

## Chapter 14

### MOTOR VEHICLES AND TRAFFIC\*

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\***Cross references**—Junk vehicles, § 15-21 et seq.; motor vehicles in parks, § 16-30, snowmobiles, § 16-52 et seq.; streets and sidewalks, Ch. 20; visibility at intersections, § 24-702; all-terrain vehicles, dirt bikes, etc., § 24-706.

**State law reference**—General powers of local authorities, Vehicle and Traffic Law, § 1660 et seq.

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## ARTICLE I. IN GENERAL

### Sec. 14-1. Violations and penalties.

Any person violating any of the provisions of this chapter shall be guilty of a traffic infraction and may be punished, upon conviction thereof, in accordance with the penalties prescribed therefor and set forth in the Vehicle and Traffic Law. (Code 1966, § 36-5)

**State law reference**—Penalty for violations, Vehicle and Traffic Law, § 1800.

### Secs. 14-2—14-20. Reserved.

## ARTICLE II. ADMINISTRATION AND ENFORCEMENT

### DIVISION 1. GENERALLY

### Sec. 14-21. Existing traffic-control signs, signals, etc., ratified.

The location of all traffic-control signs, signals, devices and markings as of the adoption date of this Code is ratified and confirmed.

### Sec. 14-22. One-way streets.

One-way streets shall be as established by ordinance or local law.

(Code 1966, § 36-iD)

**State law references**—Authority to designate one-way streets, Vehicle and Traffic Law, § 1660(aX3); one-way streets generally, Vehicle and Traffic Law, § 1127.

### Sec. 14-23. Through streets; stop signs.

Through streets shall be as established by ordinance or local law. Stop signs or yield signs, as designated by ordinance or local law, shall be erected where other streets intersect through streets.

(Code 1966, §§ 36-1, 36-1B; L.L. No. 13 of 1988, § 1; L.L. No. 15 of 1988, § 1; L.L. No. 16 of 1988, §§ 1, 2)

**State law references**—Authority of town to designate through streets, Vehicle and Traffic Law, § 1660(a)(1); vehicles entering stop or yield intersections, Vehicle and Traffic Law, § 1142.

### Sec. 14-24. Removal and storage of vehicles.

(a) The town shall provide for the removal and storage of vehicles that are:

- (1) Parked or abandoned in any town and county streets and highways in violation of the provisions of section 14-85.
- (2) Parked or abandoned on public highways during snowstorms, floods, fires or other public emergencies.
- (3) Found unattended where they constitute an obstruction to traffic.
- (4) Found at any location where stopping, standing or parking is prohibited.

(b) In addition to the payment of any penalty, the owner or operator of any such vehicle shall be liable for payment of all expenses actually and necessarily incurred in effecting such removal storage thereof.

- (c) (1) A fee of twenty-five dollars (\$25.00) per day shall be charged to the registered owner of any vehicle impounded by the town police department as a storage fee payable to the town prior to the owner of said vehicle regaining possession of said vehicle.
- (2) The term "per day" as defined herein shall mean that said fine shall be levied for any portion of a 24-hour period that the vehicle remains upon the town's impound lot.
- (3) The comptroller shall establish a police vehicle fund identified as to which she shall increase appropriations in said line for the purpose of purchasing new police vehicles.

(Code 1966, § 20-1.5; L.L. No. 14 of 2006, § 1)

**Cross reference**—Junk vehicles, § 15-21 et seq.

### Secs. 14-25—14-35. Reserved.

### DIVISION 2. TRAFFIC VIOLATIONS BUREAU\*

### Sec. 14-36. Authorized; person in charge.

The town board authorizes the justice court of the town to establish a traffic violations bureau to

**\*State law reference**—Traffic violations bureau, General Municipal Law, § 370 et seq.

assist the court in the disposition of offenses in relation to traffic violations. The traffic violations bureau shall be in charge of such person and shall be open at such hours as the court designates.

(Code 1966, § 37-1)

**State law reference**—Authority to authorize traffic violations bureau, General Municipal Law, § 370.

**Sec. 14-37. Jurisdiction and procedure.**

(a) The traffic violations bureau authorized by the provisions of this division, may dispose of certain offenses in relation to traffic violations as may be designated by the justice court whether same be violations of traffic laws, ordinances, rules and regulations, but only when such shall not constitute the traffic infraction known as speeding or a misdemeanor or felony. The traffic violations bureau may permit a person charged with an offense within the limitations herein stated, to answer, within a specified time, at the traffic violations bureau, either in person or by written power-of-attorney, in such form as shall be hereinafter prescribed in section 14-38, by paying a prescribed fine and, in writing, waiving a hearing in court pleading guilty to the charge and authorizing the person in charge of the bureau to make such a plea and pay such a fine in court.

