

*Town of Kendall, NY
Thursday, April 18, 2019*

Chapter 243. Vehicles and Traffic

[HISTORY: Adopted by the Town Board of the Town of Kendall 5-8-1986 by L.L. No. 2-1986. Amendments noted where applicable.]

§ 243-1. Statutory authority.

The Legislature of the State of New York has authorized, pursuant to the provisions of the Town Law and the Vehicle and Traffic Law of the State of New York as they pertain to regulation of traffic by the Towns, the legislative body of the Town to adopt a local law regulating the use of the highways of the Town and more particularly, to limit the stopping, standing, or parking of motor or other vehicles thereon in order to promote the general health, welfare and safety of the citizenry of the municipality.

§ 243-2. Purpose.

The Town Board of the Town of Kendall, Orleans County, New York, being the local legislative body empowered to enact such local laws as maybe necessary to protect the general welfare of the Town, has determined upon its own investigation that it is necessary to limit the stopping, standing or parking of motor or other vehicles with the general vicinity of the so-called Four Corners in the Hamlet of Kendall for the following reasons:

- A. To provide a clear, unobstructed view of traffic approaching the intersection of Kendall Road and Kenmore Road;
- B. To promote and encourage patronage of established businesses by providing regulated parking in the general business district of the Hamlet of Kendall;
- C. To facilitate the Town Highway Department in snow removal during the winter months which otherwise would accumulate and create a hazard to pedestrians and vehicle traffic in the general vicinity of the Four Corners.

§ 243-3. One-hour parking restrictions on Kendall Road and Kenmore Road.

[Amended 7-15-1999 by L.L. No. 2-1999]

Pursuant to § 130(7) of the Town Law and to § 1660(18) of the Vehicle and Traffic Law of the State of New York, the Town Board of the Town of Kendall does hereby direct that no motor or other vehicle shall stop, stand or park on either side of Kendall Road from the intersection of Kenmore Road in a southerly direction or on either side of Kenmore Road from the intersection of Kendall Road in a westerly direction for a period of time exceeding one hour within 125 feet in all directions of the point of intersection of

Kendall Road and Kenmore Road in the Hamlet of Kendall. All such stopping, standing or parking within this limited one-hundred-twenty-five-foot zone shall be parallel parking.

§ 243-4. Exceptions to time limits; temporary parking permits.

[Added 4-9-1987 by L.L. No. 2-1987; amended 7-15-1999 by L.L. No. 2-1999]

- A. The regulations set forth in § **243-3** shall regulate the stopping, standing and parking of motor vehicles within a one-hour parking zone located 125 feet in all directions from the point of intersection of Kendall Road and Kenmore Road in the Hamlet of Kendall except as follows:
- (1) No motor or other vehicle shall stop, stand or park on the west side of Kendall Road for a period of time exceeding one hour within 135 feet from the point of intersection of Kendall Road and Kenmore Road.
 - (2) The stopping, standing or parking of a motor vehicle for a continuous period of time in excess of one hour shall be permitted within the one-hundred-twenty-five-foot zone on the west side of Kendall Road lying north of the intersection of Kendall Road and Kenmore Road only and no other area within the designated 125 feet zone described in § **243-3**.
[Amended 7-15-1999 by L.L. No. 2-1999]
 - (3) The stopping, standing or parking of a motor vehicle for a continuous period of time shall be permitted within the zone described in Subsection **B** above only if it clearly displays a temporary parking permit issued in accordance with the provisions of this section.
- B. Temporary parking permits. The Town Clerk of the Town of Kendall is hereby authorized to issue a temporary parking permit to each applicant who has applied to and received approval from the Town Board. Each applicant must make application for a permit at a regular meeting of the Town Board. The applicant must demonstrate to the Town Board that he/she is the owner of a business within the temporary parking zone, that the motor vehicle is owned by the applicant or under his/her direct control for business purposes, that no adequate off road parking exists immediately adjacent to his/her business, and that issuance of the temporary parking permit is necessary to carrying on the day-to-day operation of the applicant's business.
- (1) Each applicant shall be limited to issuance of no more than four temporary parking permits at any one time.
 - (2) Each temporary permit shall be valid for a period of one year from the date of issuance and shall be revocable at the option of the Town Board upon a finding that the permit holder is in violation of the provisions of this section or any other regulation of the Town of Kendall regulating the stopping, standing or parking of motor or other vehicles within the Town of Kendall; or after a finding that the permit is no longer necessary.
- C. The temporary parking permit shall allow the stopping, standing or parking of a motor vehicle properly displaying such permit within this designated zone for a period not to exceed five continuous days.

- D. The exceptions set forth herein shall not permit the stopping, standing or parking of any motor vehicle within the designate area during a snow emergency, natural disaster, civil disorder or similar catastrophe.

§ 243-5. Parking prohibitions on Kendall Road and Kenmore Road.

[Added 7-15-1999 by L.L. No. 2-1999]

- A. No motor or other vehicle shall stop, stand or park on the east side of Kendall Road at any time from the point of intersection of the center line of Kendall Road and the center line of Kenmore Road extending northerly to a point which is 175 feet northerly as measured along the east side of Kendall Road from said point of intersection.
- B. No motor or other vehicle shall stop, stand or park on either the north side or the south side of Kenmore Road between the point of intersection of the center line of Kendall Road and the center line of Kenmore Road extending easterly along the center line of Kenmore Road a distance of 183 feet.
- C. As stated herein, this section shall prohibit the stopping, standing or parking of motor or other vehicles along the east side of Kendall Road and the north and south side of Kenmore Road. The east side of Kendall Road being defined as the east boundary line of Kendall Road right-of-way. The north side of Kenmore Road being defined as the north highway right-of-way line of Kenmore Road, and the south line of Kenmore Road being likewise defined as the south highway right-of-way line of Kenmore Road.

§ 243-6. Enforcement.

[Amended 7-15-1999 by L.L. No. 2-1999]

The law enforcement agencies of the State of New York and the County of Orleans, having jurisdiction within the Town of Kendall, shall be jointly responsible for enforcing the provisions contained herein using all the enforcement powers conferred upon them by the laws of the State of New York.

§ 243-7. Notice.

[Amended 7-15-1999 by L.L. No. 2-1999]

The Town Board shall cause notice of the parking prohibitions contained herein to be posted as otherwise provided under the Vehicle and Traffic Law of the State of New York.

§ 243-8. Penalties for offenses.

[Added 7-15-1999 by L.L. No. 2-1999]

A violation of this chapter is hereby declared to be a misdemeanor and any person violating the same may upon conviction be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days or by both such fine and imprisonment.