

ORDINANCE NO.: 3 - 2007

OF

MAY 14, 2007

**AN ORDINANCE AMENDING SECTION 288-36.1.
PARKING PROHIBITED DURING STREET CLEANING OPERATIONS**

PREAMBLE: The City Council of the City of Newburgh, New York hereby finds that the need to enhance City sanitation operations support the implementation of new parking regulations in the City. The City Council has received comments from the public to hear such concerns as they may have on the proposed regulations as set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Newburgh, New York that Section 288-36.1, Parking Prohibited During Street Cleaning Operations, be and is hereby amended as follows:

Section 1. § 288-36.1. Parking Prohibited During Street Cleaning Operations.

A. [No person shall park any vehicle on any public street or portion thereof at any time where signs have been posted indicating that said street or a portion thereof is being cleaned.] The City shall be divided into two sections as defined below:

1. Section 1: All streets to the north of a line beginning at the western City line and continuing east on Broadway to the intersection of Broadway and West Streets continuing north on West Street to the intersection of West Street and South Street continuing east on South Street to the intersection of South Street and Robinson Avenue/Route 9W and continuing south on Robinson Avenue/Route 9W to the intersection of Robinson Avenue/Route 9W and Broadway continuing east along Broadway to the intersection of Broadway and Washington Place and continuing south along Washington Place to the intersection of Washington Place and Washington Street and continuing east on Washington Street to the Hudson River.

2. Section 2: All streets to the south of a line beginning at the western City line and continuing east on Broadway to the intersection of Broadway and West Streets continuing north on West Street to the intersection of West Street and South Street continuing east on South Street to the intersection of South Street and Robinson Avenue/Route 9W and continuing south on Robinson Avenue/Route 9W to the intersection of Robinson Avenue/Route 9W and

Broadway continuing east along Broadway to the intersection of Broadway and Washington Place and continuing south along Washington Place to the intersection of Washington Place and Washington Street and continuing east on Washington Street to the Hudson River.

B. [Signs indicating that a street or a portion thereof is to be cleaned shall be posted thereon prior to said street or portion thereof being cleaned and shall be removed after the cleaning is completed. Said signs shall indicate the time and days during which parking shall be prohibited, pursuant to Subsection A.] There shall be alternate side of the street parking on each and every street of the City as set forth herein:

1. In Section 1 of the City as described in section A(1) above, vehicles shall only be parked, stopped or left standing on the side of the street having odd building numbers on Mondays between the hours of 8:00 a.m. and 3:00 p.m.

2. In Section 1 of the City as described in section A(1) above, vehicles shall only be parked, stopped or left standing on the side of the street having even building numbers on Tuesdays between the hours of 8:00 a.m. and 3:00 p.m.

3. In Section 2 of the City as described in section A(2) above, vehicles shall only be parked, stopped or left standing on the side of the street having odd building numbers on Wednesdays between the hours of 8:00 a.m. and 3:00 p.m.

4. In Section 2 of the City as described in section A(2) above, vehicles shall only be parked, stopped or left standing on the side of the street having even building numbers on Thursdays between the hours of 8:00 a.m. and 3:00 p.m.

C. The following exceptions shall apply to the requirements set forth in section B above:

1. No person shall park, stop or leave standing any vehicle on either side of Broadway on Monday through Friday, inclusive, between the hours of 3:00 a.m. and 6:00 a.m.

2. Vehicles shall only be parked, stopped or left standing on the sides of William Street, South William Street, Liberty Street and Mill Street having odd building numbers on Mondays between the hours of 8:00 a.m. and 11:00 a.m.

3. Vehicles shall only be parked, stopped or left standing on the sides of William Street, South William Street, Liberty Street and Mill Street having even building numbers on Tuesdays between the hours of 8:00 a.m. and 11:00 a.m.

4. No person shall park, stop or leave standing any vehicle on the west side of Dubois Street from Broadway to First Street on Monday, Wednesday and Friday between 8:00 a.m. and 3:00 p.m. No person shall park any vehicle on the east side of Dubois Street from Third Street to South Street on Tuesday and Thursday between 8:00 a.m. and 3:00 p.m.

D. The requirements set forth herein shall not supersede any other parking regulations but shall be in addition to the same. Nothing in this ordinance relating to alternate side of the street parking shall be construed as prohibiting physicians, emergency vehicles or any person operating authorized emergency vehicles during an actual emergency from pursuing, fulfilling or otherwise performing their duties.

E. The Police Chief or his designated representative may direct the removal and impounding of any vehicle parked in violation of this section. Such removal and impoundment shall be governed by Article VI of this chapter.

F. Penalties for Offenses: Any person violating § 288-36.1 of this chapter shall be guilty of a traffic infraction and, upon conviction thereof, shall be subject to a fine of \$50.00. Any person who is charged with a violation of § 288-36.1 who has been served according to law with a summons or appearance ticket and who fails to appear or enter a plea in response thereto within 15 days from service shall, upon conviction for the offense charged and conviction of failure to appear or plead, be subject to an additional fine of \$50.00. For the purposes of Section 288-36.1, each twenty four hour period any violation of this section shall continue shall constitute a separate offense. Notwithstanding any other provision of the City Code of Ordinances and in addition to any other fine or penalty, any costs or expenses incurred by the City of Newburgh in connection with towing or storing of a vehicle shall be paid by the owner or person entitled to possession of such vehicle prior to the release of such vehicle to the person entitled thereto.

Section 2: This ordinance shall take effect on May 31, 2007.