

**TOWN OF JOHNSBURG**  
**COUNTY OF WARREN, STATE OF NEW YORK**

**Local Law   #1   of 2015**

**A LOCAL LAW OF THE TOWN OF JOHNSBURG, WARREN COUNTY,  
NEW YORK, AMENDING LOCAL LAW 1 OF THE YEAR 1999, TO  
REGULATE PARKING UPON THE HIGHWAYS WITHIN THE  
CORPORATE LIMITS OF THE TOWN OF JOHNSBURG**

Be it enacted by the Town Board of the Town of Johnsburg as Follows:

**Section 1 - PREAMBLE AND ENACTING CLAUSE**

For the purpose for providing for the safe and orderly use of the public highways within the Town of Johnsburg by the operator of motor vehicles, their passengers and other persons, the Town Board of the Town of Johnsburg, Warren County, New York, duly convened in regular session and having duly held a public hearing thereon, does hereby enact this Local Law pursuant to the authority granted under Section 1660(a) of the Vehicle and Traffic Law of the State of New York.

**Section 2 - TITLE**

This Local Law Shall be known and cited as the "Traffic Local Law of the Town of Johnsburg".

**Section 3 - DEFINITIONS**

The definitions set forth in Article 1 of the Vehicle and Traffic Law of the State of New York, as the same may be amended from time to time, are hereby adopted as applicable to this Local Law.

**Section 4 - AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES**

The Town of Johnsburg Highway Department shall install and maintain traffic control devices when and as required under the provisions of this Local Law to make effective the provisions of said Local Law and may install and maintain such additional traffic control devices as it may deem necessary to regulate, warn or

guide traffic under the Vehicle and Traffic Law of the State of New York subject to the provisions of Sections 1682 and 1684 of that Law.

### **Section 5 - PARKING, STANDING AND STOPPING**

A) There shall be no overnight parking on the east side of Town highway known as Main Street (also known as County Route 77) between November 15 to April 15, between the intersections of said Main Street and New York State Route 28N and Main Street and the Town highway known as “Ski Bowl Road”

B) There shall be no parking on both Wade Avenue and Main Street, on both sides of said streets, for a distance of twenty (20) feet from the intersection of the Town highway known as Wade Avenue and Main Street.

### **Section 6 - POSTING REQUIREMENTS**

The sign authorized by this Local Law to be installed shall be of the types specified and shall be erected and maintained pursuant to the pertinent posting requirements of the Vehicle and Traffic Law of the State of New York, regulations promulgated thereunder and any other statutes and regulations of the State of New York prescribing conditions for the installation of such signs.

### **Section 7 - REMOVAL AND STORAGE OF VEHICLES**

A) Authority to Impound Vehicles - when any vehicle is parked or abandoned on the highway within the Town of Johnsbury during a snow storm, flood, fire or other public emergencies, is found unattended on any highway within the Town of Johnsbury where said vehicle constitutes an obstruction to traffic, or is parked or abandoned on any highway within the Town of Johnsbury where stopping, standing or parking is prohibited, the Town Highway Superintendent of the Town of Johnsbury or an independent contractor employed for that purpose by the Town may cause such vehicle to be removed.

B) Storage and Charges - any removal of any vehicle as provided for in subdivision "A" above, the Town Highway Superintendent or an independent contractor employed for that purpose by the Town may store such vehicle in a suitable location at the expense of the owner. Such owner or person in charge of

the vehicle may redeem the same upon payment to the Town of the amount of all expenses actually and necessarily incurred in effecting such removal together with any charges for storage, all such charges to be reasonable under all the circumstances.

C) Notice of Removal - The Town Highway Superintendent shall without delay report the removal and disposition of any such vehicle removed as provided in subdivision "A" above to the Town Clerk of the Town of Johnsburg and it shall be the duty of such Town Clerk to ascertain to the extent possible the owner of such vehicle or person having charge of such vehicle and to notify the owner of the removal and disposition of such vehicle and of the amount which will be required to redeem same to the extent that such amount can be calculated at the time of giving such notice. Such notice shall be in writing and shall be mailed to the address ascertained by such Town Clerk to be the address of such owner or person having charge of such vehicle.

## **Section 8 - PENALTIES OF VIOLATION OF LOCAL LAW**

Every person convicted of a traffic infraction for a violation of any provision 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 for a first conviction thereof be punished by a fine of not more than \$50 or by imprisonment of not more than fifteen (15) days or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter such person shall be punished by a fine of not more than \$100 or by imprisonment of not more than forty-five (45) days or by both such fine and imprisonment; upon a third conviction or subsequent conviction within eighteen (18) months after the first conviction such person shall be punished by a fine of not more than \$100 or by imprisonment of not more than ninety (90) days or both such fine and imprisonment.

## **Section 9 – SEVERABILITY**

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause,

sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 10 - REPEALER**

All ordinances, Local Laws and part thereof inconsistent with this Local Law are hereby repealed.

### **Section 11 - EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Sections 27 or the Municipal Home Rule Law.