

VILLAGE OF BROCKPORT

"To provide a high quality of life for all residents, exercising fiscal responsibility and preserving Brockport's unique heritage and historic character."

VILLAGE BOARD – MEETING AGENDA

Monday, December 2, 2013 7:00pm

Location: Village Hall conference room

- **CALL TO ORDER / PLEDGE:** please silence cell phones & electronic devices
- **MOMENT OF SILENCE:** to honor those who serve our Country, enforce our laws, & respond to emergencies
- **BROCKPORT HISTORICAL MOMENT:**
- **PUBLIC HEARING:**
 - Proposed Local Laws of 2013 as follows:
 - Amendments to Village Code Chapter 34 entitled Parking
 - Deletion of Village Code Chapter 19B Fire Lanes (absorb into Chapter 34)
 - Minor amendment to Village Code Chapter 58 Zoning – 58-8(A)(1) Application
- **PUBLIC COMMENT:** 5 minute limit per person / state name & address for record & speak directly to entire Board / share if this is a prepared statement & submit hard copy to Clerk after reading (& electronically next day)
- **OATH OF OFFICE:** None
- **CERTIFICATES & PROCLAMATIONS:** None
- **GUESTS:** None
- **CONSENSUS ITEMS:**
 - Approval of minutes – 11/18 & 11/25
 - Approval of bills to be paid
- **CLERK REPORT:**
 - Clerk – Leslie Ann Morelli
 -
- **PERSONNEL ITEMS:**
 - Reappointment to Seymour Library Board to 12/31/18
- **OLD or NEW BUSINESS:**
 - Possible:
 - Resolution - acceptance of certain easements for expansion of Village sanitary sewer – West Ave
 - Resolutions – Brockport Fire District – Owens Road – water main dedication
- **VILLAGE BOARD REPORTS:**
 - Mayor Margaret B. Blackman
 -
 - Trustee/Deputy Mayor William G. Andrews
 -
 - Trustee Valerie A. Ciciotti
 -
 - Trustee Carol L. Hannan
 -
 - Trustee John D. La Pierre
- **EXECUTIVE SESSION** (if needed)
- **ADJOURNMENT**

Upcoming:

Village Board meeting: 7pm Monday 12/16 (with Attorney, Treasurer, Department Heads)

Village Board work session: none in December

Village Hall closed: Wednesday, 12/25 & Wednesday, 1/1

GUIDELINES FOR PUBLIC COMMENT:

The public shall be allowed to speak only during the public comment period of the meeting or at such time as recognized by the presiding officer.

- Speakers must be visible.
- Speakers must give their name, address and organization, if any.
- Speakers must be recognized by the presiding officer.
- Speakers must limit their remarks to (5) five minutes on a given topic or extended if recognized by the presiding officer.
- Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks shall be addressed to the Board as a body and not to any member thereof.
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- Interested parties or their representatives may address the Board by written communications in the event of creating a hardship to attend the meeting personally.

VILLAGE OF BROCKPORT
Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Monday, December 2, 2013**, in the Brockport Village Hall Conference Room, 49 State Street, Brockport, New York 14420 to consider proposed Local Laws of 2013 as follows:

- Amendments to Village Code Chapter 34 entitled Parking
- Deletion of Village Code Chapter 19B Fire Lanes (absorb into Chapter 34)
- Minor amendment to Village Code Chapter 58 Zoning – 58-8(A)(1) Application

Text of proposed local laws will be posted to the Village website at www.brockportny.org and may be examined at Village Hall during regular business hours. All interested parties will be given the opportunity to be heard.

Please note: this is a continuation of the public hearing begun Monday, November 18th due to an error in the notice that indicated Tuesday, November 18th.

