

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
[redacted] of ..... Montgomery .....  
[redacted]  
[redacted]  
Local Law No. .... 2 ..... of the year 19 96 .....

A local law ..... Establishing Rules and Regulations Regarding Traffic and Parking on .....  
County Property (Insert title)

Be it enacted by the ..... Board of Supervisors ..... of the  
(Name of Legislative Body)

County  
[redacted] of ..... Montgomery ..... as follows:  
[redacted]  
[redacted]

Section 1. DEFINITIONS. As used herein, unless otherwise expressly stated or unless the context or subject matter otherwise requires:

- (a) The term "County" shall mean the County of Montgomery.
- (b) The term "County Administrator" shall mean the County Administrator of the County of Montgomery.
- (c) The term "County property" shall mean and include all property owned, leased or under the jurisdiction and control of the County of Montgomery, excluding highways and highway-related properties.
- (d) "Parking area" shall mean any portion or portions of county property, as defined in this Local Law, set aside for the parking of vehicles.
- (e) "Person" shall mean any person, firm, partnership, association, corporation or organization.
- (f) "Vehicle" shall have the same meaning as defined in Section 159 of the Vehicle and Traffic Law of the State of New York.
- (g) "Park" or "parking" shall mean the standing of a vehicle, whether occupied or not, otherwise then temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- (h) "Stop" or "stopping" shall mean any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic in compliance with the directions of a police officer or traffic control sign or signal.
- (i) "Stand" or "standing" means the stopping of a vehicle, whether occupied or not, otherwise then temporarily, for the purpose of and while actually engaged in receiving or discharging passengers.

(If additional space is needed, please attach sheets of the same size as this and number each)

- (j) Montgomery County "reserved parking permit sticker" shall mean officially designated and registered permit which is appropriately numbered and has been approved by the County Administrator or his designee, as to form and design.
- (k) "Traffic control devices" means all signs, signals, markings, and other devices placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic. All traffic control devices shall conform to the New York State Manual of Uniform Traffic Control Devices.

Section 2. PARKING, STANDING AND STOPPED.

- (a) When stopping is prohibited by this local law, no person shall stop, stand or park a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.
- (b) When standing is prohibited by this local law, no person shall stand or park a vehicle, whether occupied or not, but may stop temporarily for the purpose of and while actually engaged in receiving or discharging passengers.
- (c) When parking is prohibited by this local law, no person shall park a vehicle, whether occupied or not, but may stop or stand temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- (d) When official signs have been posted prohibiting, restricting or limiting the stopping, standing or parking of vehicles, no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.
- (e) The County Administrator/Commissioner of Public Works shall designate where stopping, standing or parking shall be restricted to all vehicles operated with Montgomery County facilities.

Section 3. MOVEMENT OF TRAFFIC. The County Administrator, or his designee, may, by order, prescribe the direction in which vehicles shall proceed and the place where vehicles shall stop, turn or otherwise maneuver within County property.

Section 4. SIGNS AND MARKINGS. The County Administrator, or his designee, shall cause such appropriate signs to be erected and pavement markings to be made, or other devices installed, as he shall deem necessary for the enforcement of these rules and regulations.

Section 5. OBSERVANCE OF SIGNS, MARKINGS AND ORDERS.

- (a) Persons operating vehicles within County property shall at all times observe and obey the directions, orders and instructions appearing upon or conveyed by signs, pavement markings or other devices relating to the parking, standing or stopping of vehicles or the direction in which vehicles shall be stopped, turned or otherwise maneuvered.
- (b) Persons operating vehicles within County property shall at all times comply with the orders of any law enforcement officer, or duly authorized designee, engaged in the direction of traffic or the parking of vehicles.

Section 6. IDENTIFICATION OF VEHICLES PARKED IN RESERVED PARKING AREAS

- (a) A Montgomery County registered reserved parking permit sticker shall be properly displayed on all vehicles parked in reserved parking areas.
- (b) Any vehicle improperly parked in a reserved parking area shall be deemed to be in violation of these rules and regulations.

