

Chapter 80

VEHICLE AND TRAFFIC

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[HISTORY: Adopted by the Board of Trustees of the Village of Liberty as indicated. Amendments noted where applicable.]

GENERAL REFERENCES

Road service and towing — See Ch. 65.
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Abandoned vehicles — See Ch. 81.

ARTICLE I
Speed
[Adopted 6-3-1957]

Part 1
Speed Limits

§ 80-1. Speed limits; general. [Amended 7-21-1958; 5-21-1984 by L.L. No. 2-1984]

No person shall operate a motor vehicle or any other vehicle on any streets or public highways within the incorporated Village of Liberty limits at a rate of speed in excess of 30 miles per hour except on highways as follows:

- A. Fifty-five miles per hour shall be the maximum speed at which vehicles may proceed along State Highway No. 5322 also known as Route 17 Expressway.
- B. Fifteen miles per hour shall be the maximum speed at which vehicles may proceed along Lincoln Place from a point three 300 feet north of the building line of St. Peters School to a point 300 feet south of the building line of said school.
- C. Twenty miles per hour shall be the maximum speed at which a vehicle may proceed along Buckley Street from a point 300 feet northwest of the building line of the Liberty High School to a point 300 feet southeast of the building line of said school. **[Amended 7-5-1988 by L.L. No. 6-1988]**
- D. Twenty miles per hour shall be the maximum speed at which a vehicle may proceed along North Main Street from a point 300 feet north of the building line of the Liberty Elementary School to a point 300 feet south of the building line of said school. **[Amended 7-5-1988 by L.L. No. 6-1988]**

- E. Thirty miles per hour shall be the maximum limit at which a vehicle may proceed along State Route 52 from the northerly Village line to the southernmost point as it intersects with the Village line.
- F. Thirty miles per hour shall be the maximum speed at which a vehicle may proceed along Route 55 from a point at the intersection of Swan Lake Road and Route 55 to a point where Route 55 intersects with the easternmost Village limit line.

§ 80-2. (Reserved) ¹

§ 80-3. Posting of speed limits.

Signs shall be placed and maintained by the Village of Liberty setting forth said speed limit in accordance with the provisions of the Vehicle and Traffic Law of the State of New York.

§ 80-4. Penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009]

The violation of this article shall constitute a violation pursuant to the Penal Law and shall be punishable as follows:

- A. Where the court or tribunal records or enters that the speed upon which the conviction was based exceeded the applicable speed limit by not more than 10 miles per hour, by a fine of not less than \$45 nor more than \$150;
- B. Where the court or tribunal records or enters that the speed upon which the conviction was based exceeded the applicable speed limit by more than 10 miles per hour but not more than 30 miles per hour, by a fine of not less than \$90 nor more than \$250;

1. Editor's Note: Former § 80-2, Speed limits; Route 17 Expressway, added 7-21-1958, as amended, was repealed 5-21-1984 by L.L. No. 2-1984.

- C. Where the court or tribunal records or enters that the speed upon which the conviction was based exceeded the applicable speed limit by more than 30 miles per hour, by a fine of not less than \$180 nor more than \$250.

§ 80-5. Prior ordinances repealed.

All ordinances of the Village of Liberty heretofore adopted regulating the speed at which motor vehicles and motorcycles shall be operated and the punishment prescribed therein for violation of such ordinance be and the same hereby are repealed.

§ 80-6. When effective.

This article shall be effective immediately.

**ARTICLE II
Turns**

**Part 1
U-Turns
[Adopted 6-21-1948]**

§ 80-7. U-turn prohibited.

No vehicle shall be so operated as to make a U-turn or semicircular turn within a radius of 100 feet from the center intersection of Main Street and Chestnut Street, as measured from the traffic light thereat installed. Any person or persons, while operating or controlling any motor or horse-drawn vehicle, who causes said vehicle to make a U-turn or semicircular turn on Main Street or Chestnut Street at the intersection of said Main Street and Chestnut Street within a radius of 100 feet from the center intersection thereof, measured from the traffic light as above provided, shall violate this Part 1.

§ 80-8. Prior ordinances repealed.

All provisions of ordinances heretofore adopted not consistent with the provisions of this Part 1 are hereby repealed.

§ 80-9. Penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009; 1-11-2010 by L.L. No. 1-2010]

The failure to comply with any of the foregoing provisions of this Article II, Part 1, shall be and constitute a violation thereof, and any person violating any of the provisions of this Article II, Part 1, shall be a disorderly person, and any person violating any provision of this Article II, Part 1, shall be punished for the first offense by a fine not exceeding \$150 and for each subsequent offense within a period of 18 months of the date of the first offense by a fine not greater than \$250.

Part 2**Continuous Left Turn
[Adopted 8-5-1963]****§ 80-10. Continuous left turn permitted.**

When the State of New York Department of Public Works completes the reconstruction of Signal No. 5, located at the intersection of Chestnut Street, Darbee Lane, North Main Street and South Main Street in the Village of Liberty, New York, in accordance with federal standards of dual lane indications, vehicles will be permitted an uninterrupted left turn from the south on South Main Street to the west into Chestnut Street, as indicated on the advanced green indication on said Signal No. 5.

§ 80-11. Penalties for offenses. [Amended 2-3-1964]

Any person, firm or corporation violating any of the foregoing provisions shall be subject to the penalties for traffic infractions in accordance with the provisions of § 1800(b) of the Vehicle and Traffic Law of the State of New York.

§ 80-12. When effective.

The provisions of this Part 2 shall become effective as an ordinance after adoption and publication in accordance with the law and after reconstruction of Signal No. 5 at the intersection of Chestnut Street, Darbee Lane, North Main Street and South Main Street in the Village of Liberty, New York, in accordance with federal standards of dual lane indications.²

Part 3

Right Turns

[Added 11-20-1996 by L.L. No. 6-1996]

§ 80-12.1. Right turns prohibited.

No right turns will be allowed at the following locations:

- A. Northwest corner of South Main Street and Mill Street.

ARTICLE III**One-Way Streets**

Part 1

John and Maple Streets

[Adopted 6-21-1948]

§ 80-13. Streets designated; restrictions.

The following named streets are hereby designated as one-way streets, in which traffic shall pass in one direction only and in such direction as herein stated:

- A. John Street is hereby designated as a one-way street, in which vehicles shall pass and be operated only in an easterly direction.

2. Editor's Note: As the above provisions were adopted by the Board of Trustees on 8-5-1963 and said traffic signal has been reconstructed, the foregoing is presently effective.

- B. Maple Street is hereby designated as a one-way street, in which vehicles shall pass and be operated only in a southerly direction.
- C. It shall be unlawful to operate any vehicle in the above-named streets in any other or opposite direction than the directions hereinabove stated.

§ 80-14. Prior ordinances repealed.

All provisions of ordinances heretofore adopted not consistent with the provisions of this Article III, Part 1, are hereby repealed.

§ 80-15. Penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009; 1-11-2010 by L.L. No. 1-2010]

The failure to comply with any of the foregoing provisions of this Article III, Part 1, shall be and constitute a violation thereof, and any person violating any of the provisions of this Article III, Part 1, shall be punished by a fine not to exceed \$150 for each such violation.

Part 2

**Orchard and Buckley Streets
[Adopted 6-18-1956]**

§ 80-16. Orchard Street.

