

PARKING ORDINANCE OF THE TOWN OF EAST OTTO

May 11, 2010

The Town Board of the Town of East Otto, County of Cattaraugus, and State of New York does hereby ordain and enact as follows:

SECTION 1 - STOPPING, STANDING AND PARKING.

No motor or other vehicle of any kind shall be permitted to stop, stand or park on any Town or County road or highway in the Town of East Otto, New York from the 1st day of November of each year until the 1st day of April of the following year, both inclusive, outside of the Town business zone designated as follows: from the center intersection of County Rt. 12, County Rt. 75 and County Rt. 14 proceeding North 2250' along County Rt. 12, 1250' East along County Rt. 75 and 1550' South along County Rt. 14. As indicated by attached map.

SECTION 2 - REMOVAL OF VEHICLE

- (a) Whenever any police officer finds, or is notified of, a vehicle standing upon a highway within the Town in violation of any of the provision of this ordinance such officer is hereby authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the same to a position where it is lawful for such vehicle to park.
- (b) Such officer may remove or order such removal of any such vehicle which is:
- (1) Found parked or abandoned on any town highway during snowstorms, floods, fires or other public emergencies. Emergency responder vehicles are exempt from parking violation and removal.
 - (2) Found unattended on any highway within this Town where said vehicle constitutes an obstruction to traffic.
 - (3) Parked or abandoned on any highway within the Town where stopping, standing or parking is prohibited

SECTION 3 - VIOLATION AND PENALTIES.

The violation of any provision of this ordinance constitutes *an offense. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, such violation shall be deemed a misdemeanor and for such purpose only all provisions of the law relating to misdemeanors shall apply thereto* and shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Two Hundred Fifty Dollars (\$250.00).

SECTION 4 - APPLICATION.

This ordinance shall be effective and operative in regard to all town roads and county highways situated in the Town of East Otto.

SECTION 5 - SEPARABILITY.

If any part or provision of this ordinance shall be adjudged invalid or held unconstitutional, such determination shall not affect the remainder hereof and this ordinance, accepting any such provision, shall continue to be valid and enforceable.

SECTION 6 - REPEAL OF PRIOR ORDINANCES.

All prior parking ordinances and any amendments thereto adopted by the Town Board of the Town of East Otto are hereby repealed *as of the effective date of this ordinance.*

SECTION 7 - EFFECTIVE DATE.

This ordinance shall *be entered in the minutes of the Town Board and shall take effect ten (10) days after the publication thereof as required by §133 of the Town Law, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk, under the corporate seal of the Town and showing the date of its passage and entry in the minutes.*