Section 7. TRAFFIC REGULATIONS. The orders of the County Administrator, or his designee, promulgated under this authority, shall become effective when the approved signs and markings have been erected and installed.

Section 8. AUTHORITY TO REMOVE VEHICLES.

- (a) When any vehicle is parked or abandoned on any Montgomery County property during a snowstorm, flood, fire or public emergency which affects that portion of the property upon which said vehicle is parked or abandoned, said vehicle may be removed by the County Administrator, or his designee.
- (b) When any vehicle is found unattended, within the confines of Montgomery County property, and constitutes an obstruction to traffic, said vehicle may be removed by the County Administrator, or his designee.
- (c) When any vehicle is found unattended, within the confines of Montgomery County property, and parked in such a manner as to be in violation of these rules and regulations, said vehicle may be removed by the County Administrator, or his designee.

Section 9. STORAGE AND CHARGES AFTER REMOVAL OF ANY VEHICLE. After the removal of any vehicle, as provided in this Local Law, the County Administrator, or his duly-authorized designee, may store said vehicle in a suitable place at the expense of the owner. Such owner, or the person in charge of such vehicle, may recover the same upon payment, to the County of Montgomery, of the amount of all expenses and charges actually and necessarily incurred in effecting such removal and storage.

Section 10. NOTICE OF REMOVAL. The County Administrator, or his designee, shall, without delay, report the removal and disposition of any vehicle removed, as provided in this Local Law and rules and regulations, to the Sheriff of Montgomery County and ascertain the owner, or the person having charge thereof, and notify him, in writing, of the removal and disposition of such vehicle and the amount which shall be required to redeem the same.

Section 11. AUTHORITY TO CONTRACT AND HIRE. The County Administrator, or his designee, hereby is given the power and authority to engage, hire and contract with any person or corporation to tow away and to store motor vehicles and to otherwise carry out the purposes of sections eight and nine of this law.

Section 12. SOLICITING NOT PERMITTED. No County property or parking areas shall be used for soliciting or for business purposes unless such use is specifically granted by license or permit.

Section 13. UNAUTHORIZED PARKING. No vehicle shall be parked on County property between the hours of 11:00 p.m. and 8:00 a.m., except vehicles of authorized County personnel and vehicles or persons attending public functions, unless specifically authorized by the County Administrator, or his designee.

Section 14. ISSUANCE OF IDENTIFICATION STICKERS OR TAGS. The County Administrator, or his designee, is authorized to issue suitable stickers, or other tags or devices to County officers and such County employees as may be certified to him by a department head as entitled thereto, the judges of the courts and such other persons as come within the intent of these rules and regulations indicating entitlement of the user to park or use certain designated parking areas. Such privileges shall be revocable at the will of the County Administrator, or his designee, upon violation of any of these rules, regulations or orders by the holder thereof.

Section 15. ENFORCEMENT OF REGULATIONS. The Sheriff, the County Administrator and their designees are authorized to enforce these rules and regulations and prevent violations thereof.

Section 16. PENALTIES. The violation of any provision of this Local Law or the rules and regulations prescribed herein, or refusal to comply with any instructions or directions used thereunder, shall be punishable by a penalty not exceeding one hundred dollars.

Section 17. JURISDICTION OVER ENFORCEMENT OF VIOLATIONS. The County Court of the County of Montgomery shall have jurisdiction over the enforcement of any violations of this law.

Section 18. FILING ORDERS, RULES AND REGULATIONS. The County Administrator, or his designee shall file with the Clerk of the Board of Supervisors, all orders, rules and regulations promulgated by him pursuant to the authority granted him under this law.

Section 19. VALIDITY OF RULES AND REGULATIONS. Each separate provision of these rules and regulations is deemed independent of other provisions herein, and if any provision be declared invalid, all other provisions shall remain valid and enforceable.

Section 20. This Local Law shall take effect immediately.