

Local Law Filing

(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 \_\_\_\_\_  
City of Hillsdale  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Local Law No. 1 of the year 2008

A local law Prohibiting Parking on Town Highways Between November 1 and April 15 of Each Year  
(Insert Title)

Be it enacted by the \_\_\_\_\_ Town Board \_\_\_\_\_ of the

County \_\_\_\_\_  
City of Hillsdale \_\_\_\_\_ as follows:  
Town \_\_\_\_\_  
Village \_\_\_\_\_

**Section 1. Legislative Findings:**

Article 41 of the Vehicle and Traffic Law of the State of New York authorizes the Town of Hillsdale to enact regulations relating to parking on town highways. The Town Board of the Town of Hillsdale finds it to be in the best interests of the Town and its residents to enact such parking regulations in order to facilitate the plowing, sanding and maintenance of town highways during periods of inclement weather, and particularly during and after snow storms. In such situations, it is necessary for the Town's snowplows to clear snow from the highways in order to improve their condition. The Town Board finds that the parking of vehicles on town highways in inclement weather makes it difficult, if not impossible, for the snowplows to properly operate and clear and maintain the town highways. It is therefore determined to be in the best interest and safety of the Town and its residents to enact this Local Law in connection with the same.

**Section 2. Enactment:**

No motor vehicle shall be parked on or along any Town Highway within the legal right of way of such highway, including the shoulders thereof, during the time period from November 1 of each year through April 15 of the following year.

**Section 3. Removal and Storage of Vehicles:**

- A. Any vehicle which is parked in violation of this Local Law may be removed by or under the direction of the Columbia County Sheriff's Department or the New York State Police.
- B. After removal of any vehicle as provided for under this Local Law, the Town or the police authorities may store or cause or store such vehicle to be stored in a suitable place at the expense of the owner of said vehicle. Such owner or person in charge of the vehicle may redeem the same upon payment to the person with whom the vehicle is stored of the amount of all expenses incurred in affecting the removal and storage of such vehicle.
- C. It shall be the duty of the Columbia County Sheriff's Department or the New York State Police to ascertain to the extent possible the owner of the vehicle or the person having charge of the same and to notify him or her of the removal and disposition of such vehicle. Said police authority shall also report the removal and disposition of any vehicle removed pursuant to this Local Law to the Town Clerk.

**Section 4. Penalties:**

Every person convicted of a traffic infraction for a violation of any of the provisions of this Local Law shall be subject to a fine of not less than \$50 nor more than \$350.00 for each such violation. For purposes of this Local Law, each day shall constitute a separate violation.

**Section 5. Repeal of Prior Law:**

Local Law #2 of the year 2006 of the Town of Hillsdale is hereby repealed and superceded by this Local Law.

**Section 6. Effective Date:**

This Local Law shall take effect immediately.

(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. 1 of 2008 of the (County)(City)(Town)(Village) of Hillsdale was duly passed by the Town Board on January 15, 2008, 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.      of the (County)(City)(Town)(Village) of      was duly passed by the      on     , and was (approved)(not disapproved)(repassed after (*Name of Legislative Body*) disapproval) by the      and was deemed duly adopted on     , (*Elective Chief Executive Officer\**) in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No.      of the (County)(City)(Town)(Village) of      was duly passed by the      on     , and (approved)(not disapproved)(repassed (*Name of Legislative Body*) after disapproval) by the      on     . Such local law was submitted to (*Elective Chief Executive Officer\**) 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     ,     , in accordance with the applicable provisions of law.

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 the (County)(City)(Town)(Village) of      was duly passed by the      on     , and (approved)(not disapproved)(repassed (*Name of Legislative Body*) after disapproval) by the      on     . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of     ,     , in accordance with the applicable provisions of law.  
(*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 chairperson 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.)

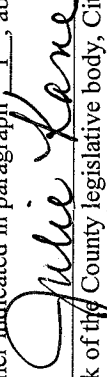
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_, \_\_\_\_\_ 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 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, \_\_\_\_\_, 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 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 1, above.

  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body  
**JULIE KANE, Town Clerk**  
(Seal)

Date: \_\_\_\_\_ January 15, 2008

**(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 COLUMBIA

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.

Signature   
\_\_\_\_\_  
Nelson K. Alford, Jr.  
Town Attorney

Title \_\_\_\_\_

County \_\_\_\_\_  
City \_\_\_\_\_  
Town of \_\_\_\_\_ Hillsdale  
Village \_\_\_\_\_

Date: \_\_\_\_\_ January 15, 2008