

VILLAGE OF CHESTNUT RIDGE

LOCAL LAW NO. 13 OF 1987

A local law **VEHICLE AND TRAFFIC LOCAL LAW OF THE VILLAGE OF CHESTNUT RIDGE**

Be it enacted by the Board of Trustees of the Village of Chestnut Ridge as follows:

Section 1. Title.

This local law shall be known as “The Vehicle and Traffic Local Law of the Village of Chestnut Ridge.

Section 2. Legislative intent.

- A. It is the aim of the Board of Trustees of the Village of Chestnut Ridge to promote the public health, welfare and safety of its residents by:
- (1) Regulating the use and operation of motor vehicles upon the streets, highways, and places accessible to the public in the Village of Chestnut Ridge.
  - (2) Regulating the construction, reconstruction, management and maintenance of open areas, avenues of access or parking spaces for motor vehicles at the foregoing or similar uses and activities.
  - (3) Designating fire lanes or zones in shopping centers.
  - (4) Disposing of unattended and abandoned motor vehicles in fire lanes or other public places or zones duly marked restricted by the Board of Trustees, or on any other public road or public area similarly restricted during periods of public emergency declared by the Mayor or Board of Trustees of the Village of Chestnut Ridge in the interest of safety or during the winter season where the same impedes or interferes with snow removal or safe motor vehicle traffic.
- B. This local law shall not apply to individual residential lots.

Section 3. Definitions.

- A. All words, terms and phrases when used in this local law shall, for the purposes of this local law, be defined as set forth in the Vehicle and Traffic Law of the State of New York; and, if no specific definition is set forth therein, all words shall have their usual meaning in the English language.
- B. The term “law enforcement officer” shall include the Code Inspector of the Village of Chestnut Ridge.
- C. The term “ACTUAL NECESSITY” as used in Section 6, herein (FIVE TON VEHICLES Excluded), shall mean that no alternative route, utilizing the five

designated roads , exists for traveling to, or from, the particular location within the Village.

Section 4. Limitations of speed.

No person shall operate his motor vehicles upon any public highway, private road or other area open to motor vehicle traffic within the Village of Chestnut Ridge at a rate of speed in excess of thirty (30) miles per hour, except that the rate of speed on other roads, highways or areas accessible to public vehicular travel in the Village of Chestnut Ridge shall not be in excess of any other duly posted speed limit. This section shall not apply to ambulances, fire vehicles, police vehicles, or vehicles operated by an officer or employee of the Village of Chestnut Ridge when on emergency trips, and they shall operate as required with due regard to the emergency and due observance of safety in the circumstances. Nor shall this local law apply to state highways maintained by the State of New York.

Section 5. Traffic-control signs, signals, markings and devices.

- (1) All existing traffic-control signs, signals, markings and devices posted by the Town of Ramapo within the Village of Chestnut Ridge shall be deemed to have been posted under authority granted by this local law, and the posting thereof is hereby ratified and confirmed. All violations of the directions on said signs, signals, markings and devices presently erected or hereafter erected, shall be prosecuted as violations of this local law.
- (2) The Board of Trustees of the Village of Chestnut Ridge may, at such times as it deems advisable, by duly adopted resolution, authorize and direct the posting of traffic-control signs, signals, markings and devices upon public streets or highways within the Village of Chestnut Ridge other than State highways.
- (3) No person shall meddle, tamper or interfere with, or willfully break, injure, deface, remove or destroy any traffic-control sign, signal, marking or device placed or erected pursuant to the provisions of this local law.
- (4) The operator of a vehicle shall obey the instructions of any official traffic-control sign, signal, marking or device applicable thereto placed in accordance with the provisions of this local law or of the Vehicle and Traffic Law, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the operator of an authorized emergency vehicle in the Vehicle and Traffic Law or in Section 4 of this local law.
- (5) No provision of this local law or of the Vehicle and Traffic Law for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that

signs are required, such section shall be effective even though no signs are erected or in place.

Section 6. FIVE TON VEHICLES EXCLUDED.