(b) Acceptance of the prescribed fine and power-of-attorney by the traffic violations bureau shall be deemed complete satisfaction for the violation and the violator shall be given a receipt which so states.

(c) In the event a person charged with a traffic violation does not answer as hereinbefore prescribed, within the designated time, the bureau shall cause a complaint to be entered against him forthwith and a warrant to be issued for his arrest and appearance before the court.

(d) Any person who shall have been, within the preceding twelve (12) months, guilty of more than a number of parking violations in excess of such maximum number as may be designated by the court, or of three (3) or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation to

the traffic violations bureau, but must appear in court at a time specified by the traffic violations bureau.

(e) The traffic violations bureau shall not be authorized to deprive a person of his right to counsel or to prevent him from exercising his right to appear in court to answer to, explain or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

(Code 1966, § 37-3)

**State law reference**—Jurisdiction and procedure, General Municipal Law, § 371.

**Sec. 14-38. Written power-of-attorney.**

The written power-of-attorney referred to in section 14-37, to be used by a person to answer the charge of an offense within the limitations of this division and within the time specified for same, shall subsequently conform with the following:

"The undersigned herewith acknowledges receipt of notification of the charge of the offense hereinabove referred to and herewith confers upon the person in charge of the traffic violations bureau full power and authority to enter my plea of guilty to the charge and authorizes such person to make my plea thereto and pay my prescribed fine herewith enclosed in the justice court. The undersigned further waives a hearing in court and all other rights and privileges incident thereto."

(Code 1966, § 37-4)

**Sec. 14-39. Fines.**

The justice court shall designate the fines to be paid for offenses which may be satisfied in the manner provided in the ordinance at the traffic violations bureau as hereinabove set forth, provided such fines are within the limitations established as penalties for such offenses.

(Code 1966, § 37-5)

**State law reference**—Similar provisions, General Municipal Law, § 372.

**Sec. 14-40. Records.**

The traffic violations bureau shall keep a record of all violations of which each person has been guilty, whether such guilt was established in

court or in the bureau, and also a record of all fines collected and the disposition thereof. It shall also perform such other or additional duties and keep other or additional records as may be prescribed by the justice court and/or by the town board.

(Code 1966, § 37-6)

**State law reference**—Similar provisions, General Municipal Law, § 373.

**Secs. 14-41—14-60. Reserved.**



### ARTICLE III. VEHICLE OPERATION GENERALLY\*

#### Sec. 14-61. Weight restrictions.

(a) Trucks, commercial vehicles, tractors and tractor-trailer combinations registered for five (5) tons or more gross weight, except agricultural vehicles in rural residential districts, are excluded from the highways designated by ordinance or local law.

(b) This subsection does not apply to traffic that has exited from new state highway Route 17 by way of Exit 68. Subsection (a) does not:

- (1) Prevent the delivery or pickup of merchandise or other properties along the portion of the roadways from which such vehicle and combinations are excluded.
- (2) Prevent access to any parcel along excluded portions of the roadways for any lawful purpose.
- (3) Prevent truck traffic from originating, terminating or stopping en route for any lawful purpose at any parcel fronting along portions of such roadways.

(c) The supervisor, the highway superintendent or the town board may suspend the operation of this section for up to seven (7) days upon the finding that there are weather conditions, traffic conditions or other road conditions making such suspension appropriate.

(d) Suitable signs shall be posted at the termini of the excluded sections of such roadways. (Code 1966, § 36-11; L.L. No. 1 of 1987, § 1)

**State law reference**—Weight restrictions authorized, Vehicle and Traffic Law, § 1660(a)(11), (17)

#### Secs. 14-62—14-80. Reserved.

\***State law reference**—Rules of the road, Vehicle and Traffic Law, § 1100 et seq.

### ARTICLE IV. STOPPING, STANDING AND PARKING†

#### Sec. 14-81. Definitions.

In this article the words "owner," "parked" and "vehicle" have the meanings assigned to them by the Vehicle and Traffic Law.

(Code 1966, § 20-2.1)

**Cross reference**—Definitions and rules of construction generally, § 1-2.

**State law references**—"Owner" defined, Vehicle Traffic Law, § 128; "vehicle" defined, Vehicle and Traffic Law, § 159.

#### Sec. 14-82. Penalties for offenses.

Any person violating any of the provisions of this article may be punished upon conviction for the first offense by a fine not exceeding ten dollars (\$10.00) and, for the second offense within one (1) year of the first offense, by a fine not exceeding fifteen dollars (\$15.00) and, for a third or subsequent offense within one (1) year from the date of the first offense, by a fine not exceeding twenty-five dollars (\$25.00) or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment.

