

Legal Counsel Approval TS

R.L 06-227

Intro. No.

Ord 06-54

Perm. No.

Ord. 06-41



IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Dated: December 18, 2006

Sponsored by Councilmember(s): Massar, Russo, Weslar, Gerchman, Kramer, Papastrat, Rennia

Introduced by Committee(s) on: MPA

ORDINANCE
entitled

AN ORDINANCE PROVIDING FOR ON-STREET
PARKING REGULATIONS FOR DOWNTOWN
NEIGHBORHOODS.

WHEREAS, City Council has determined to establish an on-street residential parking program for:

Pine Street from Carroll Street to Liberty Street;
Henry Street from Carroll Street to Liberty Street;
Fayette Street from Court Street to Henry Street;
Carroll Street from Court Street to Henry Street; and
Liberty Street from Court Street to Henry Street.

WHEREAS, on-street parking has become increasingly congested in the above identified areas; and

WHEREAS, that congestion causes the residents extreme hardship when trying to find on-street parking within reasonable distance of their homes; and

WHEREAS, these hardships are further exacerbated when spectator events at NYSEG Stadium bring many hundreds of extra cars into the neighborhood; and

WHEREAS, many times during these events, the residents living on the identified streets are forced to park blocks away from their homes; and

WHEREAS, the State of New York has enacted Vehicle and Traffic Law § 1640-1, a copy of which is attached hereto, authorizing the City to adopt by local law or ordinance a residential parking permit system for the above streets; and

WHEREAS, a public hearing was held on November 20, 2006 regarding this proposed legislation; and

WHEREAS, funding for implementation of this Ordinance is available on budget line A1410.4319 (City Clerk).

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Dated: December 18, 2006

Sponsored by Councilmember(s): Massar, Russo, Weslar, Gerchman, Kramer, Papastrat, Renna

Section 1. The Code of Ordinances of the City of Binghamton is hereby amended to add Chapter 13, Motor Vehicle and Traffic, Section 13-43, as follows:

§13-43.A. The City of Binghamton hereby creates a residential parking permit system within the area of the City consisting of the following roadways (the "Permit Area"):

Pine Street from Carroll Street to Liberty Street;
Henry Street from Carroll Street to Liberty Street;
Fayette Street from Court Street to Henry Street;
Carroll Street from Court Street to Henry Street; and
Liberty Street from Court Street to Henry Street.

§13-43.B. Parking in the Permit Area shall be restricted to residents and/or property owners living on or owning property within the Permit Area; except that not less than twenty percent of all of the spaces within the Permit Area will continue to be available to non-residents and shall provide for short term parking of not less than ninety minutes in duration in such area. The City of Binghamton Police Bureau will determine which spaces will continue to be available to non-residents.

§13-43.C. The City Clerk shall issue parking permits for the Permit Area. The City Clerk shall establish guidelines to issue parking permits, including proof of residency and/or ownership requirements. Parking permits will be issued for vehicles registered at said address only. A single family dwelling will be eligible for up to two parking permits and a multi-family dwelling will be eligible for up to one parking permit per dwelling unit. The fee for a permit will be \$10 and permits are valid for so long as the resident and/or property owner lives in or owns such residence within the Permit Area. Parking permits shall be specific to registered vehicles only and will include the license plate number of the vehicle. Permits may not be assigned from one person to another, but may be transferred to another vehicle owned by the permit holder without a fee. The permits will be valid twenty-four hours a day, seven days a week from March 15 to November 30 of each year or such other time frame as the City may establish for alternate side of the street parking. Permits may be revoked by the City Clerk if the permit holder moves, sells the property, allows others to use the parking permit, has any outstanding parking ticket(s) or other outstanding motor vehicle violations, or housing code violations at the residence in question.

§13-43.D. Motor vehicles registered pursuant to section four hundred four-a of the Vehicle and Traffic Law shall be exempt from any permit requirement.

§13-43.E. The Permit Area, except the parking spaces designated for non-residents, shall be duly posted as no parking areas, except by valid permit only. The Police Bureau and the Public Works Department shall determine from time to time how the Permit Area is to be posted.

**IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Dated: December 18, 2006

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§13-43.F. Any vehicle parked in the Permit Area, except the parking spaces designated for non-residents, without a valid parking permit to park may be issued a \$50 parking ticket and/or towed at the owner's expense as a violator of a no parking area.

§13-43.H. The permit fees shall be credited to the general fund of the City.

Section 2. That this Ordinance shall take effect on January 1, 2007.

I HEREBY CERTIFY the above to be a true copy of an Ordinance adopted by the Council of the City of Binghamton at a regular meeting December 18, 2006. Approved by the Mayor December 27, 2006.

12/29/06 *Spirala Keating*
(Deputy) City Clerk