All vehicular traffic on Orchard Street in the Village of Liberty shall be one-way, and said traffic shall be permitted to travel in a northerly direction only.³

3. Editor's Note: Effective 6-18-1956.

§ 80-17. Buckley Street. [Added 6-1-1964; amended 4-19-1976 by L.L. No. 2-1976]

All vehicle traffic on Buckley Street in the Village of Liberty shall be permitted to travel in both directions thereon at all times.

§ 80-18. Penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009; 1-11-2010 by L.L. No. 1-2010]

Any person violating any of the foregoing provisions of this Article III, Part 2, shall be punished by a fine not exceeding \$150 for each such violation.

**ARTICLE IV
Stop Streets
[Adopted 6-21-1948]**

**Part 1
Stop Streets Designated**

§ 80-19. Church Street.

Church Street is hereby designated as a main artery of travel and all vehicles approaching said Church Street from Maple Street shall, before entering Church Street, come to a full stop, and shall thereafter enter said Church Street with caution.

§ 80-20. Prior ordinances repealed.

All provisions of ordinances heretofore adopted not consistent with the provisions of this article are hereby repealed.

§ 80-21. Penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009; 1-11-2010 by L.L. No. 1-2010]

The failure to comply with any of the foregoing provisions of this article shall be and constitute a violation thereof, and any person violating any of the provisions of this article shall be punished by a fine not exceeding \$150.00 for each such violation.

**ARTICLE V
Commercial Vehicle Traffic**

**Part 1
South Main Street
[Adopted 5-15-1950]**

§ 80-22. Designation of restricted area.

The following named street or streets are hereby designated as highways from which heavy trucks shall be excluded:

No bus, truck or commercial vehicle exceeding 4,000 pounds unladen weight of chassis and body shall at any time be operated or driven upon that portion of South Main Street beginning at the intersection of South Main Street and the northerly end of Mill Street or Route 17, and extending to the southerly end of South Main Street at the southerly boundary of the Village of Liberty. That portion of South Main Street hereby described is hereby designated as a street from which such heavy trucks are hereby excluded for thruway traffic purposes. Nothing herein contained shall prevent any such trucks from entering said street for the purpose of delivering goods or materials to or from any premises located on said street.

§ 80-23. Exceptions. [Amended 7-11-1960]

- A. The restrictions described in § 80-22 shall not apply to any vehicles entering said streets to repair or maintain or reconstruct any of the streets referred to or mentioned in this Article V, Part 1, nor to any vehicles entering any of said streets for the removal of snow or ice or other debris from said streets, or entering any of said streets for emergencies or for the purpose of cleaning any of said streets, or for the repairing, maintenance, reconstructing or installation of any sewer or water or any other municipal facilities.
- B. The restriction or prohibition of travel on the aforesaid streets shall not apply to school buses or to trucks being used for the repair or maintenance or replacement of public utility lines or services or installation of new public utility lines or services within the Village of Liberty.

§ 80-24. (Reserved) ⁴

Part 2
Additional Restricted Areas
[Adopted 6-18-1956]

§ 80-25. Enumeration of restricted areas.

- A. No truck or other commercial vehicle having a load capacity in excess of 3/4 of a ton or a bus shall at any times be operated or driven on Grant Street northerly from its intersection with School Street or on Dwyer Avenue, except if such truck or other commercial vehicle is transporting or delivering goods or materials or if such bus is transporting a person or persons to or from any premises located on said Grant Street or on Dwyer Avenue or on any street intersecting or joining said Grant Street or

4. Editor's Note: Former § 80-24, Violations and penalties, was repealed 11-9-2009 by L.L. No. 3-2009.

Dwyer Avenue, in the Village of Liberty, New York. This Article V, Part 2, shall not apply to School Street.

- B. No truck or other commercial vehicle having a load capacity in excess of 3/4 of a ton or bus, except school buses and except as herein otherwise provided, shall at any time be operated or driven on Lincoln Place, Champlin Avenue, Willey Avenue, Yaun Avenue and that portion of West Street located within the Village of Liberty, except if such truck or other commercial vehicle is transporting or delivering goods or materials or if such bus is transporting a person or persons to or from any premises located on said Lincoln Place, Champlin Avenue, Willey Avenue, Yaun Avenue, Buckley Street, Lake Street and that portion of West Street located within the Village of Liberty. **[Added 6-2-1960; amended 8-20-1979 by L.L. No. 6-1979]**

§ 80-26. Exceptions. [Amended 7-11-1960]

- A. The restrictions described in § 80-25A and B above shall not apply to any vehicles entering said streets or repair or maintain or reconstruct any of the streets referred to or mentioned in this Article V, Part 2, nor to any vehicles entering any of said streets for the removal of snow or ice or other debris from said streets or entering any of said streets for emergencies or for the purpose of cleaning any of said streets or for the repairing, maintenance, reconstructing or installation of any sewer or water or any other municipal facilities.
- B. The restriction or prohibition of travel on the aforesaid streets shall not apply to school buses or to trucks being used for the repair or maintenance or replacement of public utility lines or services or installation of new public utility lines or services within the Village of Liberty.

§ 80-27. (Reserved) ⁵**§ 80-28. When effective.**

This Article V, Part 2, shall become effective immediately.

ARTICLE VI
Standing
[Adopted 8-5-1963]

Part 1
Standing Restrictions

§ 80-29. Restricted areas enumerated.

No standing will be permitted in the following areas in the Village of Liberty:

- A. Along the east side of South Main Street from the southerly curblineline of Darbee Lane to a point 100 feet 100 feet southerly therefrom.
- B. From the east side of North Main Street from the northerly curblineline of Darbee Lane to a point 75 feet therefrom.

§ 80-30. Penalties for offenses. [Amended 2-3-1964]

Any person, firm, or corporation violating any of the foregoing provisions shall be subject to the penalties for traffic infractions in accordance with the provisions of § 1800(b) of the Vehicle and Traffic Law of the State of New York.

5. Editor's Note: Former § 80-27, Violations and penalties, was repealed 11-9-2009 by L.L. No. 3-2009.

§ 80-31. When effective.

The provisions of this article shall become effective as an ordinance after adoption and publication in accordance with the law and after reconstruction of Signal No. 5 at the intersection of Chestnut Street, Darbee Lane, North Main Street and South Main Street in the Village of Liberty, New York, in accordance with federal standards of a dual lane indications.⁶

ARTICLE VII**Parking; Fire Clearance Zones; Stop and Yield Streets
[Adopted 6-17-1968 as L.L. No. 3, 1968⁷]****Part 1****Parking****[Adopted 4-16-1979 by L.L. No. 3-1979⁸]****§ 80-32. Definitions.**

As used in this Article VII, Part 1, the following terms shall have the meanings indicated:

PARKING SPACE — The space provided alongside or adjacent to a curb in which a vehicle shall be properly parked, which shall be indicated clearly by painted lines or otherwise.

§ 80-33. Parking zones.

- A. There are hereby established as parking zones, parking lots established by the Board of Trustees of the Village of

6. Editor's Note: As the above provisions were adopted by the Board of Trustees on 8-5-1963 and said traffic signal has been reconstructed, the foregoing is presently effective.

7. Editor's Note: This local law supersedes former Article VII. Parking Meters: Part 1, Parking Meters; General, adopted 6-2-1947, amended 3-7-1960 and 10-2-1961; Part 2, Parking Meters; Lots, adopted 6-29-1953.

