

**A LOCAL LAW ENTITLED PARKING PROHIBITION**  
**[Adopted 11-17-2009 by L.L. 3-2009]**

*Be it enacted by the Town Board of the Town of Newark Valley, in the County of Tioga as follows:*

Section 1

It is the purpose of this Local Law to ensure that no motor vehicles, as defined by the Vehicle and Traffic Law of the State of New York, will be parked along the side of Town highways which parking has in the past, and if continued, would in the future inhibit the orderly removal of snow from the driving lanes of the Town highways. This law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Section 2

The parking of motor vehicles is hereby prohibited on all Town streets and highways between the hours of 12:00 a.m. and 7:00 a.m. from November 15<sup>th</sup> of each year to, and including, April 1<sup>st</sup> of the following year.

Section 3

Any violation of this Local Law shall be punishable by a fine not to exceed Fifty Dollars (\$50.00) and each additional day upon which any such motor vehicle remains parked during the prohibited times and dates shall constitute a separate offense punishable by a separate fine of Fifty Dollars (\$50.00) for each violation.

Section 4

Any motor vehicle parked or abandoned on any highway within the Town in violation of this Local Law or during a snowstorm, flood, fire or other public emergency or which is found unattended in such a location that it constitutes an obstruction to traffic, may be removed by order and under the direction of the Tioga County Sheriff's Department or other law enforcement agency.

Section 5

After removal of any such motor vehicle as provided in Section 4 above, such motor vehicle shall be stored in a suitable place and at the expense of the owner. The owner or such person in charge of the motor vehicle may redeem the same upon payment to towing services of the amount of all expenses actually and necessarily incurred in effectuating the removal.

#### Section 6

It shall be the responsibility of the Tioga County Sheriff's Department or other law enforcement agent to ascertain the name of the owner of such vehicle or person having lawful possession of such vehicle, and to notify such person of the removal and disposition of the vehicle.

#### Section 7

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Newark Valley hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

#### Section 8

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

#### Section 9

This Local Law shall take affect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.