By Order of the Brockport Village Board

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: 11/19/13

- For publication in the 11/24/13 edition of Suburban News
- For posting at Village Hall & on the Village website www.brockportny.org

VILLAGE OF BROCKPORT
Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a **public hearing beginning at 7:00 pm on Tuesday, November 18, 2013**, in the Brockport Village Hall Conference Room, 49 State Street, Brockport, New York 14420 (with the A.D. Oliver Middle School L.G.I. at 40 Allen Street as a backup location to relocate to only if the Village Hall Conference Room exceeds maximum occupancy) to consider proposed Local Laws of 2013 as follows:

- Amendments to Village Code Chapter 34 entitled Parking
- Deletion of Village Code Chapter 19B Fire Lanes (absorb into Chapter 34)
- Minor amendment to Village Code Chapter 58 Zoning – 58-8(A)(1) Application

Text of proposed local laws will be posted to the Village website at www.brockportny.org and may be examined at Village Hall during regular business hours. All interested parties will be given the opportunity to be heard.

By Order of the Brockport Village Board

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: 11/5/13

- For publication in the 11/10/13 edition of Suburban News
- For posting at Village Hall & on the Village website www.brockportny.org

Leslie Ann Morelli

From: Pam Krahe (VOB Building Clerk) [pkrahe@brockportny.org]
Sent: Monday, October 28, 2013 2:48 PM
To: 'Leslie Ann Morelli'
Cc: 'Arthur Appleby'; 'David F. Mayer'
Subject: Chapter 34
Attachments: Ch 34 Final Draft 10-16-13 P2.doc; seaf Ch 34 102113 v2.pdf; seaf Ch 34 narrative 102113.docx

Date: October 28, 2013

To: Leslie

From: CRC

Re: Local Law Amendments for Chapters 34 Parking Code, 19B Fire Lanes, and 58 Zoning Code

Cc: CRC Chair A. Appleby, Village Attorney D. Mayer

Leslie –

Attached is the amended Chapter 34 and the SEQR review for such. Please also note that:

- Chapter 34 has now absorbed the content of Chapter 19 B Fire Lanes, therefore all of Chapter 19-B will need to be removed from the code.
- Chapter 58 Zoning, Section 58-8 (A) (1) has been amended per the reference from Chapter 34 [see below].

Site plan and building approval by the Planning Board is required for all land use and/or development within the Village of Brockport, including but not limited to expansion, reorientation, reduction and/or alteration of off-street parking areas and driveways in accordance with 58-22 (B) and Chapter 16 Section 16-8.

The crafting of a call for a Public Hearing will need to include Chapter 34, the residing of Chapter 19-B into Chapter 34, the minor adjustment of one subsection within Chapter 58, and the Chapter 34 SEQR findings as well.

Pamela Krahe

Codes/Building Clerk
Village of Brockport
PH: (585) 637-5300 x14
FAX: (585) 637-1045

Chapter 34
PARKING

[HISTORY: Adopted by the Board of Trustees of the Village of Brockport as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Parades & Processions – See Chapter 33
Streets & Sidewalks – Chapter 45
Trailers – Chapter 51
Vehicle & Traffic – Chapter 54
Zoning — See Chapter 58
Code Enforcement – See Chapter 59
NYS Unformed Fire Code

ARTICLE I
General Regulations
[Adopted 8-20-1951]

§ 34-1. Title; purpose.

- A. This chapter shall be known as the Local law Parking Restrictions / Emergency Parking Restrictions and removal of illegally parked cars and fines and penalties and is herein referred to as the "Parking Code or "this chapter."
- B. Purpose. Regulating the manner of parking or standing of motor vehicles and trailers, this chapter establishes the policies, regulations, and standards pursuant to the parking on public and private lands within the Village of Brockport. These provisions are enacted to:
 - (1) Establish areas designated for motor vehicle parking within the Village of Brockport.
 - (2) Manner of parking motor vehicles
 - (3) Removal of illegally parked motor vehicles
 - (4) Emergency Parking Restrictions

§ 34-2. Definitions. [Amended 2-2-1976 by L.L. No. 2-1976]

As used in this Local law, the following terms shall have the meanings indicated, as set forth from the Vehicle and Traffic Law of the State of New York; and if no specific definition is set forth therein all words shall have their usual meanings in the English language.

