

(Use this form to file a 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
XXXXX
City
XXXXX
Town
XXXXX
Village
XXXXX

of PLATTSBURGH

Local Law No. 3 of the year 1994

AMENDING CHAPTER 252 OF THE CITY CODE TO PROVIDE FOR THE ENFORCEMENT OF FIRE

A local law LANE REQUIREMENTS AND PARKING RESTRICTIONS ON PRIVATE PROPERTY
(Insert Title)

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

County
XXXXXX
City
XXXXXX
Town
XXXXXX
Village
XXXXXX

of PLATTSBURGH as follows:

Section 252-6 of the City Code is renumbered section 252-6.1 and the following section is adopted which shall be entitled "Fire Lanes" and shall be numbered section 252-6.2

Section 1. Designation of Fire Lanes

.1 Fire lanes shall be established and maintained on private property when: (a) the establishment of a fire lane has been required as a condition of site plan approval for a property by the Zoning Board of Appeals or Planning Board; (b) a fire lane or no parking or standing zone has been established pursuant to Vehicle and Traffic Law sections 1640 or 1640-a.

.2 The City Engineer is authorized to issue a written order pursuant to section 252-3 to clarify and specify the fire lane requirements. The order shall identify the required location and dimensions of the fire lane. The order shall specify how the fire lane is to be marked by the number, type, size, location and means of affixing or erecting signs, and required pavement markings. The order shall specify a date by which the fire lane improvements shall be made.

.3 The order shall be mailed by first class mail to the person identified as the owner of the property in the city's real property tax records. The owner of the property shall make any required fire lane improvements by the date set forth in the order.

Section 2. Maintenance of Fire Lanes

The owner shall maintain the required fire lane signage and pavement markings and shall keep the fire lane free of obstructions, including snow or ice.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 3. Parking in Fire Lanes

No person shall park a vehicle in a fire lane. An unattended vehicle that is parked in a fire lane shall be presumed to have been parked by the registered owner of said vehicle or his agent.

Section 4. Penalties and Enforcement

Section 252-15 of the City Code is amended to include the following new subsection C. :

.1 A violation of any part of section 252-6.2 shall constitute an offense.

.2 A failure to comply with the terms of an order issued by the City Engineer pursuant to section 252-6.2 shall constitute a violation of section 252-6.2.

.3 A violation shall be punishable by a fine of not more than \$50.00 dollars for each offense. Each day that a violation continues shall constitute a separate offense.

.4 The City Engineer, Fire Chief, Assistant Fire Chief, Fire Captain, Fire Lieutenant, Building Inspector, Municipal Code Inspector, Housing Code Inspector, Fire Code Inspector, or any peace officer may issue an appearance ticket or uniform traffic ticket for a violation of section 252-6.2 and may represent the City in the prosecution of such alleged violation.

.5 The Fire Chief, Assistant Fire Chief, Fire Captain, Fire Lieutenant in charge of a fire scene, or any peace officer may cause any vehicle parked in violation of section 252-6.2 to be removed and stored. The owner or operator of such vehicle shall be liable to pay such removal and storage charges.

Section 5. Repeal of Inconsistent Sections

.1 Section 252-6 F is hereby repealed.

.2 Any other local law, ordinance or regulation which has heretofore been adopted and is inconsistent in whole or part with this local law is hereby repealed.

Section 6. Effective Date

This local law shall become effective immediately upon approval by the Mayor and filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1994 of the ~~(County)~~(City)~~(Town)~~(Village) of PLATTSBURGH was duly passed by the COMMON COUNCIL on JUNE 23 1994, and was (approved)~~(not disapproved)~~~~(repassed after disapproval)~~ by the MAYOR and was deemed duly adopted on JUNE 24 1994, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2, above.

Keith A. Herkalo

KEITH A. HERKALO, CITY CLERK

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 13 JULY 1994

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

John E. Clute

Signature JOHN E. CLUTE

CORPORATION COUNSEL

Title

~~County~~
City
~~Town~~
~~Village~~
~~XXXXX~~

of PLATTSBURGH

Date: 13 JULY 1994