

Town of Mamaroneck, NY
Thursday, April 18, 2019

Chapter 219. Vehicles and Traffic

ARTICLE IV. Paid Parking

Part III. Residential Parking System

§ 219-61. Permit parking on Lester Place.

- A. Definitions. As used in this section, the following terms shall have the meaning indicated:

CAREGIVER

A person who either:

- (1) Provides assistance with the activities of daily living to a Lester Place resident (defined below) whose doctor certifies, in writing, that the Lester Place resident requires such assistance for more than three hours per day; or
- (2) Cares for a Lester Place resident's child whose parent certifies, in writing, that the applicant for the LP resident parking permit (defined below) takes care of the Lester Place resident's child for more than three hours per day.

CONTRACTOR

A person whose motor vehicle displays an insignia indicating that he/she/it is a home improvement contractor licensed by the County of Westchester and who is performing work on a property located on Lester Place either for a Lester Place resident, one of the entities named in § 219-63L, or the owner or the managing agent of one of the multifamily buildings on Lester Place.

ELIGIBLE PERSON

A Lester Place resident, a caregiver or an entity whose principal owner is a Lester Place resident.

LESTER PLACE (LP) RESIDENT

A person who resides on Lester Place.

LP RESIDENT PARKING PERMIT

The permit issued by the Town Clerk for a motor vehicle owned or leased by an eligible person that allows that motor vehicle to be parked on that section of Lester Place that lies within the zoning

district known as the R-7.5 District. When reference is made to an LP resident parking permit being "issued," that reference includes both the issuance of the original LP resident parking permit for a particular motor vehicle and all renewals thereof.

PUBLIC PARKING SPACES

Those parking spaces where a motor vehicle can be legally parked on Lester Place, whether or not it has an LP resident parking permit.

- B. Fifteen percent of the total number of parking spaces that lie within that section of Lester Place that is situated within the zoning district known as the R-7.5 District shall be public parking spaces. The Superintendent of Highways shall establish the location of the public parking spaces.
- C. Except in the parking spaces designated by the Superintendent of Highways pursuant to § 219-61B, and except as provided in § 219-63L, only a motor vehicle to which an LP resident parking permit has been issued shall be permitted to park on that section of Lester Place that lies within the zoning district known as the R-7.5 District.

§ 219-62. Permit parking on Washington Square, New Jefferson Street, North Chatsworth Avenue and Murray Avenue.

- A. Definitions. As used in this section, the following terms shall have the meaning indicated:

AREA RESIDENT

A person who resides within the WS residential area (defined below) or who resides on the section of Myrtle Boulevard that lies between North Chatsworth Avenue and Madison Avenue. A person who is employed by an entity that maintains a place of business on this section of Myrtle Boulevard but who does not reside on this section of Myrtle Boulevard is not an "area resident."

CAREGIVER

A person who between the hours of 9:00 a.m. and 2:00 p.m. (prevailing time) either:

- (1) Provides assistance with the activities of daily living to an area resident whose doctor certifies, in writing, that the area resident requires such assistance for more than three hours per day; or
- (2) Cares for an area resident's child whose parent certifies, in writing, that the applicant for the WS resident parking permit (defined below) takes care of the area resident's child for more than three hours per day.

CONTRACTOR

A person whose motor vehicle displays an insignia indicating that he/she/it is a home improvement contractor licensed by the County of Westchester and who is performing work on a property located within the WS residential area (defined below) either for an area

resident, or one of the entities named in § 219-63L, or the owner or the managing agent of one of the multifamily buildings within the WS residential area.

ELIGIBLE PERSON

An area resident or caregiver or an entity whose principal owner is an area resident.

WS RESIDENTIAL AREA

Washington Square, New Jefferson Street, the section of North Chatsworth Avenue between Myrtle Boulevard and the northern boundaries of the lots on the opposite side of the public highway improved with the buildings known by the postal addresses of 35 North Chatsworth Avenue and 40 North Chatsworth Avenue and the section of Murray Avenue between Myrtle Boulevard and Leafy Lane.

WS RESIDENT PARKING PERMIT

The permit issued by the Town Clerk for a motor vehicle owned or leased by an eligible person that allows that motor vehicle to be parked on a public highway within the WS residential area for a period of time longer than motor vehicles not having such a permit are allowed to park on a public highway within the WS residential area. When reference is made to a WS resident parking permit being "issued," that reference includes both the issuance of the original WS resident parking permit for a particular motor vehicle and all renewals thereof.

§ 219-63. Sale and issuance of resident parking permits.