8. Editor's Note: This local law repealed former Part 1, Parking Meters, consisting of §§ 80-32 through 80-48, as amended.

Liberty, the territory within the district or upon any of the streets hereinafter set forth in this section, namely:

- (1) Both sides of South Main Street from the northerly intersection of Mill Street, and South Main Street to the intersection of South Main Street and Chestnut Street and Darbee Lane.
- (2) Both sides of North Main Street from the intersection of said North Main Street and Chestnut Street and Darbee Lane to a point on both sides of the street where the prolongation on the south line of the Great American parking lot intersects said North Main Street.
- (3) The north side of Law Street between Academy Street and North Main Street.
- (4) The north side of Chestnut Street from North Main Street to a point 25 feet westerly of the driveway on the premises reputed to be owned by Jacob Katz and Abraham Pollack, known as 1 Academy Street.
- (5) The south side of Chestnut Street from South Main Street to a point 25 feet westerly of the driveway on the premises of St. Paul's Lutheran Church.
- (6) The west side of Clements Streets from the bridge to a point opposite the entrance to Spring Street.
- (7) Both sides of Church Street.
- (8) Both sides of Maple Street.
- (9) The south side of John Street.
- (10) The south side of School Street between North Main Street and Grant Street.
- (11) All municipal parking lots owned by the Village, except the parking lot on the east side of Darbee Lane across from the Elks.

- B. All frontages on said squares, streets, and avenues defining said zones shall be included therein.
- C. The above zones or any part of them may be diminished or extended and enlarged or other parking zones may be created by a resolution of the Board of Trustees of the Village of Liberty, adopted by the majority strength of the Board of Trustees.

§ 80-34. Free-parking provisions. [Amended 3-7-1989 by L.L. No. 1-1989]

Parking in a designated space along any street or portion thereof identified in § 80-33 or in any parking lot operated and/or maintained by the Village of Liberty shall be lawful between the hours of 8:00 a.m. and 6:00 p.m. on any day, except Sundays and legal holidays, for any vehicle for a period of two consecutive hours; except, however:

- A. That parking on both sides of Chestnut Street from Clements Street West shall be for a maximum of 15 minutes.
- B. For a period of 12 consecutive hours from 6:00 a.m. to 6:00 p.m. in all Village-operated parking lots. **[Amended 5-20-1993 by L.L. No. 1-1993]**
- C. Overnight parking in the Lenape Parking lot will be by permit only, after 10:00 p.m., for Lenape tenants. Four spots will be designated for nurses to park. Permits will be issued by the Village of Liberty Police Department. **[Added 5-5-1994 by L.L. No. 3-1994; amended 1-19-1995 by L.L. No. 1-1995]**
- D. On the south side of Chestnut Street, between its intersections with Edgar Street and South Main Street: **[Added 7-25-2007 by L.L. No. 4-2007]**
 - (1) The first parking spot closest to South Main Street shall be reserved for the use of the Liberty Police Department;

- (2) The second parking spot (west of the parking spot reserved for the Police Department) shall be restricted to a maximum of 30 consecutive minutes at all times; and
 - (3) The third (and last) parking spot shall be for a maximum of two consecutive hours at all times.
- E. Parking in the first bump-out on the west side of South Main Street, immediately south of the intersection of South Main Street with Chestnut Street, shall be as follows: **[Added 7-25-2007 by L.L. No. 4-2007]**
 - (1) The first two spots closest to the intersection with Chestnut Street shall be limited to a maximum of 30 consecutive minutes at all times;
 - (2) The third spot from the intersection of South Main Street with Chestnut Street shall be limited to a maximum of two consecutive hours at all times;
 - (3) The last two spots from the intersection of South Main Street with Chestnut Street, which are south of the driveway (in front of which no parking is allowed), shall be for a maximum of two consecutive hours at all times.
- F. Parking on the west side of South Main Street, immediately south of the alley between the Liberty Museum and Arts Center and 52 South Main Street, shall be for a maximum consecutive period of two hours at all times. **[Added 7-25-2007 by L.L. No. 4-2007]**
- G. On the east side of South Main Street, in the first bumpout immediately south of the intersection of South Main Street with Darbee Lane, as follows: **[Added 7-25-2007 by L.L. No. 4-2007]**
 - (1) The first two spots closest to the intersection of South Main Street with Darbee Lane shall be a loading zone between the hours of 7:00 a.m. and 5:00 p.m. (see § 80-70 for the general restrictions with

respect to loading zones) and shall be for parking for a maximum of 30 consecutive minutes between the hours of 5:00 p.m. and 7:00 a.m.;

- (2) The third spot closest to the intersection of South Main Street with Darbee Lane shall be for a maximum of 30 consecutive minutes at all times.

§ 80-35. Parking time limits.

Any vehicle parking or standing in any designated parking space in a parking zone shall be parked within the lines marked on the street or curb and may occupy said space during the parking limit provided by the law of the Village of Liberty for the part of the street or parking lot in which said parking space is located. Upon the expiration of the legal parking time, it shall be the duty of the owner or driver or operator of the vehicle to remove forthwith the vehicle from the parking space, and it shall be unlawful for any person to cause, allow, permit or suffer any such vehicle registered in his name to be parked or remain standing overtime or remain therein beyond the parking time limit prescribed by this Article VII, Part 1.

§ 80-36. Extension of parking time prohibited.

It shall be unlawful and an offense for any person to extend the parking time beyond the total lawful parking period fixed by the law of the Village of Liberty for the parking in the parking space.

§ 80-37. Placement of vehicles.

Vehicles shall at all times be parked wholly within the parking spaces as marked, which space shall be kept clearly marked at all times, and it shall be unlawful to park vehicles in a way that the same shall not be wholly within the area designated by the lines for parking for such spaces.

§ 80-38. Parking of commercial vehicles.

No commercial vehicle exceeding 1 1/2 tons' capacity or omnibus vehicle of any kind shall be permitted to park in such parking lot or spaces.

§ 80-39. Construal of provisions.

Nothing in this Article VII, Part 1, shall be construed as prohibiting the Board of Trustees of the Village of Liberty from providing on any of the streets parking lots or portions thereof, spaces for bus stops, taxicab stands, fire truck clearance and for other matters of similar nature, including the loading or unloading of trucks, vans or other vehicles, or spaces for driveways. Such designation shall become effective on the adoption of any resolution or resolutions of the Board of Trustees of the Village of Liberty, provided that signs are erected designating such spaces, except that driveways will not require such signs.

§ 80-40. Severability.

If any section, provision or part thereof in this Part 1 shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the law as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

§ 80-41. Penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009; 1-11-2010 by L.L. No. 1-2010]

Any person violating any of the provisions of Part 1 of this Article VII or any person, firm or corporation which shall violate or permit, suffer or allow anyone under his, their or its direction or control to violate any provision of this Article VII, Part 1, shall, upon conviction, be punishable by a fine not exceeding \$40.

§ 80-42. through § 80-48. (Reserved)

Part 2

Fire Truck Clearance Zones

§ 80-49. Restricted areas for fire truck clearance enumerated.