AUTHORIZED EMERGENCY VEHICLE — Every ambulance, police vehicle, fire vehicle or any other authorized emergency vehicles.

CODE ENFORCEMENT OFFICER - An Officer employed by the Village of Brockport as certified by the State of New York either in the capacity of Code Enforcement Officer, Building Inspector, Fire Marshal, Planning/Zoning Officer, Peace Officer, Stormwater Manager, Floodplain Administrator, or any combination thereof.

EMERGENCY ACCESS ROADS – A road that provides passageway for authorized emergency vehicles to a facility, building or portion thereof.

FIRE LANE – A Road or other passageway developed to allow the passage of authorized emergency vehicles. A fire lane is not necessarily intended for vehicular traffic other than for authorized emergency vehicles.

MOTOR VEHICLE — Includes but is not limited to all vehicles propelled by any power other than muscular power, except horse drawn wagons or carriages, which can include but are not limited to automobiles, trucks and motorcycles.

PARKING – The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

STANDING – The stopping of a vehicle, whether occupied or not, temporarily for the purpose of and while actually engaged in receiving or discharging passengers or goods.

STOPPING - When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police or fire-police officer or traffic control sign or signal.

STREET – The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

TRAILER – Used in reference to vehicles other than House Trailers, Travel Trailers or Recreational Vehicles and shall include all vehicles coming within the definition of “trailers” in the Vehicle and Traffic Law of the State of New York and shall include trailers designed to carry boats, cargo, freight and other items of personal or discarded property.

§ 34-3. Parking restrictions; areas designated. [Amended 11-19-1951; 6-18-1953; 9-17-1953; 10-6-1955; 4-19-1956; 9-20-1956; 3-21-1957; 9-5-1957; 5-19-1960; 10-20-1960; 9-8-1969; 2-2-1976 by L.L. No. 2-1976; 12-3-1979 by L.L. No. 3-1979; 8-1-1988 by L.L. No. 4-1988¹]

A. No person shall park or stand a motor vehicle or trailer of any kind within any of the following public streets, described spaces or zones located in the Village of Brockport:

(1) Adams Street:

(a) North side.

(b) Both sides, west of Allen Street to property of State University College at Brockport.

(c) South side, Main Street to Allen Street, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(2) Allen Street [Amended 3-16-1998 by L.L. No. 3-1998²]:

(a) East side.

(b) West side.

(3) Anita's Lane:

(a) East side from East Avenue to Eastern property line of 141 Anita's Lane.

(4) Barry Street:

(a) South side.

(5) Beach Street:

(a) West side.

(b) East side, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(6) Berry Street

(a) Both sides.

¹ Editor's Note: This local law was filed with the Secretary of State 8-29-1988.

² Editor's Note: Said local was filed with the Secretary of State March 1998.

(7) Beverly Drive:

(a) South side.

(8) Briar Rose Lane:

(a) East side.

(b) West side, from West Avenue to Cailyn Way

(9) Brockway Place:

(a) North side.

(b) South side, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(10) Brook Terrance: Both sides from South Ave southerly to 50 feet beyond and westerly past the curve of Brook Terr.

(11) Burroughs Terrance:

(a) East side.

(12) Brookdale Road:

(a) South side.

(13) Carolin Drive:

(a) East side.

(14) Casey Place: Both sides

(15) Centennial Avenue: [Amended 3-16-1998 by L.L. No. 3-1998³]

(a) South side.

(b) North side, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 5:00 p.m., except Sundays and holidays.

³ Editor's Note: Said local law was filed with the Secretary of State March 1998.

(16) Chappell Street:

(a) East side.

(b) West side, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(17) Cherry Drive:

(a) West side.

(18) Clark Street:

(a) North side.

(b) South side, North Main Street to Carolin Dr.

(19) Clinton Street:

(a) South side.