- A. No street or highway within the Village of Chestnut Ridge, other than those designated as State or County highways and the following:

Chestnut Ridge Road, Pascack Road, Crooked Hill Road, Old Nyack Turnpike and Red Schoolhouse Road, may be used for travel or operation by any truck, tractor, tractor-trailer combination, commercial bus, or any other motorized vehicle having a total gross weight, inclusive of cargo and occupants, equal to, or greater than, ten thousand (10,000 Lbs) pounds.

- B. EXCEPTIONS: Notwithstanding the foregoing, this section shall not apply as to:

- (1) school buses engaged in the transport of children and/or students to, and from, schools, or, in the departure and return from their depot for said purposes;
- (2) buses used for the transport of the elderly or handicapped;
- (3) vehicles in transit to, or from, a destination within the Village, IF, the use of other than the roads and highways designated in "A" above, is a matter of actual Necessity (as defined in Section 3, above).

Section 7. Traffic Regulations and Fire Zones in Shopping Centers.

- A. Authority to regulate and control traffic in shopping centers.

The Board of Trustees of the Village of Chestnut Ridge finds that the assembly of increasing numbers of persons and motor vehicles at shopping centers and other large commercial and public areas affects the safety of its citizens, and that the health, welfare and safety of the community will be promoted by the promulgation of regulations with respect to use of motor vehicles in such public areas. Accordingly, and pursuant to the authority granted under Section 1640-a of the Vehicle and Traffic Law of the State of New York, the Board of Trustees of the Village of Chestnut Ridge is hereby empowered to perform the following functions:

- (1) Order stop signs, yield signs or flashing signals erected at specific entrance locations to a parking area, or designate any intersection in the parking area as a "stop" intersection or as a "yield" intersection, and order like signs or signals at one (1) or more entrances to such intersection; and designate and mark any separate roadway in the

parking area for one-way traffic, and cause removal of other obstructions and safety hazards in or on such premises, and install or cause to be installed pavement markings, curbs, barriers or other channelization devices or traffic control devices and facilities at the expense of the owner of the premises and have the cost of same assessed against the owner of record of said premises, said cost to be levied by the office of the Assessor and collected in the manner of any other tax or assessment imposed upon or levied against the premises.

- (2) Regulate movement of traffic and standing of motor vehicles to prevent obstruction in the parking area, including regulation by means of traffic control signals.
- (3) Prohibit or regulate the turning of any vehicles at intersections or other designated locations in the parking area.
- (4) Regulate the crossing of any roadway in the parking area by pedestrians.
- (5) Prohibit, regulate, restrict or limit the stopping, standing or parking of vehicles in specified areas of the parking area.

B. Illegally parked and abandoned vehicles.

In addition to the foregoing, the Mayor of the Village of Chestnut Ridge is hereby authorized and directed to cause to be removed and stored:

- (1) Vehicles parked or abandoned in such parking area during snowstorms, floods, fires or other public emergencies, or
- (2) Unattended vehicles in such parking area when they obstruct traffic or when stopping, standing or parking is prohibited.

C. The owner or operator of any such vehicle shall pay the reasonable charges for the removal and storage of any motor vehicle removed or stored under the foregoing provisions.

D. Establishment and marking of fire zones. The Board of Trustees of the Village of Chestnut Ridge is hereby authorized pursuant to the authority granted under Section 1640-a of the Vehicle and Traffic Law of the State of New York to determine and establish appropriate fire lanes in all shopping centers. Thereupon, the Mayor of the Village of Chestnut Ridge shall cause to be erected or installed adequate signs, markings, and other devices to delineate said fire lanes. Signs, markings and other devices erected or installed on such privately owned premises shall be at the cost of the owner and may be billed for and collected in the same manner as set forth in Section 7 A(1) hereinabove.

Section 8. Parking or Standing Prohibited in Certain Areas; Exceptions.

A. Fire Zones.

- (1) No motor vehicle shall be permitted to stand, be parked or remain unattended in an established fire zone or in an area designated as a "No Parking" area, except when actually loading or unloading passengers, materials or goods.
- (2) Whenever any motor vehicle is found parked or stopped in violation of this local law, the law enforcement officer shall take its registration number and any other information and shall conspicuously affix to such vehicle a summons to answer the charge of violation of this Section.
- (3) If there be no response in the Justice Court to the summons issued, the Court shall issue a summons to the owner of the motor vehicle to which the summons was affixed and direct that the same be served upon said owner. In any prosecution charging a violation of this Section, proof that the vehicle was parked in violation of this Section together with proof that the defendant named in the summons issued by the Court was at the time of the violation the registered owner thereof, shall constitute a presumption that the registered owner of such vehicle was the person who parked or placed the vehicle at the point where and for the time during which such violation occurred.