No standing or parking will be permitted in the following areas in the Village of Liberty:

- A. Crestview Drive: 75 feet on the inside of the far northeastern side of the curve.
- B. Church Street at South Main Street: 40 feet from the corner of South Main Street on the southeasterly side of Church Street.
- C. John Street at South Main Street: 40 feet from the corner of South Main Street on the southeasterly side of John Street.
- D. John Street at Maple Street: 27 feet from the corner of Maple Street on the southeasterly side of John Street.
- E. Maple Street at Church Street: 47 feet from the corner of Church Street on the easterly side of Maple Street.
- F. South Main Street at Chestnut Street: 26 feet from the corner of Chestnut Street on the westerly side of South Main Street.
- G. School Street at North Main Street: 32 feet from the corner of North Main Street on the southeasterly side of School Street.
- H. Academy Street at Law Street: 28 feet from the corner of Law Street on the northeasterly side of Academy Street.

- I. West side of North Main Street for a distance of 40 feet north from the intersection of North Main Street and Kaempfer Lane. **[Added 6-25-2001 by L.L. No. 1-2001]**
- J. West side of North Main Street for a distance of 40 feet south from the intersection of North Main Street and Kaempfer Lane. **[Added 6-25-2001 by L.L. No. 1-2001]**
- K. East side of North Main Street for a distance of 40 feet north and south of the intersection of North Main Street and Kaempfer Lane but also to include the width of Kaempfer Lane. **[Added 6-25-2001 by L.L. No. 1-2001]**
- L. South side of Kaempfer Lane for a distance of 25 feet from the intersection of North Main Street.⁹ **[Added 6-25-2001 by L.L. No. 1-2001]**

Part 3
Stop Streets

§ 80-50. Main arteries of travel and stop streets designated.

The following streets are hereby designated as main arteries of travel and all vehicles approaching said main arteries of travel from the streets indicated shall stop in accordance with the provisions set forth in § 1172(a) of the Vehicle and Traffic Law of the State of New York:

Main Artery	Stop Street	Location
North Main Street	School Street	On the easterly side of North Main Street
	Law Street	On the westerly side of North Main Street

9. Editor's Note: Former Subsection M, regarding parking on the easterly side of North Main Street, added 8-10-2005 by L.L. No. 9-2005, which subsection immediately followed this subsection, was repealed 6-13-2011 by L.L. No. 2-2011.

Main Artery	Stop Street	Location
	Buckley Street	On the westerly side of North Main Street
	Columbia Street	On the easterly side of North Main Street
	West Liberty Street	On the westerly side of North Main Street
	Liberty Street	On the easterly side of North Main Street
	Noble Street	On the easterly side of North Main Street
	Charles Street	On the easterly side of North Main Street
	Kaempfer Lane	On the westerly side of North Main Street
	Thomas Street	On the southeasterly side of North Main Street
	Wawanda Avenue	On the southeasterly side of North Main Street
South Main Street	Church Street	On the easterly side of South Main Street
	Lake Street	On the westerly side of South Main Street
	Hill Street	On the north and south sides of Hill Street
	[Added 11-20-1996 by L.L. No. 6-1996]	
	Hill Street	On the southwesterly side of South Main Street
	Upper Ferndale Road	On the southwesterly side of South Main Street
	Willow Avenue	On the southwesterly side of South Main Street

Main Artery	Stop Street	Location
Buckley Street	Lincoln Place	On the southerly side of Buckley Street
	Marion Avenue	On the northerly side of Buckley Street
	Champlin Avenue	On the southerly side of Buckley Street
	Winthrop Avenue	On the northerly side of Buckley Street
	Yaun Avenue	On the southerly side of Buckley Street
	West Street	On the southerly side of Buckley Street
	Wiley Avenue	On the southerly side of Buckley Street
	Pinehurst Street [Added 8-1-1983 by L.L. No. 1-1983]	On the southwesterly side of Buckley Street
Dwyer Avenue	Park Avenue	On the southeasterly side of Dwyer Avenue
	Woodlawn Avenue	On the northwesterly side of Dwyer Avenue
	Woodland Avenue	On the southeasterly side of Dwyer Avenue
	Liberty Street	On the northwesterly side of Dwyer Avenue
	Highview Avenue	On the southeasterly side of Dwyer Avenue
	Summit Avenue	On the southeasterly side of Dwyer Avenue
	Dalton Avenue	On the northwesterly side of Dwyer Avenue
	Mager Avenue	On the southeasterly side of Dwyer Avenue

Main Artery	Stop Street	Location
	Kelly Avenue	On the northwesterly side of Dwyer Avenue
	California Avenue	On the southeasterly side of Dwyer Avenue
	Dalton Avenue [Added 8-7-1996 by L.L. No. 4-1996]	North and south side of Dwyer Avenue at Dalton Avenue
	Woodlawn Avenue [Added 8-7-1996 by L.L. No. 4-1996]	North and south of Dwyer Avenue at Woodlawn Avenue
Carrier Street	Antoinette Avenue	On the northeasterly side of Carrier Street
	Emma Street [Added 8-1-1983 by L.L. No. 1-1983]	On the northeasterly side of Carrier Street
	Cooper Avenue	On the northeasterly side of Carrier Street
	New Street	On the southwesterly side of Carrier Street
	Albion Street	On the southwesterly side of Carrier Street
	Hope Street	On the southwesterly side of Carrier Street
Clements Street	Orchard Street	On the southeasterly side of Clements Street
	Spring Street	On the southeasterly side of Clements Street
Lake Street	Spring Street	On the northerly side of Lake Street
	Webster Avenue	On the southerly side of Lake Street

Main Artery	Stop Street	Location
	Railroad Avenue	On the southerly side of Lake Street
	Creamery Road	On the northerly side of Lake Street
Chestnut Street	Lincoln Place	On the northerly side of Chestnut Street
	Hadden Road	On the northerly side of Chestnut Street
	Dixon Avenue	On the northerly side of Chestnut Street
	Champlin Avenue	On the northerly side of Chestnut Street
	Willey Avenue	On the northeasterly side of Chestnut Street
	Yaun Avenue	On the northeasterly side of Chestnut Street
	West Lake Street	On the southerly side of Route 52
Grant Street	School Street	On the northwesterly side of Grant Street
West Lake Street	Washington Street	On the southwesterly side of West Lake Street
	Eagle Drive	On the northeasterly side of West Lake Street
	Fairway Avenue	On the northeasterly side of West Lake Street
Swan Lake Road	—	On the westerly side of the intersection of Swan Lake Road and West Lake Street
Fairway Avenue	Long Drive	On the westerly side of Fairway Avenue
Cooper Avenue	Bertha Avenue	On the easterly side of Cooper Avenue

Main Artery	Stop Street	Location
	Jordan Avenue	On the easterly side of Cooper Avenue
Emma Avenue	Jordan Avenue	On the easterly and westerly sides of Emma Avenue
Lincoln Place	St. Paul's Place	On the easterly and westerly sides of Lincoln Place
	St. Peter's Place	On the westerly side of Lincoln Place
	Wheeler Place	On the westerly side of Lincoln Place
	St. Paul's Place [Added 8-7-1996 by L.L. No. 4-1996]	North and south side of intersection of Lincoln Place and St. Paul's Place
	St. Peter's Place [Added 8-7-1996 by L.L. No. 4-1996]	North and south side of intersection of Lincoln Place and St. Peter's Place
Academy Street	St. Peter's Place	On the westerly side of Academy Street
	St. Paul's Place	On the westerly side of Academy Street
	Law Street	On the easterly side of Academy Street
Wheeler Place	Hadden Road	On the southerly side of Wheeler Place
Darbee Lane	Grant Street	On the northerly side of Darbee Lane
Oberferst Street	Church Street	On the westerly side of Oberferst Street
Mill Street	Elm Street	On the easterly side of Mill Street

