

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 ☒ Town ☐ Village
(Select one:)

of Covert _____

FILED
STATE RECORDS
FEB 20 2020

DEPARTMENT OF STATE

Local Law No. 1 _____ of the year 2020

A local law Regulating Parking of Vehicles on Town Streets, Roads and Highways During Winter
(Insert Title)
Months and During Times of Public Highway Emergencies

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Covert _____ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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 2020 of the ~~(County)(City)~~(Town)(Village) of Covert was duly passed by the (Name of Legislative Body) on February 10 2020, in accordance with the applicable provisions of law.

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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2020, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to 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 _____ 20____, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* 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 20____ 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 _____ 20____, became operative.

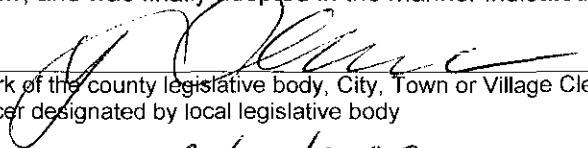
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 _____ above.

(Seal)


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

2/10/2020

**A LOCAL LAW REGULATING PARKING OF VEHICLES ON TOWN STREETS,
ROADS AND HIGHWAYS DURING WINTER MONTHS AND DURING TIMES OF
PUBLIC HIGHWAY EMERGENCIES**

Section 1. Legislative Intent

It is the intent of this local law to regulate parking of vehicles on Town streets, roads and highways during winter months and to authorize the Town's Highway Superintendent to remove vehicles parked or abandoned on Town streets, roads and highways during public emergencies or when they constitute an obstruction to traffic.

Section 2. Authority

This Local Law is adopted pursuant to the Municipal Home Rule Law and section 1660 of the Vehicle and Traffic Law of the State of New York.

Section 3. Parking Restrictions

- a) During the winter months from November 15th to the succeeding March 15th, from midnight to 6:00 a.m., parking shall be prohibited on all Town streets, roads and highways.
- b) Whenever the Town Superintendent of Highways of the Town of Covert finds that weather conditions; impending weather conditions; floods; fires or other conditions could impede vehicular traffic or are likely to create hazardous road conditions or road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic vital to the health, safety and welfare of the community, the Town Superintendent of Highways shall be authorized to declare a "Public Highway Emergency."
- c) During a "Public Highway Emergency" all vehicles shall be prohibited from parking on all Town streets, roads or highways.

Section 4. Violations

Every person convicted of violating any provision of this Local Law shall be subject to a fine of up to \$100.00.

Section 5. Removal of Vehicles

- a) Any vehicle parked or abandoned on any Town street, road or highway, or real property owned by the Town of Covert may be removed by or at the direction of the Town Superintendent of Highways whenever:
 - i) such vehicle is parked or standing in violation of any Town, County or State law or regulation; or
 - ii) it is necessary to remove such vehicle to facilitate snow removal; road repair or to ensure the free movement of fire, health, police or other emergency vehicular traffic; or

- iii) during a "Public Highway Emergency."
- b) All towing and storage charges incurred in the removal of vehicles pursuant to this Local Law shall be borne by the owner of such vehicle and paid prior to the release of such vehicle.

Section 6. Severability

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

Section 7. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with section 27 of the Municipal Home Rule Law.