

TRAFFIC ORDINANCE NO. 1

1979

OF THE

TOWN OF NANTICOKE

PREAMBLE

The Town Board of the Town of Nanticoke, County of Broome, State of New York, pursuant to the provisions of the Vehicle and Traffic Law of the State of New York does hereby enact the following ordinance to regulate traffic upon the highways within the Town of Nanticoke, outside the corporate limits of any village.

TITLE

This ordinance shall be known and cited as "Traffic Ordinance No. 1 of the Town of Nanticoke".

ARTICLE I

WORDS AND PHRASES DEFINED

Section 1. Definition of words and phrases: (a) The words and phrases used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York.

(b) The following words and phrases which are not defined by Article 1 of the Vehicle and Traffic Law of the State of New York shall have the meanings respectively ascribed to them in this section for purposes of the traffic ordinances of this town.

ARTICLE II

TRAFFIC CONTROL DEVICES

Section 20. Authority to install traffic control devices. The Town of Nanticoke Highway Department shall install and maintain traffic control devices when and as required under the provisions of this ordinance to make effective the provisions of said ordinance and may install and maintain such additional traffic control devices as it may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York subject to the provisions of Sections 1682 and 1684 of that law.

ARTICLE X  
PARKING, STANDING AND STOPPING

Section 100. Application of Article. The provisions of this article shall apply except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

Section 101. All-night parking. The parking of vehicles is hereby prohibited on all highways with this Town between 11 P.m. and 7 a.m., from November 1, to May 1.

ARTICLE XI  
PARKING METERS

(To be reserved)

ARTICLE XII  
REMOVAL AND STORAGE OF VEHICLES

Section 120. Authority to impound vehicles

A. When any vehicle is parked or abandoned on any highway within this Town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by Town of Nanticoke Highway Department.

B. When any vehicle is found unattended on any highway within this Town where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by Town of Nanticoke Highway Department.

C. When any vehicle is parked or abandoned on any highway within this Town where stopping, standing or parking is prohibited, said vehicle may be removed by Town of Nanticoke Highway Department.

Section 121. Storage and charges. After removal of any vehicle as provided in this article, the Town of Nanticoke Highway Department may store such vehicle in a suitable place at the expense of the owner. Such owner, or person in charge of the vehicle, may redeem the same upon payment to the Town of Nanticoke of the amount of all expenses actually and necessarily incurred in effecting such removal, such charges not to exceed ~~two~~ (\$35.00) Dollars together with any charges for storage, such storage charges not to exceed ~~two~~ (\$7.00) Dollars per day, or fraction thereof.

Section 122. Notice of Removal. The Town of Nanticoke Highway Department shall without delay report the removal and the disposition of any vehicle removed as provided in this article to the Highway Department and it shall be the duty of such Highway Department to ascertain to the extent possible the owner of the vehicle or person having same charge, and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same.

ARTICLE XIII  
TRUCK EXCLUSIONS

(To be reserved)

ARTICLE XVI  
SAFETY ZONES

(To be reserved)

ARTICLE XVII  
CENTER LANE ALLOCATION

(To be reserved)

ARTICLE SVIII  
LANE DESIGNATION

(To be reserved)

ARTICLE XXX  
PENALTIES

Section 300. Penalties for violation of ordinance. Every person convicted of a traffic infraction for a violation of any provision of this ordinance which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall for a first conviction thereof be punished by a fine of not more than Fifty Dollars or by imprisonment for not more than fifteen days or by both such fine and imprisonment; for a second such conviction within eighteen months thereafter such person shall be punished by a fine of not more than One Hundred Dollars or by imprisonment of not more than forty-five days or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen months after the first conviction such person shall be punished by a fine of not more than Two Hundred Fifty Dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment.

Section 321. Time to take effect. (a) This ordinance shall take effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 1979, except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of this ordinance which are subject to approval under Section 1684 of the Vehicle and Traffic Law and Section 46 of the Highway Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Department of Transportation.