Main Artery	Stop Street	Location
	Oberferst Street	On the northerly side of Mill Street
	South Main Street	On the south and southwesterly side of Mill Street
Church Street	Maple Street	On the northerly side of Church Street
Willey Avenue	Jecane Street	On the westerly side of Willey Avenue
Hope Street and Albion Street	Cross Street	On the southeasterly side of Hope Street and the northwesterly side of Albion Street
Liberty Street	Winslow Place	On the northeasterly side of Liberty Street
	Wawanda Avenue	On the northeasterly and southwesterly sides of Liberty Street
	Delaware Avenue	On the northeasterly and southwesterly sides of Liberty Street
Winslow Place	Charles Street	On the southeasterly and northwesterly sides of Winslow Place
	Noble Street	On the northwesterly side of Winslow Place
Wawanda Avenue	Charles Street	On the northwesterly side of Wawanda Avenue
	Dalton Avenue	On the southeasterly side of Wawanda Avenue
	Winslow Place	On the westerly side of Wawanda Avenue

Main Artery	Stop Street	Location
	Wawanda Avenue Extension [Added 8-1-1983 by L.L. No. 1-1983]	On the northeasterly side of Wawanda Avenue
Dalton Avenue	Delaware Avenue	On the southwesterly side of Dalton Avenue
Route 52	Crestview Drive	On the southwesterly side of Route 52
Woodland Avenue	Hillside Avenue	On the southwesterly side of Woodland Avenue
Upper Ferndale Road	Carrier Street	On the northwesterly side of Upper Ferndale Road
Webster Avenue	Railroad Avenue	On the southwesterly side of Webster Avenue
West Liberty Street	Sprague Avenue	On the northeasterly side of West Liberty Street
	Rampe Lane	On the southwesterly side of West Liberty Street
	Marion Avenue	On the southwesterly side of West Liberty Street
Milton Avenue [Added 11-6-1989 by L.L. No. 10-1989]	Thomas Street	On the southeasterly side of Milton Avenue

Part 4

Yield Streets**§ 80-51. Main arteries of travel and yield streets designated.**

The following streets are hereby designated as main arteries of travel, and all vehicles approaching said main arteries of travel from the streets indicated shall come to a stop in accordance with the provisions of § 1172(b) of the Vehicle and Traffic Law of the State of New York:

Main Artery	Yield Street	Location
North Main Street	North End Avenue	On the northwesterly side of North Main Street
	Oak Street	On the northerly side of North Main Street
Oberferst Street	Cemetery Road	On the easterly side of Oberferst Street
Yaun Avenue	Jeane Street	On the southeasterly side of Yaun Avenue
Route 52	Vista Drive	On the easterly side of Route 52
Wawanda Avenue	Milton Avenue	On the westerly side of Wawanda Avenue
Winthrop Avenue	West Liberty Street	On the easterly side of Winthrop Avenue
Chestnut Street	Academy Street	On the northerly side of Chestnut Street
Wierk Avenue	Cooper Avenue	On the southwesterly side of Wierk Avenue
	Emma Avenue	On the southwesterly side of Wierk Avenue
Dwyer Avenue	Kelly Avenue	On the southeasterly side of Dwyer Avenue
Park Avenue	Hillside Avenue	On the northerly side of Park Avenue

Main Artery	Yield Street	Location
Carrier Street	Barton Road	On the southwesterly side of Carrier Street

Part 5

Penalties for Offenses**§ 80-52. Penalties for offenses established. [Amended 11-9-2009 by L.L. No. 3-2009; 1-11-2010 by L.L. No. 1-2010]**

Any person violating any of the provisions of Parts 2, 3 and 4 of this Article VII or any person, firm, or corporation which shall violate or permit, suffer or allow anyone under his, their or its direction or control to violate any provisions of this Article VII, Parts 2, 3 and 4, shall, upon conviction, be punishable by a fine not exceeding \$150 for each offense, except that if it is mandatory that § 1800 of the Vehicle and Traffic Law of the State of New York be applicable as the penalty for any such violation, then the penalties for traffic infractions set forth in § 1800 and the subdivisions thereunder of the Vehicle and Traffic Law of the State of New York shall be applicable.

§ 80-53. through § 80-61. (Reserved)

ARTICLE VIII**Parking****Part 1****Parking Restrictions****[Adopted 6-21-1948]****§ 80-62. Taxicab stands. [Amended 7-5-1949; 8-1-1983 by L.L. No. 1-1983]**

- A. The following are hereby designated as cab or taxicab stands in the public streets of the Village of Liberty;
[Amended 12-13-2006 by L.L. No. 16-2006]
- (1) A space of 20 feet adjacent to the curb for one taxicab or a taxi vehicle on the east side of South Main Street in front of Sureway Taxi, Inc., 75 South Main Street.
 - (2) Two spaces of 18 feet each adjacent to the curb for two taxicabs or taxi vehicles on the west side of South Main Street immediately north of the curb which is north of the intersection of the alley with 60 South Main Street. **[Added 7-25-2007 by L.L. No. 4-2007]**
- B. All previously created taxicab stands are hereby revoked and terminated.

§ 80-63. Parking prohibited.

- A. Parking of vehicles in the public streets or portions of streets in the sections hereinafter named and described is prohibited. No vehicle shall be parked in the aforesaid streets or portions of streets. No person or persons shall cause or permit any vehicle to be parked in the following-named streets or portions of streets:
- (1) The easterly side of South Main Street from the intersection of Willow Lane and Mill Street

proceeding North for a distance of 400 feet between the hours of 6:00 a.m. to 6:00 p.m. **[Amended 8-1-1983 by L.L. No. 1-1983; 1-20-1994 by L.L. No. 1-1994]**

- (2) The west side of South Main Street from the north intersection with Mill Street to Willow Lane. **[Amended 8-1-1983 by L.L. No. 1-1983]**
- (3) The southwesterly side of Spring Street for its full length.
- (4) The west side of Clements Street from the intersection with Chestnut Street to a point 181 feet southerly therefrom. **[Amended 8-2-1954]**
- (5) The easterly side of Clements Street, its full length.
- (6) The east side of Academy Street from Chestnut Street to its intersection with Law Street, the west side of Academy Street from Chestnut Street to its intersection with St. Peter's Place. **[Amended 8-2-1954]**
- (7) The northerly side of School Street for its full length.
- (8) Both sides of Lincoln Place from the intersection with Chestnut Street to the intersection with Wheeler Place and the entire west side of Lincoln Place from the intersection with Wheeler Place to the intersection with Buckley Street. **[Added 12-1-1952]**
- (9) The southerly side and northerly side of Buckley Street from North Main Street to Willey Avenue. **[Amended 6-6-1966; 8-1-1983 by L.L. No. 1-1983]**
- (10) The northerly side of Chestnut Street from a point 30 feet easterly of a point opposite the east side of Clements Street to a point 20 feet westerly of the southeast corner of the Sherwood Building westerly of the southeast corner of the Sherwood Building.

