

11/17/20



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 236 - 2020

Introduced by Supervisors Veitch, Grattidge, Kinowski, Peck, Smith, Wood and Zlotnick

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 2 OF 2020, PRINT NO. 1, ENTITLED "A LOCAL LAW ESTABLISHING RULES AND REGULATIONS COVERING PARKING ON COUNTY-OWNED AND COUNTY-LEASED PROPERTY, AND REPEALING LOCAL LAW NO. 6 OF 1978", AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, a proposed Local Law, identified as Introductory No. 2 of 2020, Print No. 1, entitled "A Local Law Establishing Rules and Regulations Covering Parking on County-Owned and County-Leased Property, and Repealing Local Law No. 6 of 1978" is being introduced before this Board and is attached hereto as SCHEDULE A, which if adopted will, among other things, enact parking rules and regulations for all currently owned and leased County properties; enact winter parking rules and regulations; revise the penalties for violations to eliminate imprisonment and to increase the amount of the maximum fine; and to repeal the existing and outdated 42 year old parking rules and regulations set forth in Local Law No. 6 of 1978; and

WHEREAS, Municipal Home Rule Law §20(5) requires this Board of Supervisors to hold a public hearing on said proposed Local Law; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 2 of 2020, Print No. 1, entitled "A Local Law Establishing Rules and Regulations Covering Parking on County-Owned and County-Leased Property, and Repealing Local Law No. 6 of 1978", which is attached hereto as SCHEDULE A, is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on December 9, 2020 at 4:25 p.m., or as soon thereafter as the Board can convene, in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and be it further

RESOLVED, due to public health and safety concerns related to COVID-19, and in accordance with Governor Cuomo's Executive Order 202.1, as last extended by Executive Order 202.72, public comment will be received via email to: publiccomment@saratogacountyny.gov, or by written correspondence addressed to: Clerk of the Board, Saratoga County Board of

Supervisors, 40 McMaster Street, Ballston Spa, NY, 12020, which public comment must be received by December 9, 2020 at 4:30 pm; and, be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this public hearing in the official County newspapers; and, be it further

RESOLVED, that the Clerk of the Board shall post the notice of this public hearing on the home page of the County of Saratoga's website.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

INTRODUCTORY NO. 2 OF 2020

PRINT NO. 1

INTRODUCED BY: Supervisors Veitch, Grattidge, Kinowski, Peck, Smith, Wood and
Zlotnick

**COUNTY OF SARATOGA
LOCAL LAW NO. OF 2020**

**A LOCAL LAW ESTABLISHING RULES AND REGULATIONS COVERING
PARKING ON COUNTY-OWNED AND COUNTY-LEASED PROPERTY,
AND REPEALING LOCAL LAW NO. 6 OF 1978**

BE IT ENACTED by the Board of Supervisors of the County of Saratoga as follows:

SECTION 1. Title. This Local Law shall be known as “A Local Law Establishing Rules and Regulations Covering Parking on County-Owned and County-Leased Property, and Repealing Local Law No. 6 of 1978”.

SECTION 2. Definitions.

A. The following words when used in this local law, shall have the meanings ascribed to them except in those instances where the context clearly indicated otherwise:

- a. The word “vehicle” shall mean any device in, upon or which a person or property is or may be transported upon a highway.
- b. The word “person” shall mean and include every natural person, firm, co-partnership, association or corporation.
- c. The word “operator” shall mean and include every person who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner, or the person in actual physical control of the vehicle.
- d. The word “park” shall mean and include the permitting of any vehicle to be parked or put in place and let remain or leave standing in or upon county-owned or county-leased property hereafter described in Section 3 of this local law.
- e. The word “area” shall mean and include the county-owned and county-leased property hereafter described in Section 3 of this local law.

- f. The word “Sheriff” shall mean and include the Sheriff of the County of Saratoga and any and all deputies, designees or subordinates as designated by him from time to time in and about the operation and policing of the parking areas hereafter described.

B. Unless otherwise indicated above or by the context in which they might be used, all words used herein shall have the meanings ascribed to them by the General Construction Law of the State of New York.

SECTION 3. Restricted Parking Areas. The following county-owned or county-leased lands and areas are designated as restricted parking areas to be used and controlled as follows:

- A. Parking of motor vehicles on the following driving lanes and driveways of county-owned parking lots in the Village of Ballston Spa, Town of Milton, and City of Saratoga Springs, New York is hereby strictly prohibited:
 - i. The driving lane throughout the parking lot at the Motor Vehicle Parking Lot abutting on Remsen Street.
 - ii. The driving lane throughout the parking lot on the south side of West High Street with ingress and egress onto West High Street.
 - iii. The driving lane throughout the parking lot lying on the west side of Church Avenue and which exits onto McMaster Street.
 - iv. The driveway leading from the Church Avenue parking lot which exits onto McMaster Street.
 - v. The driving lane through the Supervisors and Administration parking lot to the east of the Building 1 at 40 McMaster Street with ingress and egress onto McMaster Street.
 - vi. The driving lane throughout the parking lot on the north side of West High Street servicing the first floor level of Building 5 at 50 West High Street, with ingress and egress onto West High Street and Science Street.
 - vii. The driving lane throughout the parking lot on the south side of Building 5 with ingress and egress onto Bath Street and Science Street.
 - viii. With regard to the building at 152 West High Street, the driving lanes throughout all four parking lots surrounding the building, and the driveway providing ingress and egress to the building from West High Street.
 - ix. With regard to the Department of Public Works Administration building at 3654 Galway Road, the driving lane through the interior of the parking lot

in front of the building, and the driving lanes leading to the building and parking lot from Galway Road and County Farm Road.