(b) North side, Merchants Street west to end.

(c) North side, Main Street west to Merchant Street, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m. [Added 12-5-1994 by L.L. No. 4, 1994⁴]

(d) North side, Handicapped / Accessible Parking slot, 20 feet West of Main Street.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(20) College Street:

(a) North side.

(21) Creekside Drive:

(a) East side.

⁴ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

(22) Erie Street:

(a) South side.

(b) North side, From Main Street to Utica Street

(c) North side, Perry Street west to end, 7:00 a.m. to 6:00 p.m.,
except Sundays and holidays.

(d) Western end at the terminus of Erie Street.

(23) Evelyn Drive: [Added 1-18-1993 by L.L. No. 2, 1993⁵]

(a) South side.

(24) Evergreen Road:

(a) North side.

(b) West side.

(25) Fair Street:

(a) North side.

(26) Fayette Street:

(a) Both sides.

(27) Frazier Street:

(a) North side.

(28) Gardener Alley

(a) Both sides.

(29) Gordon Street:

(a) West side.

⁵ Editor's Note: This local law was filed with the Secretary of State 1-13-1993.

(30) Graves Street:

(a) West side.

(b) East side.

(31) Havenwood Drive:

(a) East side, from East Avenue south to Candlewick Drive.

(32) High Street:

(a) North side.

(33) Holley Street:

(a) South side.

(b) North side, Main Street to Perry Street, 7:00 a.m. to 6:00 p.m.,
except Sundays and holidays. [Amended 3-16-1998 by L.L. No. 3-1998⁶]

Except: 60 Holley Street school bus loading and unloading zone

(c) North side, Monroe Avenue west to the village line.

(d) North side, Perry Street west to Monroe Avenue. [Added 12-
20-1993 by L.L. No. 7, 1993⁷]

(34) Idlewood Drive:

(a) East side.

(35) Kenyon Street:

(a) Both sides.

(36) Kimberlin Drive:

(a) West side.

⁶ Editor's Note: Said local law was filed with the Secretary of State March 1998.

⁷ Editor's Note: This local law was filed with the Secretary of State 1-3-1994.

(37) King Street:

- (a) South side.
- (b) North side from Queen Street to Utica Street.
- (c) North side, Main Street west to Queen Street, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m. [Added 12-5-1994 by L.L. No. 4, 1994⁸]
- (d) North side, 5 parking spaces from opposite the western most corner of property 10 – 20 King Street to Queen Street Wednesdays 9am – 4pm New York State Motor Vehicle Road Test.

(38) Liberty Street:

- (a) Both sides.

(39) Lincoln Street:

- (a) East side

(40) Locust Street:

- (a) West side.

(41) Lyman Street:

- (a) North side.

(42) Main Street North:

- (a) East side, Canal Bridge north to East Avenue.
- (b) West side, 80 feet south of Clark Street north to West Avenue.

(43) Main Street:

- (a) West side, 175 feet north of railroad bridge south to the village line.
- (b) East side, 155 feet north of railroad bridge south to the village line.

⁸ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

(c) West side, 175 feet north of railroad bridge north to Monroe Avenue and 250 feet north of Monroe Avenue to Canal Bridge, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m. [Added 12-5-1994 by L.L. No. 4, 1994⁹]

(d) West side, from Monroe Avenue north 250 feet

(e) East side, 155 feet north of railroad bridge north to Canal Bridge, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m. [Added 12-5-1994 by L.L. No. 4, 1994¹⁰]

(f) West side, Handicapped / Accessible Parking slot, 165 feet north of Erie Street.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(g) East side, Handicapped / Accessible Parking slot, 150 feet north of State Street.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(44) Market Street [Added 12-5-1994 by L.L. No. 4, 1994¹¹]:

(a) North side, Main Street east to Water Street, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m.

(b) South side, Main Street east to Water Street, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m.