- (11) The northerly side of Chestnut Street from the intersection with Academy Street to West Street. **[Amended 8-1-1983 by L.L. No. 1-1983]**
- (12) The southerly side of Chestnut Street from the intersection with Clements Street to a point westerly of the driveway into the post office property, and from a point opposite the northwest corner of the Lutheran Church to the Village of Liberty boundary. **[Amended 8-1-1983 by L.L. No. 1-1983]**
- (13) The south side of Lake Street from Railroad Avenue to Swan Lake Road. **[Amended 8-1-1983 by L.L. No. 1-1983]**
- (14) Both sides of Darbee Lane as it winds and turns easterly and southerly from Main Street to Church Street.
- (15) Those portions of North Main Street, Lake Street and Darbee Lane immediately in front of the buildings in which fire apparatus is kept.
- (16) (Reserved)⁹
- (17) The easterly side of South Main Street from the intersection with Darbee Lane to a point 40 feet southerly of such intersection.
- (18) The easterly side of South Main Street from the north curb of John Street to a point 36 feet northerly therefrom.
- (19) The north side of John Street.
- (20) All portions of streets within 10 feet of the corners thereof created by the intersection with other streets.

9. Editor's Note: Former Subsection A(16), dealing, with parking restrictions on Main Street in front of the Presbyterian Church, was repealed 8-1-1983 by L.L. No. 1-1983.

- (21) The entire southwesterly side of Orchard Street from its intersection with Clements Street to the intersection with Lake Street and the northeasterly side of Orchard Street from the corner at the intersection with Clements Street for a distance of 75 feet on Orchard Street. **[Added 12-1-1952]**
- (22) The entire southerly side of West Liberty Street. **[Added 7-20-1959]**
- (23) The southerly side of Liberty Street, commencing at the intersection with North Main Street and terminating at the intersection of Wawanda Avenue. **[Added 7-20-1959]**
- (24) The southerly side of Law Street. **[Added 7-20-1959]**
- (25) North Main Street and South Main Street from Liberty Street to Lake Street from April 1 to December 1 between the hours of 4:00 a.m. to 6:00 a.m. for the purpose of street cleaning. **[Added 7-20-1959; amended 8-1-1983 by L.L. No. 1-1983]**
- (26) The entire north and south sides of Elm Street. **[Added 5-16-1960]**
- (27) The east side of Lincoln Place from the intersection with Wheeler Place to the intersection with Buckley Street, on Thursday of each week from April 1 to and including November 30 of each year, during the hours from 4:00 a.m. to 7:00 a.m. **[Added 5-16-1960]**
- (28) The entire east side of Dwyer Avenue and the entire east side of Grant Street. **[Added 5-16-1960]**
- (29) The west side of Grant Street from the intersection of Darbee Lane to the intersection of School Street. **[Added 5-16-1960]**

- (30) The entire west side of Dwyer Avenue and the west side of Grant Street from the intersection of School Street to the point where Grant Street meets Dwyer Avenue, on Tuesday of each week from April 1 to and including November 30 of each year, during the hours from 4:00 a.m. to 7:00 a.m. **[Added 5-16-1960]**
- (31) The limitation under this ordinance on North and South Main Street during the hours from 4:00 a.m. to 7:00 a.m. shall be applicable only during the period from April 1 to November 30 of each year. **[Added 5-16-1960]**
- (32) On Hope Street, except for the entire southerly side thereof. **[Added 8-3-1970]**
- (33) Parking behind the Municipal Building shall be prohibited except for authorized Village and school officials. Parking in the driveway on the north side of the Municipal Building is for firemen only. Other persons parking there will be in violation subject to a no-parking ticket, towing away, or both. **[Added 12-15-1980 by L.L. No. 4-1980]**
- (34) No person shall stop, stand or park a vehicle within 15 feet of a fire hydrant, except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of emergency, unless a different distance is indicated by official signs, markings or parking meters. **[Added 12-15-1980 by L.L. No. 4-1980]**
- (35) The northerly side and the southerly side of St. Paul's Place from Academy Street to Lincoln Place. **[Added 8-1-1983 by L.L. No. 1-1983]**
- (36) The northerly side and southerly side of St. Peter's Place for its entire length. **[Added 8-1-1983 by L.L. No. 1-1983]**

- (37) Both sides of Webster Avenue from the intersection of Railroad Avenue for 154 feet, traveling in a southeasterly direction. **[Added 4-7-1997 by L.L. No. 1-1997]**
- (38) Both sides of Elm Street for 280 feet. "No parking" zones begin at the intersection of Mill Street and Elm Street. **[Added 5-21-1997 by L.L. No. 2-1997]**
- (39) Easterly side of South Main Street: one parking space, on the north side of the Church Street/South Main Street intersection, 17 feet from the curb and running for 20 feet. **[Added 8-5-1998 by L.L. No. 3-1998]**
- (40) Easterly side of South Main Street: one parking space, on the south side of the Church Street/South Main Street intersection, 18 feet from curb and running for 22 feet. **[Added 8-5-1998 by L.L. No. 3-1998]**
- (41) The entire north side of Kaempfer Lane from North Main Street to the intersection of Sprague Avenue. **[Added 6-25-2001 by L.L. No. 1-2001]**
- (42) The west side of North Main Street from its intersection with West Liberty Street, northward for a distance of 115 feet to the driveway of 344 North Main Street. **[Added 9-24-2003 by L.L. No. 6-2003]**
- (43) Easterly side of North Main Street for a distance of 49 feet, beginning on the southerly corner of the intersection of the driveway to the Town of Liberty Parking/Senior Citizen Center with North Main Street, and traveling in a generally southerly direction along the easterly side of North Main Street. **[Added 8-10-2005 by L.L. No. 9-2005]**
- (44) Easterly side of North Main Street, commencing 141 feet north of the northerly corner of the intersection

of the driveway of 167 North Main Street (Village Hall) with the easterly side of North Main Street, and traveling in a generally northerly direction to where the prolongation of the south line of the Great American Parking Lot intersects with the easterly side of North Main Street. **[Added 8-10-2005 by L.L. No. 9-2005]**

§ 80-64. Night parking limit. [Amended 10-21-1963]

Parking of vehicles in public streets of the Village between the hours of 3:00 a.m. and 7:00 a.m. from December 1 to April 1 is prohibited. No vehicle shall be parked in any of the streets of the Village between the aforesaid hours during the aforesaid period of the year. No person or persons shall cause or permit any vehicle to be parked in any of the streets of the Village between the hours of 3:00 a.m. and 7:00 a.m. from December 1 to April 1.

§ 80-65. Public places of assembly. ¹⁰ [Added 8-9-2010 by L.L. No. 2-2010]

- A. Legislative intent. The Village Board determines it to be necessary to regulate, for the public safety, the land in front of public places of assembly to ensure the health, safety, and welfare of the public. Such determination is made pursuant to the provisions of § 1640-a of the Vehicle and Traffic Law, after due request from the Village of Liberty Police Chief. Such regulation is necessary to protect people entering or exiting and seeking to enter and exit the places of merchants and substantial office buildings.
- B. Definitions. For the purpose of this section, the following terms shall have the following meanings:

¹⁰. Editor's Note: Former § 80-65, One-hour parking limit, was repealed 8-1-1983 by L.L. No. 1-1983.

CHIEF OF POLICE — The Chief of Police of the Village of Liberty.

FACILITY or FACILITIES — Shopping centers, office buildings and office building complexes or places of public assembly, as described herein.

SECTION, BLOCK AND LOT — The duly assigned Tax Map number on file with the Village Clerk.