(Code 1966, § 20-5)

#### Sec. 14-83. General prohibition.

The stopping, standing and/or parking of vehicles is prohibited at the locations designated by ordinance or local law during the days and/or hours established by ordinance or local law.

(Code 1966, §§ 20-1, 20-1.1—20-1.3, 20-1.6, 20-1.8(A), (E), (F); L.L. No. 4 of 1987; L.L. No. 10 of 1988, § 1; L.L. No. 14 of 1988, §§ 1—3)

#### Sec. 14-84. Temporary emergency restriction.

(a) The chief of police is authorized to prohibit or limit parking in any designated area, where the chief of police determines that there is a serious traffic problem.

†**State law references**—General authority to regulate stopping, standing and parking, Vehicle and Traffic Law, § 1660(a)(18); stopping, standing and parking generally, Vehicle and Traffic Law, § 1200 et seq.

(b) The order of the chief of police shall prohibit or limit parking no longer than fourteen (14) days. In the event the chief desires to limit or prohibit parking, suitable signs or other instructions specifying the limitations must be placed in the area in order to inform the motorists of the prohibition or limitation.

(Code 1966, § 20-1.7)

**Sec. 14-85. Night parking restrictions.**

In order to facilitate snow removal operations on all public highways, the parking of vehicles is prohibited in all town and county streets and highways between the hours of 2:00 a.m. to 6:00 a.m. during the period December 1 through March 31.

(Code 1966, § 20-1.5)

**Sec. 14-86. High school parking restrictions.**

Parking shall be permitted for students of the Vestal Central High School in a lot adjacent to the Vestal Public Library, upon the following stipulated terms:

- (1) Parking shall be limited to the designated area.
- (2) Student parking shall be by permit only, which permit shall be issued by the designated authority of the Vestal Central High School.
- (3) Upon compilation of a list of permit numbers, with accompanying student names and license plate numbers, such list shall be provided to the chief of police.
- (4) Each student automobile permitted to be parked in the area must contain a sticker bearing the permit number issued to the student, which sticker shall be large enough to be readily visible to patrolling police vehicles and shall be affixed to the right rear corner of the rear window of each vehicle.
- (5) All cars shall be parked with their front end into the parking space.

(6) Appropriate signs stating "Authorized Parking Only—Unauthorized Parking Will Be Ticketed and/or Towed Away at Owner's Expense" will be provided by the town.

(7) Violations of any of the regulations hereinabove stated will be reported to both the police department and Vestal Central High School authorities and sanction will be imposed upon the violator by the Vestal Central School District and violators will also be prosecuted by the town.

(Code 1966, § 20-1.8(B))

**Sec. 14-87. Emergency squad headquarters restrictions.**

Parking or standing shall be permitted at the Vestal Volunteer Emergency Squad Headquarters at Twin Orchards Park only to the extent provided below:

- (1) No parking or standing shall be permitted on the west side of the driveway to the main building south of Myrtle Street, except in areas designated for parking cars with stickers as provided for in this section.
- (2) No parking or standing shall be permitted on the east side of Myrtle Street except in areas designated for parking cars with stickers as provided for in this section.
- (3) Public parking or standing shall be permitted only in areas north of the main building and specifically designated for public parking.
- (4) Each volunteer emergency squad member's vehicle permitted to be parked in a designated area must contain a sticker bearing the permit number issued to the volunteer, which sticker shall be large enough to be readily visible to a patrolling police vehicle and shall be affixed to the right rear corner of the rear window of each vehicle.
- (5) Appropriate signs stating "Authorized Parking Only—Unauthorized Parking Will Be Ticketed And/Or Towed Away at Owner's Expense" will be provided by the town.

- (6) The chief of police shall be provided with a list of the permit numbers with the accompanying names of the permit number and license plate number of all vehicles which have a Vestal Volunteer Emergency Squad sticker.

(Code 1966, § 20-1.8(C))

**Sec. 14-88. Handicapped parking.**

(a) It shall be a violation for any person to stop, stand or park a vehicle in any area designated as a place for handicapped parking unless the vehicle bears a permit issued under section 1203-a. or a registration issued under section 404-a. of Chapter 32 of the New York State Vehicle and Traffic Law, and such vehicle is being used for the transportation of a severely disabled or handicapped person. This subdivision shall not apply to a violation of section 1203-c of Chapter 32 of the New York State Vehicle and Traffic Law.

(b) For the purpose of this local law, an area designated as a place for handicapped parking shall include off-street parking spaces for the handicapped:

- (1) Required by Sec. 1203-c of the New York State Vehicle and Traffic Law;
- (2) Required by any State or Federal law, rule or regulation; or
- (3) Required by the planning board of the town.

(L.L. No. 1 of 2001, § 1, 9-12-01)

