

Draft proposed Local Law “P” – 2010

A LOCAL LAW to amend Chapter 240 – Management of Coastal Zone, Harbor and Watercraft; Chapter 260 – Parks; and 326 Vehicles and Traffic, to establish additional regulations for vehicles parking in relation to the use of the Harbor Island Boat Ramp, and general parking permit regulations within Harbor Island Park.

BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK AS FOLLOWS:

Section 1.

The current language for Chapter 240, Article IV – Municipal Docks, Section 240, 18-A, Permits, (8) is deleted, and a new (8) is enacted as follows:

Old law:

(8) Ramp service charge and rack fees shall be as set forth in Chapter A-347, Fees

New law:

(8) Ramp use and related parking regulations for the vehicles of boaters using the ramp shall apply as follows:

- A. A parking permit is required for vehicles from January 1 through December 31 each year, except when closed for special events held at Harbor Island Park including, but not limited to, the Firemen’s Parade, the Antique Car Show and the Harbor Fest/Street Fair.
- B. A daily or seasonal ramp use permit issued by the Village of Mamaroneck is required.
- C. The ramp use permit, ramp service charge and rack fees shall be as set forth in Chapter A-347, Fees.
- D. Parking summonses for vehicles parking for use of the ramp without the applicable permits may be issued as further detailed in Chapter 240-25, Chapter 326-39 and Chapter 326-66.

Section 2.

New Language is added to Chapter 240, Article VII – Enforcement, Section 240, 25 B. (3) is enacted as follows:

(3) Penalties for parking of vehicles in relation to use of the Harbor Island Boat Ramp and other permit parking areas designated in Harbor Island Park shall be subject to the enforcing authority as defined under 240-25 A., with further provisions as set forth under Chapter 326 Vehicles and Traffic, Article VI, Parts 39 and 66.

Section 3.

New Sections K. and L. regarding parking permits are added to the Village Code on Parks, Chapter 260, Section 5, entitled, "Vehicles" as follows:

- K. Parking permit areas are established within the Harbor Island Park, with fees set forth in Chapter 347 of the Village Code for such permits, with penalties as set forth in Chapter 326-66.
 - 1. Parking permits are required for all vehicles parking for the following uses and the following time frames:
 - a. Parking for use of the Harbor Island Boat Ramp from January 1 through December 31.
 - b. Parking for use of the Harbor Island Beach starting on the Saturday immediately preceding Memorial Day through Labor Day.
 - 2. Parking permits may be required for trips originating from and returning to Harbor Island Park may be required for special events and trips, at rates established by the Village Manager.

- L. Exceptions to parking permit requirements within Harbor Island Park may be authorized by the Village Manager upon request.

Section 4.

New Language is added to Chapter 326, Article IV, Section 39 – Permit Parking Areas, and a new Section G. is enacted as follows:

326-39 G – Harbor Island Park Permit Parking Area and Requirements

Harbor Island Park is hereby established as an area where a permit is required for parking in relation to use of the Harbor Island Boat Ramp, the Harbor Island Beach, and the Sports and Tennis Facilities. Specially designated parking areas for vehicles with boat trailers are established for use of the Harbor Island Boat Ramp, defined by appropriate signage along the roadway and parking area between Boston Post Road and the Harbor Island Pavilion. Rules and regulations for use of these areas apply as further set forth in Chapter 240 Management of Coastal Zone, Harbor and Watercraft and Chapter 260 Parks.

Section 5.

The current language for Chapter 326, Article VII – Penalties for Offenses, Section 66 – Permit Parking Areas, Part A. is deleted in its entirety and a new Part A. is enacted as follows:

Old law:

A. Any person violating any of the provisions of Article IV of this chapter, except § 326-49G and H, may, upon conviction, be punished for the first offense by a fine not exceeding \$15, for the second offense by a fine not exceeding \$25 and for any subsequent offense by a fine not exceeding \$35.

New law:

- A.
1. Any person violating any of the provisions of Article IV of this chapter, except § 326-39 G and § 326-49 G and H, may, upon conviction, be punished for the first offense by a fine not exceeding \$20, for the second offense by a fine not exceeding \$30 and for any subsequent offense by a fine not exceeding \$40.
 2. Any person violating the provisions of § 326-39 G as it relates to the vehicle-only spaces may, upon conviction, be punished for an offense of parking a vehicle without a permit for a first offense by a fine not exceeding \$20, for the second offense by a fine not exceeding \$30 and for any subsequent offense by a fine not exceeding \$40.
 3. Any person violating the provisions of § 326-39 G may, upon conviction, be punished for an offense of parking a vehicle with or without a boat trailer in a designated boat trailer space without a permit for a first offense by a fine not exceeding \$30, for the second offense by a fine not exceeding \$45 and for any subsequent offense by a fine not exceeding \$60.

Section 6.

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 7. This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.