(c) North side, Handicapped / Accessible Parking slot, 20 feet east of Main Street.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(d) North side, Handicapped / Accessible Parking slot, opposite 51 Market Street.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(45) McCormick Lane:

(a) East Side, from East Avenue to Cyrus Way.

⁹ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

¹⁰ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

¹¹ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

(b) West Side, from East Avenue to easterly driveway edge of 8 McCormick Lane.

(46) Maxon Street:

(a) North side.

(b) South side, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(47) Meadowview Drive:

(a) East side.

(48) Mercer Street:

(a) South side.¹²

(49) Merchants Street:

(a) South side.

(b) North side from 38 Merchants Street easterly to end

(c) West side, Handicapped / Accessible Parking slot.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(50) Monroe Avenue:

(a) North side.

(51) Oxford Street:

(a) East side

(52) Park Avenue:

(a) East side, between Main Street and Spring Street. [Amended 3-16-1998 by L.L. No. 3-1998¹³]

(b) East side, between State Street and the canal bridge.

¹² Editor's Note: Former Subsection A(34)(b), dealing with parking restrictions on the north side of Mercer Street, was deleted 11-7-1994 by L.L. No. 3, 1994, which local law was filed with the Secretary of State 11-15-1994

¹³ Editor's Note: Said local law was filed with the Secretary of State March 1998.

(c) West side, between Main Street and railroad tracks, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 5:00 p.m., except Sundays and holidays.

(d) West side, between Union Street and South Street.

(53) Perry Street:

(a) East side.

(b) West side, north of Erie Street.

(c) West side, Erie Street south to Monroe Avenue, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(54) Quaker Maid Street: [Added 1-4-1993 by L.L. No. 1, 1993¹⁴]:

(a) Both sides.

(55) Quarry Street:

(a) Both sides.

(56) Queen Street:

(a) Both sides.

(57) Smith Street:

(a) West side

(b) East side from 30 Smith Street south to canal bridge.

(58) State Street:

(a) North side, between Park Avenue and the west boundary line of 15 – 17 State Street.

(b) North side, Main Street east to rear property line of 89/93 Main Street, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m. [Added 12-5-1994 by L.L. No. 4, 1994¹⁵]

(c) North side, Handicapped / Accessible Parking slot, 20 feet east of Main Street.

¹⁴ Editor's Note: This local law was filed with the Secretary of State 1-13-1993.

¹⁵ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(d) North side, opposite Municipal Building 133 State Street no parking between posted signs

(e) South side, Main Street east to entrance of parking lot at side of Municipal Building, two-hour limit, Monday through Friday, 8:00 a.m. to 6:00 p.m. [Added 12-5-1994 by L.L. No. 4, 1994¹⁶]

(f) South side, Municipal Building 18 State Street 15 Minute limit, Monday through Friday, 8:00 a.m. to 6:00 p.m.

(g) South side, Handicapped / Accessible Parking slot, Municipal Building 18 State Street.

Except: When said vehicle is clearly displaying a valid and legible handicapped parking permit or license plate.

(h) South side, opposite 30 State Street

(i) South side, from opposite 134 State Street to Oxford Street (This area includes the curve of State Street.)

(59) South Avenue [Added 1-4-1993 by L.L. No. 1, 1993¹⁷]:

(a) Both sides east of Quaker Maid Street.

(b) North side between Main Street and Quaker Maid Street.

(60) South Street:

(a) North side.

(61) Spring Street:

(a) North side.

(b) South side, from opposite 34 Spring Street to opposite 44 Spring Street

(c) South side from opposite 60 Spring Street East to end, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 5:00 p.m., except Sundays and holidays.

¹⁶ Editor's Note: This local law was filed with the Secretary of State 12-13-1994.

¹⁷ Editor's Note: This local law was filed with the Secretary of State 1-13-1993.

(62) Union Street:

(a) Both sides.

(63) Utica Street:

(a) West side.

(b) East side, Adams Street to College Street; Erie Street to Clinton Street.

(c) East side, College Street to Erie Street, 7:00 a.m. to 6:00 p.m., except Sundays and holidays.