B. Other areas and time limitations.

The Board of Trustees of the Village of Chestnut Ridge may declare certain areas, streets, roads and highways in the Village restricted to parking of motor vehicles and may designate the length of time for lawful parking in said areas, and shall cause to be erected and installed appropriate signs or markers; except that during the winter season and during periods of snow removal, the Board of Trustees may further restrict such streets and highways as may be necessary in the interest of public safety and shall give such notice thereof as may be practicable in the circumstances. All such restricted parking areas in existence on the effective date of this local law shall be deemed to have been designated by the Board of Trustees under authority of this local law.

C. Parking permit zones.

- (1) It shall be unlawful to park a motor vehicle in any area designated by the Board of Trustees of the Village of Chestnut Ridge parking permit zone, during such hours as the Board of Trustees shall designate, unless there is displayed on the left rear window a parking permit issued hereunder by the Village Clerk of the Village of Chestnut Ridge for which permits only residents of the Village of Chestnut Ridge shall be eligible. The Board of Trustees shall cause to be erected and maintained adequate signs and markers delineating such restrictions.
- (2) Any resident of the Village of Chestnut Ridge desiring a parking permit shall make application therefore to the Village Clerk of the

Village of Chestnut Ridge on forms to be provided for that purpose. Said application shall contain the name and address of the applicant, together with the description and license plate number of the motor vehicle for which a parking permit is desired.

- (3) Permits issued hereunder are not transferable and a separate permit must be secured for each vehicle to be parked in a parking permit zone.
- (4) Upon compliance with the foregoing requirements, the Village Clerk shall issue a parking permit, which permit shall expire on the first day of January next preceding issuance of said permit.

Section 9. Parking for Handicapped Persons.

A. Use of Permit.

- (1) Any vehicle bearing a handicapped parking permit issued pursuant to Section 1203-a of the Vehicle and Traffic Law of the State of New York is authorized to park in any area in the Village of Chestnut Ridge designated for parking for the handicapped.
- (2) The Village Clerk shall keep a list of designated parking areas in the Village of Chestnut Ridge, a copy of which can be obtained at the Village Clerk's office.

B. The Planning Board of the Village of Chestnut Ridge is hereinafter empowered to require the inclusion of spaces for handicapped parking in any site plan for the construction of office uses in the Village of Chestnut Ridge.

C. Any person to whom a permit has not been issued and who shall use a permit issued pursuant to this local law for any purpose other than parking a motor vehicle while transporting a physically handicapped person shall be guilty of a traffic infraction within the meaning of Section 1800 of the Vehicle and Traffic Law.

D. A vehicle bearing such parking permit for the handicapped shall be deemed in violation of the applicable rules and regulations governing parking in the Village of Chestnut Ridge when such vehicle shall be parked in a bus stop, a taxi stand, within fifteen (15) feet of a fire hydrant, a fire zone, a fire land, a firehouse, a driveway, or a crosswalk, or is double parked.

E.

- (1) Whenever any motor vehicle which does not bear a parking permit for the handicapped is found parked in an area designated for handicapped parking, the law enforcement officer shall take its registration number and any other information and shall

conspicuously affix to such vehicle an appearance ticket to answer the charge of violation of this section.

(2) If there is no response in the Justice Court to the appearance ticket issued, the Court shall issue a summons to the owner of the motor vehicle to which the appearance ticket was affixed and direct that the same be served upon said owner.

F. In any prosecution charging a violation of this Section, proof that the vehicle was parked in violation of this Section, together with proof that the defendant named in the summons issued by the Court was at the time of the violation the registered owner thereof, shall constitute a presumption that the registered owner of such vehicle was the person who parked or placed the vehicle at the point where and for the time during which such violation occurred, or who gave his or her consent to the person who parked or placed the vehicle at the point where and for the time during which such violation occurred.

Section 10. Towing Away of Vehicles.

