished by a minimum fine of One Hundred Twenty-Five Dollars (\$125.00) and a maximum fine of One Hundred Fifty Dollars (\$150.00); for a second or subsequent conviction within eighteen (18) months thereafter, such person shall be punished by a minimum fine of One Hundred Fifty Dollars (\$150.00) and a maximum fine of Two Hundred Twenty-Five Dollars (\$225.00).

B. Payment of a fine shall constitute a plea of guilty to the specified violation. Unless a person charged appears before the Village Justice Court to answer the charge, the fine shall be doubled if not paid within ten (10) days of the date of issue of the ticket making the charge.

(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. 2 of 2010 of the ~~(County)(City)(Town)(Village)~~ of Avon Village Board was duly passed by the Avon on May 3, 2010, 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 approved) (repassed after disapproval) by the _____ and was deemed duly adopted on 2010, 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 approved) (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 approved) (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.

* 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.

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____, became operative.

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 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 _____ above.

Patrick E. Baker
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: May 7, 2010

~~(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 GENESEE

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.

Riad A. Whiting
Signature
Village Attorney
Title

County
City of Avon
Town
Village

Date: May 4, 2010