- A. In this section, the term "resident parking permit" shall refer to both LP resident parking permits and WS resident parking permits.
- B. The Town Clerk shall keep a record of the number of each resident parking permit issued, the date it is issued, the name and address of the person to whom it is issued and the numbers, words or letters appearing on the license plate of the motor vehicle for which a resident parking permit is issued. The Town Clerk shall maintain a record of all permit fees collected. The Town Clerk shall not issue a resident parking permit for a motor vehicle:
 - (1) Unless the owner or lessee of that motor vehicle demonstrates to the satisfaction of the Town Clerk, acting reasonably, that such owner or lessee is an eligible person;
 - (2) For which the Town Clerk has issued a parking permit that allows that motor vehicle to be parked in any of the Town's parking lots; or
 - (3) That has or is required to have a commercial license plate.
- C. The Town Clerk shall not issue a resident parking permit for any motor vehicle which has three or more outstanding and unpaid parking violations against it for parking violations that occurred within the

unincorporated Town of Mamaroneck.

- D. The Town Clerk shall collect the amount shown in § A250-1A for each resident parking permit and shall be valid until the last day of September in the first September after the permit is issued.
- E. The fees collected from the sale of resident parking permits and replacement resident parking permits shall be credited to the General Fund - Part Town.
- F. The Town Clerk shall revoke a resident parking permit if the Town Clerk, acting reasonably, determines that such permit was issued based upon false information or was otherwise issued or used improperly or the insignia was wrongfully altered. The Town Clerk also shall revoke a permit if, after such permit is issued, the number of outstanding and unpaid parking violations against a motor vehicle for which such permit had been issued for parking violations that occurred within the unincorporated Town of Mamaroneck reaches three or more. The Town Clerk shall mail written notice of the revocation to the person to whom such permit was issued at the address for such person that appears on the application for the resident parking permit being revoked. The revocation shall be effective on the third business day after the notice is mailed. The eligible person shall remove a revoked resident parking permit from the motor vehicle and return it to the Town Clerk's Office. The failure to do so shall be a violation of this section. A revoked resident parking permit may be reinstated by curing the underlying basis for the revocation and the payment of a fee that is triple the amount of the fee for a resident parking permit, except where WS resident parking permit has been issued other than April, May, June, July or August, as shown in § A250-1A.
- G. The insignia for a resident parking permit shall be affixed at such location(s) on the motor vehicle as the Town Clerk may determine. An eligible person's failure to affix a resident parking permit in the location determined by the Town Clerk shall be a violation of this section.
- H. An eligible person shall be guilty of violating this section if the resident parking permit insignia issued to the motor vehicle owned or leased by the eligible person is affixed to another motor vehicle.
- I. Resident parking permits are not transferable. If title to a motor vehicle to which a resident parking permit has been issued is transferred or if such motor vehicle is returned to the company from which it was leased, the permit for that motor vehicle no longer shall be valid and the eligible person shall remove the resident parking insignia from the motor vehicle and destroy it. The failure to do so shall be a violation of this section.
- J. If an eligible person replaces a motor vehicle to which a resident parking permit had been issued with another motor vehicle that he/she owns or leases, the Town Clerk shall issue a replacement resident parking insignia; provided that on the date that the replacement resident parking permit is issued, the motor vehicle is eligible for a resident parking permit. A replacement resident parking permit shall expire on the same day as the day on which the resident parking permit that it is replacing would have expired if that permit were not replaced. The Town Clerk shall collect the amount established by § A250-1A for each replacement

resident parking permit issued.

- K. An eligible person shall remove the resident parking permit insignia from the motor vehicle owned or leased by the person immediately if that person ceases to be an eligible person. The failure to do so shall be a violation of this section.
- L. This section shall not apply to motor vehicles registered pursuant to § 404-a of the New York Vehicle and Traffic Law or to motor vehicles owned or operated by public utility companies, the United States of America, the State of New York, the County of Westchester, the Unincorporated Town of Mamaroneck, the Mamaroneck Union Free School District, the Village of Larchmont, Village of Mamaroneck or contractors.
- M. It shall be a violation of this section for a person to supply false information in connection with an application for a resident parking permit or a replacement resident parking permit. Such a violation shall be punishable by a fine of not less than \$300 and not more than \$500. For the twenty-four-month period following the date on which a person is convicted of supplying false information in connection with an application for a resident parking permit, the Town Clerk shall not issue such a permit for any motor vehicle owned or leased by that person.

§ 219-64. Penalties for offenses.

Any person violating any provision of this article other than § **219-63M** shall be guilty of a violation and shall be subject to the fine for such violation contained in § **219-88**.

§ 219-65. (Reserved)

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