- A. Any motor vehicle found parked in violation of the provisions of this local law may, upon the direction of a police officer, be towed to any public or private parking facility and the expense of such towing and subsequent storage shall be borne by the registered owner of such vehicle.
- B. No motor vehicle shall remain or stand unattended in any unrestricted public place or parking lot unless the engine is stopped, the ignition is shut off and the ignition key is removed from the vehicle, with the brake effectively set thereon; and, when standing upon any grade, the front wheels shall be turned to the curb or side of the highway or otherwise secured as required in the circumstances.
- C. Whenever any police officer shall find a motor vehicle standing unattended with the ignition key in the vehicle, in violation of this Section, such police officer is authorized to remove such key from such vehicle and to deliver such key to the police officer in charge of Town of Ramapo Police Headquarters, and said vehicle may be dealt with or disposed of as set forth in Section 12 herein or otherwise as may seem indicated in the circumstances.
- D. No vehicle shall be parked in front or within ten (10) feet, measured along the curb, of any private driveway or the entrance to any church or other public building, except for such reasonable time as may be necessary for taking on or discharging of passengers or merchandise.

Section 11. Prohibited Acts; Exceptions.

- A. The following acts are hereby prohibited:
- (1) The parking of unlicensed automobiles upon any part of the public street.
  - (2) All-night parking, which is hereby defined as continuous parking between the hours of 12:00 a.m. and 6:00 a.m. during the period from November 1 to April 1 inclusive and the parking of commercial vehicles between the hours of 12:00 A.M. and 6:00 A.M. during the period of January 1 through December 31 of each year. This prohibition shall be in addition to any other prohibition elsewhere imposed herein or by resolutions of the Board of Trustees.
  - (3) Abandoning any vehicle within the Village, or leaving any vehicle at any place within the Village for such time and under such circumstances as to give a reasonable appearance of abandonment.
  - (4) Leaving any partially dismantled, nonoperating, wrecked or junked vehicle on any street or highway within the Village.
  - (5) Allowing any partially dismantled, nonoperating, wrecked, junked or discarded vehicle to remain longer than twenty-four (24) hours on the property of any owner, tenant, occupant, lessee or other person in charge or control thereof, and no person shall leave any such vehicle on any property within the Village for a longer time than twenty-four (24) hours.
  - (6) Parking or standing of vehicles in a restricted area or areas at the time of hazard or emergency.
  - (7) Operating a motorized vehicle or other equipment that is not required to be registered on any street, sidewalk, road, highway or right-of-way within the Village.
- B. Exceptions. This local law shall not apply to any vehicle:
- (1) In an enclosed building;
  - (2) Operated in a lawful place and manner on the premises of a business enterprise when necessary to the operation of such business enterprise; or
  - (3) In an appropriate storage place or depository maintained by the Village or any private person performing a similar function as herein provided for.

Section 12. Impounding of Vehicles.

- A. The Mayor or Code Inspector of the Village of Chestnut Ridge is hereby authorized to impound any vehicle left at any place within the Village under circumstances which reasonably indicate that such vehicle is in



violation of this local law, or lost, stolen or unclaimed, or where it constitutes an obstruction to traffic or is a hazard during a storm, flood, fire or other public emergency duly declared by the Mayor

