

City of Rensselaer, NY  
Thursday, April 18, 2019

## Chapter 140. Residential Parking Permit System

[HISTORY: Adopted by the Common Council of the City of Rensselaer 5-19-2004 by L.L. No. 2-2004.<sup>[1]</sup> Amendments noted where applicable.]

### GENERAL REFERENCES

Vehicles and traffic — See Ch. 169.

[1] *Editor's Note: This local law requested that the New York State Legislature enact legislation to authorize the City of Rensselaer to adopt a residential parking permit system. Said act was added L. 2005, c. 754, § 2, effective 11-9-2005; see § 1640-k of the Vehicle and Traffic Law of New York State.*

### § 140-1. Authority.

Notwithstanding the provisions of any law to the contrary, the City Council of the City of Rensselaer may, by adoption of a local law or ordinance, provide for a residential parking permit system and fix and require the payment of fees applicable to parking within the area in which such parking system is in effect in accordance with the provisions of this section.

### § 140-2. Findings.

The area surrounding the Amtrak Station in the City of Rensselaer is a residential neighborhood. This area contains many narrow streets that are not conducive to heavy traffic, especially in the winter months. Many of the properties in the neighborhood do not contain adequate space for driveways. As a result, the streets within the area generally represent the only space available to residents for parking. Because of the proximity of the area to the Amtrak Station, many of the commuters use the streets within this area for daily long-term parking. This severely diminishes the amount of parking spaces available to residents in this area. The Council hereby finds that because of the unique circumstances and location of this area, the establishment of a residential parking system in such neighborhood is necessary in order to preserve the character of this residential district by reducing neighborhood noise and litter; improving access to dwellings units and parking for residents and visitors; improving the efficiency of City services such as street maintenance, snowplowing, street sweeping, garbage collection and the movement of emergency vehicles.

### § 140-3. Area established.

Such residential parking permit system may only be established within the area of the City consisting of the following streets:

- A. Elm Street.
- B. East Street.
- C. Wendell Street.

## § 140-4. Additional findings; purpose.

- A. There has been a lack of parking for the residents in the neighborhoods surrounding the Amtrak Station.
- B. The streets in residential areas have been used for daily long-term parking by Amtrak commuters.
- C. The use of streets in the residential neighborhoods for Amtrak commuters has severely diminished the amount of parking spaces available to residents of the residential neighborhoods.
- D. The establishment of a residential parking permit system in the neighborhoods surrounding the Amtrak Station is necessary in order to preserve the character of the neighborhoods by reducing neighborhood noise and improving the efficiency of City services such as street maintenance, snowplowing, street sweeping, garbage collection and the movement of emergency vehicles, and reducing hazardous traffic conditions and congestion in order to provide the health, safety, peace, good order and comfort of the residents of the neighborhood.

## § 140-5. No permit required for adjacent commercial/retail uses.

Notwithstanding the foregoing, no permit shall be required on streets where the adjacent properties are zoned for commercial/retail use.

## § 140-6. Objectives.

The chapter providing for such residential parking system shall:

- A. Set forth factors necessitating the enactment of such parking system;
- B. Provide that motor vehicles registered pursuant to Vehicle and Traffic Law § 404-a shall be exempt from any permit requirements;
- C. Provide the times of the day and days of the week during which permit requirements shall be in effect;
- D. Make not less than 20% of all spaces within the permit area available to nonresidents, and shall provide short-term parking of not less than 90

minutes in duration in such area;

- E. Provide the schedule of fees to be paid for such permits; and
- F. Provide that such fees shall be credited to the general fund of the City of Rensselaer.

## § 140-7. Public hearing required.

No ordinance or local law shall be adopted pursuant to this chapter until a public hearing thereon has been had in the same manner as required for public hearings on a local law pursuant to the Municipal Home Rule Law.

## § 140-8. Administration; suspension of privileges.

The Common Council of the City of Rensselaer shall establish rules, regulation and fees relating to the issuance and use of residential parking permits and visitors' passes and may suspend any parking permit privileges for a period not to exceed 12 months for violation of said rules and regulations. No such suspension shall be effective unless the Common Council has given the permit holder at least 10 days' written notice of the charges against the holder and offered the holder an opportunity to be heard, either in writing or at a meeting, on said charges.

## § 140-9. Fees.

[Amended 5-17-2006 by L.L. No. 2-2006]

The fee for a residential parking permit shall be a one-time fee of \$5, and the visitor's pass obtained by a resident shall be \$5. All such fees shall be collected by the City Clerk's Office and credited to the general fund at the beginning of each month.

## § 140-10. Parking permit required; exception; fine.

[Amended 5-17-2006 by L.L. No. 2-2006]

No person shall park a vehicle nor allow a vehicle to be parked in a parking space along a street in the Amtrak area which has been designated by the Common Council for residential parking only, unless said vehicle shall have affixed thereto a valid residential parking permit or unless said vehicle shall display a valid visitor's pass or unless said vehicle is registered in accordance with § 404-a of the Vehicle and Traffic Law and said vehicle is being used for the transportation of a disabled person. Any and all vehicles parking without the residential parking permit or visitor's pass will be fined \$50 and towed at the owner's expense.