

LOCAL LAW NO. 2 OF 2011
AMENDING CHAPTER 237 OF THE VILLAGE CODE
RELATING TO VEHICLES AND TRAFFIC

Be it enacted by the Village Board of the Village of West Haverstraw as follows:

Chapter 237, of the Village Code of the Village of West Haverstraw, relating to vehicles and traffic within the Village shall be amended as follows:

Section 1. Chapter 237, of the Village Code, shall be amended to add a new ARTICLE VII, entitled "Emergency Removal During Snowfall", which shall read as follows:

ARTICLE VII

Emergency Removal During Snowfall

§ 237-62. Finds; purpose

The Village Board of the Village of West Haverstraw finds that the leaving of vehicles on designated Village highways during periods of heavy snowfall has hindered and obstructed the Department of Public Works in snow removal operations. The Village Board additionally finds that the leaving of vehicles on designated Village highways during snowfalls causes hazards to persons using such highways. The purpose of this local law is to protect the health, safety and well-being of persons and property by imposing restrictions on the leaving of vehicles on designated Village highways during periods of heavy snowfall.

§ 237-63. Definitions

As used in this local law, the following terms shall have the meanings indicated:

DESIGNATED HIGHWAYS - Includes all highways within the Village of West Haverstraw whereon, pursuant to provisions of Chapter 237, Schedule XVI (§ 237-50) of this Code, no parking is permitted between the hours of 2:00 a.m. and 6:00 a.m. prevailing eastern time, during the period beginning November 15 and ending on April 1 of each and every year.

HIGHWAY - Includes only the paved portion of the highway owned or maintained by the Village for use of public travel.

VEHICLE - Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including licensed or unlicensed vehicles, except devices moved by human power or used exclusively upon stationary rails or tracks.

§ 237-64. Emergency Routes

- A. Whenever, during the period between November 15 and April 1 of each and every year, there shall be an accumulation of two inches or more of snowfall, as determined by the Commissioner of Public Works or the Mayor of the Village of West Haverstraw, designated highways shall be deemed emergency routes.
- B. All such designated Village highways shall continue to be emergency routes until the Commissioner of Public Works shall have caused the same to be plowed free of such snowfall.
- C. No person shall leave or permit to remain parked unattended any vehicle on any designated Village highway in the Village of West Haverstraw which has been thus deemed an emergency route.

§ 237-65. Removal of Vehicles

When any vehicle is parked unattended on any designated Village highway, in violation of § 237-64C, said vehicle may be removed under the direction of the Commissioner of Public Works, or his designated agent.

- A. After removal of any vehicle as provided in this local law, the person authorized to remove the vehicle may store or cause such vehicle to be stored in a suitable place at the expense of the owner; such vehicle shall be held until the owner or operator of such vehicle shall call for and remove the same.
- B. Prior to the removal from such storage, the owner or operator of such vehicle shall pay charges to the tow truck owner and storer, pursuant to the towing and storing charges set forth in Rockland County Local Law No. 9 of 1979, as amended by Local Law No. 1 of 1982 and Local Law No. 3, of 1982.^{EN}

§ 237-66. Notification of Owner

The Commissioner of Public Works, without delay, shall report the removal and disposition of any vehicle to the Village Mayor and the Village Clerk as provided in this local law, and shall also notify the owner or operator of any such vehicle so removed, if the name and address of such owner or operator can be ascertained, of the removal and disposition of any such vehicle and of the charges and expenses required to be paid before the same may be removed from storage.

§ 237-67. Penalties for Offenses

Any person who shall violate § 237-64C of this local law shall be guilty of an offense and shall be subject to a fine not to exceed \$250.00.

§ 237-68. Severability

If any portion of this local law shall be declared invalid for any reason, the remainder thereof shall not by that reason be deemed invalid and shall continue in full force and effect.

Section 2. Effective date. This Local Law shall take effect upon the filing of same with the N.Y.S. Secretary of State.