- B. The owner of any property within the Village of Chestnut Ridge upon which a vehicle has been abandoned may make a written request to the Village that such vehicle be impounded. In such event the Mayor may direct that such vehicle be impounded, and the expense of removal and storage of such vehicle shall be paid by such property owner. Any funds received by the Village pursuant to Section 12 F herein below upon the reclamation or disposition of such vehicle shall be credited to such property owner to the extent of all removal and storage charges actually paid by such property owner, and any such funds in excess of the amount so paid by such property owner shall belong to the Village and shall be deposited to the credit of the general fund.
- C. Any vehicle impounded pursuant to this local law shall be stored in such suitable public or private place as shall be authorized by the Mayor, until disposition pursuant to Section 12 F herein below.
- D. The Mayor shall without delay report the removal and the disposition of any vehicle removed as provided in this local law to the Village Clerk, who shall ascertain to the extent possible the owner of the vehicle or person having same in charge and shall notify such person of the impounding, removal and disposition of such vehicle and of the amount which will be required to redeem same, and that such vehicle must be reclaimed within thirty (30) days after impounding, and that if such vehicle has not been reclaimed within such time, it shall be conclusively presumed to be abandoned and shall be disposed of in the manner provided in Section 12 F herein below.
- E. In addition, if a vehicle is removed from private property listed on the tax rolls of the Village, other than at the request of the owner of such property pursuant to Section 12 B herein above, the Village Clerk shall, within ten (10) days after impounding, notify the owner of such property, by registered letter at the last address shown on the tax rolls, of the impounding, removal and disposition of such vehicle and of the amount which will be required to redeem same, and that such vehicle must be reclaimed within thirty (30) days after impounding, and that if such vehicle has not been reclaimed within such time, it shall be conclusively presumed to be abandoned and shall be disposed of in the manner provided in Section 12 F herein below.
- F. Any vehicle impounded pursuant to this local law may be reclaimed by the owner thereof upon payment to the Village of a mandatory towing charge of one hundred (\$100.) dollars and a storage charge not to exceed the prevailing rates customarily charged for such storage. If the vehicle is not reclaimed within thirty (30) days after impounding, the vehicle shall be conclusively presumed to be abandoned, and the Village shall dispose of the vehicle impounded, by public sale or otherwise, and deposit such funds received, if any, to the credit of the general fund,

except to the extent of any funds to be paid to a property owner pursuant to Section 12 B herein above.

Section 13. Effect on Other Laws.

This local law is not in limitation of any other local law, rule, regulation or order which may affect any premises subject to the local law or any penalty, fine or liability thereunder, but is in addition thereto. Any inconsistent local law, regulation, order or certificate or part thereof in conflict with this law is hereby repealed as it may affect the enforcement of this law, except that whenever any section of this local law is inconsistent with or in conflict with Local Law No. 14 of 1987, the provisions of Local Law No. 14 of 1987 shall supersede.

Section 14. Penalties for Offenses.

- A. Any other provision notwithstanding, any law enforcement officer is hereby authorized and empowered to issue or cause to be issued a summons returnable in the Justice Court of the Village of Chestnut Ridge, or any other court of competent jurisdiction, for any motor vehicle in violation of the traffic and safety provisions of this local law; and, likewise, the Code Inspector hereby is authorized and empowered to issue such summons for any violation involving the operation, maintenance and control of any premises.
- B. (1) Any violation by a person, firm or corporation of this local law, except Section 8A or 9 hereof, shall be deemed an offense punishable by a fine not to exceed one hundred dollars (\$100.) or imprisonment for a period not to exceed two (2) months, or both.
  - (2) Any violation of Section 8A of this local law shall be deemed an offense punishable by a fine of not less than twenty-five dollars (\$25.) nor more than one hundred dollars (\$100.) or imprisonment for a period not to exceed two (2) months, or both.
  - (3) Any violation of any provision of Section 9 of this local law which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall be deemed an offense punishable as follows:
    - (a) For a first conviction thereof, a fine of not more than fifty dollars (\$50.00) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment;
    - (b) For a second such conviction within eighteen (18) months thereafter, by a fine of not more than one hundred dollars (\$100.) or by imprisonment for not more than forty-five (45) days, or by both such fine and imprisonment;
    - (c) Upon a third or subsequent conviction within eighteen (18) months after the first conviction, by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

- C. In the case of continuing violation of this local law, each day that such violation exists shall constitute a separate and distinct violation.
- D. Whenever the Director of Traffic Violations Bureau of the Village of Chestnut Ridge shall, pursuant to Local Law No. 14 of 1987, establish fines or penalties for parking violations and scofflaw provisions for late payments of traffic fines, such fines and penalties shall prevail over any inconsistent provisions of any other laws relating thereto.
- E.

Section 15. Effective Date.

This local law shall take effect immediately.

ADOPTED: May 21, 1987

AMENDED: December 17, 1987 by Local Law No. 28 of 1987  
September 15, 1988 by Local Law No. 11 of 1988  
June 15, 1989 by Local Law No. 5 of 1989  
May 25, 1992 by Local Law No. 2 of 1992  
October 21, 2004 by Local Law No. 2 of 2004  
December 10, 2015 by Local Law No 4 of 2015