

**VILLAGE OF MONROE
LOCAL LAW
AMENDING CHAPTER 43 OF THE VILLAGE CODE “VEHICLES AND TRAFFIC”
TO PROVIDE CERTAIN TEMPORARY EXEMPTIONS FORM PROHIBITING
PARKING COMMERCIAL MOTOR VEHICLES IN RESIDENTIAL DISTRICTS**

BE IT ENACTED by the Village Board of Trustees of the Village of Monroe, County of Orange, State of New York, as follows:

(Note: Proposed insertions of language into the Code are indicated by underlining. Proposed deletions of language from the Code are indicated by strikeout symbols. All other language shown is to remain unchanged. The symbol “ * * * *” indicates portions of the Code to remain unchanged, which are not shown here for brevity.)*

Section 1. Legislative Findings, Purpose and intent.

The Village Board of Trustees finds and determines that temporary parking of commercial vehicles on Village streets in residential neighborhoods for the purpose of delivering goods, wares or merchandise or rendering services to premises in the immediate vicinity thereof provides a valuable service to Village residents.

Section 2. Authority.

This local law is enacted by the Village Board of Trustees of the Village of Monroe pursuant to its authority to adopt local laws pursuant to the New York State Constitution and Section 10 of the Municipal Home Rule Law and Article 14-B of the General Municipal Law.

Section 3. Section 43-5, “Reserved,” of Chapter 43, titled, “Vehicles and Traffic,” of the Code of the Village of Monroe is hereby amended as follows:

§ 43-5. Commercial motor vehicles prohibited parking.

A. Definition of commercial motor vehicle. For the purpose of this Chapter, a commercial motor vehicle is any vehicle used to transport goods or passengers including, but not limited to, trucks, box trucks, recreational vehicles, trailers, buses, vans, taxis and so forth, with a gross vehicle weight of 8,500 pounds or greater or a gross vehicle weight of less than 8,500 pounds which vehicle is used for business or commercial purposes. ~~for which the operator must have a commercial driver’s license issued by the State of New York.~~

B. Parking prohibited in residential districts. Commercial vehicles shall be prohibited from parking on Village streets in all residential districts, including in the shoulder and in the Village right-of-way.

C. Exempt vehicles. Vehicles providing essential services to the community such as firetrucks, ambulances, police vehicles, utility vehicles and municipal public works vehicles shall be exempt from the prohibitions contained in this section.

D. Temporary exceptions. Commercial vehicles shall be permitted to park temporarily on residential streets if said vehicle is delivering goods, wares or merchandise or rendering services to premises in the immediate vicinity thereof during the hours of 7:00 A.M. to 9:00 P.M. This exception shall not be construed to permit overnight parking of commercial vehicles on Village streets.

~~E.~~ Enforcement. This section shall be enforced by the Village of Monroe Police Department's parking enforcement officer or officers or such other officer as designated by the Chief of Police.

~~F.~~ Each violation of this section shall be punishable by a fine of \$100 and shall be subject to removal and storage as set forth in § 43-42A(3) and § 43-42B.

Section 4. Supersession, of Inconsistent Laws, if any.

The Village Board of Trustees hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof,

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.