- C. Regulation of stopping, standing, or parking of motor vehicles in front of certain facilities.
- (1) Except when necessary to avoid conflict with other traffic or persons, or when in compliance with the directions of a police officer or official traffic control device or other person authorized to direct traffic, the stopping, standing, or parking of motor vehicles, as defined in § 1200 of the New York State Vehicle and Traffic Law, is hereby prohibited in the following areas:
- (a) Within 15 feet in front of the buildings of any of the following facilities:
- [1] Section 108, Block 6, Lot 38, presently consisting of the Great American facility;
 - [2] Section 117, Block 2, Lot 21, presently consisting of Achieve Rehab and Nursing Facility;
 - [3] Section 115, Block 2, Lot 21, presently consisting of the Liberty Square Mall;
 - [4] Section 121, Block 1, Lot 8, presently consisting of the Liberty Diner;
 - [5] Section 121, Block 3, Lot 9, presently consisting of the Liberty Mall on Sullivan Avenue;

[6] Section 131, Block 1, Lot 1, presently consisting of the Shop Rite Mall and all facilities on such section, block, and lot.

- (2) In the event the facility has an overhang, any point of measurement as to where stopping, standing, or parking of motor vehicles is prohibited shall be measured from the end of such overhang for vehicles parked in front of such overhang.
 - (3) This section shall not apply to commercial vehicles making deliveries to such facilities when such deliveries are not made through the same entrance as is utilized by the general public for entering into such facility or are otherwise made at hours when the facilities are not open to the public.
- D. The Village of Liberty Police Department is authorized and directed to meet with the owners or general management of each impacted facility to advise of the new law and to develop and implement a plan to provide for signage and painting of the areas where stopping, standing, and parking are prohibited. The cost of installing such signage and painting shall be borne by the Village of Liberty. In the event that no agreement as to such plan shall be reached, the Village of Liberty Police Department is authorized to cause the erection of such signage and the painting of such lines as it shall deem reasonably necessary to effectuate the purposes of this section.
- E. Violations. Any person who violates the provisions of this section shall be fined an amount not greater than \$100.
- F. When effective date. This section shall take effect 60 days after it shall have been filed with the Secretary of State; provided, however, that, immediately upon enactment, the Village of Liberty Police Department is authorized and directed to commence the meetings provided for in Subsection D, herein.

§ 80-66. Fifteen-minute parking limit. [Amended 12-13-2006 by L.L. No. 17-2006]

Notwithstanding the two-consecutive-hour time provisions of § 80-34 of the Village Code:

- A. Parking of vehicles in the public street in front of the post office building for a period longer than 15 minutes between the hours of 9:00 a.m. and 6:00 p.m. is prohibited, except on Sundays and legal holidays. No person or persons shall cause or permit any vehicle to be parked for a period longer than 15 minutes between the hours of 9:00 a.m. and 6:00 p.m., except on Sundays and legal holidays, in the street in front of the post office building.¹¹

§ 80-67. Two-hour parking. ¹² [Added 10-28-2002 by L.L. No. 4-2002]

Between the period commencing on September 1, through and including June 30 of each year, the parking of vehicles on the public streets known as Willey Avenue, Yaun Avenue, West Street and Pinehurst Drive for a period of more than two hours between the hours of 6:00 a.m. through 1:00 p.m. on Mondays through and including Fridays shall be prohibited. Between the period commencing on September 1, through and including June 30 of each year, no person or persons shall cause or permit any vehicles to be parked for a period of more than two hours between the hours of 6:00 a.m. through 1:00 p.m. on Mondays through and including Fridays.

11. Editor's Note: Former Subsection B, regarding parking of vehicles on the south side of Chestnut Street, which immediately followed, was repealed 7-25-2007 by L.L. No. 4-2007.

12. Editor's Note: Former § 80-67, Sunday parking, was repealed 8-1-1983 by L.L. No. 1-1983.

§ 80-67.1. Two-hour parking on Main Street. [Added 9-24-2003 by L.L. No. 6-2003]

The parking of vehicles on North Main Street (both the east and west sides) from its intersection with Buckley Street to its intersection with West Liberty Street and Liberty Street for a period of more than two hours shall be prohibited.

§ 80-68. Public parking in cabstands and bus stops prohibited.

Parking of vehicles, except taxicabs and buses, in those portions of the streets of the Village set off and designated as taxicab stands or bus stops is prohibited. No vehicle, except a taxicab or

bus, shall be parked in any portion of any street of the Village designated as a taxicab stand or bus stop.

§ 80-69. Parking of trucks and buses prohibited.

- A. No persons or persons shall cause or permit any vehicle commonly known as an "omnibus" and having a capacity of more than seven passengers to park, stand or remain standing upon any of the streets of the Village of Liberty for a period longer than shall be necessary to permit passengers to get on or off of any such omnibus; provided, however, that such period shall not in any event exceed 10 minutes.
- B. No person or persons shall cause or permit any vehicle commonly known as a "truck" and having a rated capacity of 1 1/2 tons or more to park, stand or remain standing upon any of the streets of the Village for a period longer than shall be necessary to unload or load goods, wares and merchandise from or on any such truck.

§ 80-70. Loading zones. [Added 8-1-1983 by L.L. No. 1-1983¹³; 2-3-1986 by L.L. No. 1-1986; 12-13-2006 by L.L. No. 18-2006]

No vehicles shall park in spaces designated as loading zones except for the purpose of loading and unloading of said vehicles. Loading zones shall be so designated as such between the hours of 8:00 a.m. and 5:00 p.m. The following places are designated as loading zones on the public streets of the Village of Liberty:

- A. A space of 20 feet on North Main Street in front of 85 North Main Street.
- B. A space of 20 feet on North Main Street in front of 52 North Main Street.

13. Editor's Note: This local law also provided for the renumbering of former §§ 80-70, Repealer, and 80-71, Penalties for offenses, as §§ 80-71 and 80-72, respectively.

- C. A space of 20 feet on South Main Street in front of 9-13 South Main Street, adjacent to the no-parking-here-to-corner zone.
- D. A space of 20 feet on South Main Street in front of 14 South Main Street.
- E. A space of 20 feet on South Main Street in front of 35-37 South Main Street.
- F. A space of 20 feet on South Main Street in front of 109 South Main Street.
- G. A space of 20 feet on School Street in front of 10 School Street and a space of 20 feet on School Street in front of 20 School Street.

§ 80-71. Repealer.

All provisions of ordinances heretofore adopted not consistent with the provisions of this ordinance are hereby repealed.

§ 80-72. Penalties for offenses. [Amended 7-10-1972; 12-15-1980 by L.L. No. 4-1980; 8-19-1993 by L.L. No. 3-1993; 11-9-2009 by L.L. No. 3-2009]

- A. The failure to comply with any of the foregoing provisions shall be and constitute a violation thereof, and any person violating any of the provisions shall be punished by a fine not exceeding \$100 for each offense. **[Amended 1-11-2010 by L.L. No. 1-2010]**
- B. Parking violation fines are as follows:

Violation	Fine
Overtime parking	\$20
Overnight parking	\$25
Prohibited parking	\$25

Violation	Fine
Handicapped/fire lane	\$80
Double parking	\$50

§ 80-73. through § 80-79. (Reserved)

ARTICLE IX
Handicapped Parking
[Adopted 2-4-1991 by L.L. No. 1-1991]

Part 1
Permits and Spaces

§ 80-80. Purpose.

The purpose of adding this Article IX is to provide for the issuance and use of parking permits for handicapped persons and by requiring a designated number of parking spaces for handicapped persons.