- x. With regard to the Fire Training Center at 6010 County Farm Road, the driving lane through the interior of the parking lot and the driveway to the parking lot from County Farm Road.
 - xi. With regard to the Animal Shelter building at 6010 County Farm Road, the driving lanes through the three parking lots to the east, north and south of the building and the driveways to the parking lots from County Farm Road.
 - xii. With regard to the Saratoga County Jail building at 6010 County Farm Road, the driving lanes throughout the parking lot in front of/to the east of the building and the driveway to the parking lot from County Farm Road.
 - xiii. With regard to the Paul E. Lent Public Safety Building at 6012 County Farm Road and the three unrestricted access parking lots to the northeast, east and south of the building, the driving lanes throughout the parking lots and the driveway leading in from County Farm Road.
 - xiv. With regard to the 60 space public parking lot at the Saratoga County Airport, the driving lanes throughout the parking lot.
 - xv. With regard to the leased premises for Saratoga County Mental Health and Addiction Services at 135 South Broadway in the City of Saratoga Springs, the driving lanes throughout the two parking lots around the building, and the driveways providing ingress and egress to each lot from South Broadway and Adelphi Street respectively.
- B. Parking of motor vehicles on the following driving lanes and driveways of county-owned parking lots in the Town of Milton is hereby strictly prohibited:
- i. The four hundred and thirty (430') foot driveway leading from the Greenfield Avenue extension to the hanger and ramp area of the Saratoga County Airport.
 - ii. The entrance road and loop driveway at the Saratoga County Airport.

SECTION 4. Posting. No parking shall be permitted in the described restricted areas, which shall be posted by the County of Saratoga.

SECTION 5. Winter Parking Restrictions. Commencing this date and hereafter on the first day of November of each year, parking of vehicles shall be prohibited in County parking lots between the hours of 12:00 midnight and 6:00 a.m. This restriction on parking shall continue

until May 1 of each year and shall be in effect each year hereafter during the period of November 1 at 12:00 midnight and the following May 1 at 6:00 a.m.

SECTION 6. Signs. The Public Works Department shall erect and maintain at such parking lots suitable signs which will give adequate notice of the limitations of the hours of parking thereon.

SECTION 7. Enforcement; removal and storage of vehicles. The Sheriff and other municipal police officers shall police the area and issue a summons in the name of the county to a person or operator unlawfully parking a vehicle contrary to the provision of this local law. Such unlawful parking is hereby made an offense contrary to this local law and the Penal Law of the State of New York. Whenever any vehicle shall be found parked in violation of this law, such vehicle in the discretion of the Sheriff, may be removed and transported by and under the direction of the Sheriff by means of towing the same or otherwise to some suitable place of storage and such removal and storage shall be at the risk and expense of the owner of such vehicle. Before the owner or person in charge of said vehicle shall be permitted to remove the same from the custody of the Sheriff, he shall furnish evidence of his identity and ownership or right to possession, pay the proper charges, and sign a receipt for such vehicle.

SECTION 8. Summons. Whenever any vehicle shall be found parked in violation of this law, the Sheriff or other municipal police officers shall thereupon issue a summons to such owner to appear at a time indicated before the local Justice Court having jurisdiction to answer for such violation in accordance with this law. Jurisdiction is hereby conferred upon and granted to such courts of special sessions to hear, try and determine all questions of law or fact herein provided.

SECTION 9. Penalties for Offenses. Any person, whether a principal or his agent violating or assisting in the violation of any provisions of this local law, may upon conviction thereof, be punished by a fine not exceeding Fifty and 00/100 (\$50.00) Dollars.

SECTION 10. Disposition of Fines. All fines paid to a Justice Court shall be the property of the municipality in which the court is established and has jurisdiction.

SECTION 11. Designated Parking Spaces. The Saratoga County Board of Supervisors may by resolution designate parking spaces in any County-owned or County-leased parking lot for the exclusive use of County officials, County employees, and/or customers or clients of specific County services.

SECTION 12. Repeal of Local Law No. 6 of 1978. Local Law No. 6 of 1978 is hereby repealed.

SECTION 13. Severability. In the event any section, part of section, sentence, clause or phrase of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment will not affect the validity of any other provision of this local law.

SECTION 14. Effective Date. This local law shall take effect upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.