§ 80-81. Definitions.

A. The following definitions shall be applicable to this article:

HANDICAPPED PERSON — Such person or persons within the meaning, intent and usage of such phrase in Vehicle and Traffic Law §§ 1203-a, 1203-b and 1203-c and includes a severely disabled person as defined by Vehicle and Traffic Law § 404-a, Subdivision 4.

TEMPORARILY DISABLED PERSON — Any person who does not have a permit issued pursuant to Vehicle and Traffic Law § 1203-a or pursuant to this article nor a motor vehicle registered pursuant to Vehicle and Traffic Law § 404-a but, by reason of physical or mental defect or

incapacity, is temporarily and significantly restricted in his vision or ability to walk, ambulate or move about.

VEHICLE — Any motor vehicle, as defined by Vehicle and Traffic Law § 125, or motorcycle, as defined in Vehicle and Traffic Law § 123, or house coach, as defined in Vehicle and Traffic Law § 119.

- B. For purposes of this article, those definitions established or guidelines used by the State Advocate for the Disabled shall be applicable to this article and are incorporated herein.

§ 80-82. Permit agent; issuance of permits.

- A. The Village Clerk of the Village of Liberty is herein designated as the authorized issuing agent for special parking permits to handicapped and temporarily disabled residents of the Village of Liberty. All permits are for applicants' use only.
- B. Upon submission of an application for a handicapped parking permit to the issuing agent and by submission of a statement from a licensed physician setting forth that the applicant is a handicapped person or is temporarily disabled and is in need of special parking privileges, the issuing agent shall issue a handicapped parking permit to the applicant, to be issued in accordance with the provisions of the Vehicle and Traffic Law of the State of New York and this article. Said permit may be issued on a permanent or temporary basis depending upon the applicant's need as indicated by the physician's statement. The issuing agent shall have authority to impose any other reasonable conditions upon said permit.

§ 80-83. Revocation or suspension of permit; penalties for offenses. [Amended 11-9-2009 by L.L. No. 3-2009]

- A. The issuing agent may suspend or revoke any permit or refuse to renew any permit upon finding that:
- (1) The applicant has made a material false statement in the application;
 - (2) The applicant has used or permitted the use of the permit contrary to the conditions set forth in the permit and in this Article IX;
 - (3) The applicant has failed to comply with or observe any of the conditions of the application and/or of the permit; or
 - (4) The applicant shall have failed to notify the issuing agent of any change of address or disability within 10 days after such change.
- B. Any person who violates the provisions of Subsection A(1) through (4) as set forth above shall be guilty of an offense punishable by a fine not to exceed \$125.

§ 80-84. Designation of spaces.

- A. The Village shall designate certain parking spaces to be parking spaces for handicapped persons and/or temporarily disabled persons. These handicapped parking spaces so designated by the Village shall be set forth and maintained in a register in the Village Clerk's office, located in the Municipal Building in the Village of Liberty.
- B. The establishment of handicapped parking spaces by the Village of Liberty shall be in addition to any handicapped parking spaces that are established by the owners of real property in the Village of Liberty. It shall not be a defense to the prosecution of a violation of this article that a parking space which has been marked as a handicapped

parking space is not designated in the register of handicapped parking spaces.

**§ 80-85. Prohibited acts; penalties for offenses.
[Amended 11-9-2009 by L.L. No. 3-2009]**

- A. After the establishment of specially marked parking spaces for handicapped persons or temporarily disabled persons by the Village of Liberty or any owner of real property, no person shall park any vehicle in such a space or otherwise block or impede parking in such spaces unless a handicapped person or temporarily disabled person is either a passenger, driver or occupant of the vehicle and the vehicle displays a handicapped parking permit issued by the Village of Liberty or another municipality or the vehicle displays a designation issued by the Commissioner of Motor Vehicle pursuant to Vehicle and Traffic Law § 404-a.
- B. Any person who violates the above subsection of this article shall be guilty of an offense punishable by a fine of up to \$80 for each offense.

§ 80-86. Required number and location of spaces; site plan compliance; enforcement.

The required number of handicapped parking spaces set forth herein shall apply as follows:

- A. Any owner of a shopping center or facility with at least five separate retail stores and at least 20 off-street parking spaces which are provided for use by the shopping public must designate as only for the handicapped and clearly marked for use by the handicapped a minimum of 5% of such parking spaces or 10 spaces, whichever is less.
- B. All other new and existing nonresidential sites that have a public parking area for 10 or more vehicles, including but not limited to stores, shops, restaurants, office buildings,

warehouses, storage buildings, professional offices, convalescent homes, schools and public buildings, shall designate the following number of parking spaces:

Total Parking (number of spaces)	Handicapped Parking (number of spaces)
10 to 20	1
21 to 40	2
41 to 60	3
61 to 80	4
81 to 100	5

- C. For all sites having total parking spaces in excess of 100, the number of handicapped spaces shall be determined by the Village Code Enforcement Officer.
- D. Parking spaces for handicapped persons shall be located as close as possible to elevators, ramps, walkups and entrances and shall be so located that the handicapped person is not compelled to wheel or walk behind parked vehicles to reach entrances, ramps, walkups and elevators.
- E. The exact location of parking spaces shall be determined by the Code Enforcement Officer of the Village of Liberty.
- F. Site plans submitted to the Village Planning Board for proposed facilities shall illustrate compliance with this article. No site plan containing off-street parking shall be approved if not in compliance with this article.
- G. The Village Manager shall designate any person or persons on behalf of the Village of Liberty to conduct a survey of existing handicapped parking spaces for new or existing sites affected by this article and to coordinate and ensure compliance of such sites with this article.

§ 80-87. Marking of spaces; exceptions.

- A. Each space designated for handicapped parking shall be not less than 10 feet wide, in addition to an adjacent access aisle which shall be not less than five feet wide and crosshatched on each side of a handicapped parking space. In the event that two handicapped parking spaces are adjacent, one common five-foot crosshatched area may be used to service the adjacent handicapped parking stalls.
- B. Each space shall be designated by signs and white lettering against a blue background and bearing the wording "Handicapped Parking" and shall display the international symbol of access. Each sign shall be at least 18 inches in height and 12 inches in width. Each sign shall be erected in the center of the handicapped parking stall at a point in the back of the stall so as to be easily visible to the driver of the vehicle when he enters the parking stall and his car is in the proposed parking position. The center of each sign shall be at a height of four feet above the parking surface. There shall be one sign for each handicapped parking stall. Such signs shall be erected, installed and maintained by and at the expense of the owner of the real property upon which the handicapped parking stall is located.
- C. Exceptions to and variances from these standards must be approved by the Village Code Enforcement Officer.

§ 80-88. Additional penalties for offenses.

- A. Any person who knowingly destroys or defaces any handicapped parking space or a sign or pavement marking designating such handicapped parking space shall be guilty of an offense punishable by a fine not to exceed \$50.
- B. In addition to any other penalty or cost provided herein, any person who knowingly refuses to provide the required number of handicapped parking spaces established by this article or any state law shall be guilty of an offense

punishable by a fine not to exceed \$50 for the first offense and not to exceed \$100 for any subsequent offense.

§ 80-89. Severability.

If any clause, sentence, phrase, paragraph or any part of this article shall for any reason be adjudged finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this article but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this article would have been adopted had any such provisions not been included.

§ 80-90. When effective.

This article shall take effect immediately.