(64) Water Street:

(a) Both sides.

Except: south side 15-minute designated parking space as posted

(65) West Avenue:

(a) South side, from Smith Street to Carolin Drive.

(66) Willowbrooke Drive:

(a) East and South.

(b) On the west side from 394 Willowbrooke Drive to the rear driveway west of 396 Willowbrooke Drive (This area includes the curve on Willowbrooke Drive.

(67) On either side of any public alley, driveway or as otherwise posted.

B. No person shall park a motor vehicle, or trailers of any kind within any of the following public lots, described spaces or zones located in the Village of Brockport:

(1) Parking lots at the following locations between the hours of 2:00 a.m. and 7:00 a.m. on Monday, Wednesday and Friday:

(a) Parking lot between King Street and Erie Street.

(b) North side of Water Street, west lot.

(c) Harvester Park Welcome Center, 11 Water Street.

Except: parking can be prohibited when either posted or given notice of any Village of Brockport authorized or sanctioned event.

(2) Parking lots at the following locations between the hours of 2:00 a.m. and 7:00 a.m. on Tuesday and Thursday:

- (a) South side of Erie Street.
- (b) South side of Water Street.
- (c) South side of Market Street.
- (d) North side of Water Street, east lot.

Except: parking spaces adjacent 38 Market Street for Brockport Fire Department members.

- (e) South side of Clinton Street.

Except: parking spaces in front of 1 Clinton Street for employees and vehicles conducting business with the Brockport Police Department.

- (f) Merchant Street, west side from Clinton Street to 38 Merchants Street.

(3) Village of Brockport Municipal Office, 49 State Street between the hours of 2:00 a.m. and 7:00 a.m. on any day.

Except: vehicles parked for conducting business with the Village of Brockport.

§ 34-4. Establishment of Fire Lanes or emergency access roads

- A. The Code Enforcement Officer shall have the authority to require the establishment of fire lanes or emergency access roads, and their required postings on public and private property within the Village of Brockport.
- B. Where required by the Code Enforcement Officer fire lanes or emergency access roads shall be posted with signs or other notices identifying such fire lanes or emergency access roads and the instructions to prohibit the obstruction thereof. Signs or notices shall be maintained in a clear and legible condition at all times and shall be replaced or repaired when necessary.

- C. Vehicles parked in violation of this section shall be subject to § 34-9 and §34-10 of this chapter.

§ 34-5. Established Fire Lanes or Emergency Access Roads

- A. Alleyway running behind Main Street buildings from Clinton Street to King Street, known as Decker Alley.
- B. Alleyway running from behind 73 Main Street south to State Street.
- C. Alleyway running behind 21 – 25 Main Street from Water Street North, known as Warehouse Street.
- D. 40 Allen Street A.D Oliver Middle School.
- E. 36 Colman Creek Rd. Christ Community Church, Allen Street entrance.
- F. Holley Street, Student lane Apartments access driveways.
- G. 152 Main Street Nativity Church.
- H. 204 Main Street access driveway to the rear.
- I. 222 Main Street Village Center Apartments access driveway.
- J. 4 Owens Road, emergency access road north and west sides.
- K. South Ave, Winston Woods Townhomes access driveway.
- L. 300 State Street access driveways.
- M. 18 N. Main Street, Villager Apartment access driveways.
- N. 71 West Ave, Presidents Village access driveways.
- O. 45-57 N. Main Street access driveway to the rear.
- P. 63 N. Main Street access driveway to the rear.
- Q. 156 West Avenue medical campus access driveways.
- R. Or any fire lanes or emergency access roads required by the code enforcement officer hereafter.

§ 34-6. Parking in public parks.

- A. No person shall park a motor vehicle or trailer in any public parks owned and so designated by the Village of Brockport, including parking lots appurtenant thereto, between sunset and sunrise.
- B. No person shall park any motor vehicle or trailer unless such person is at that time using the park facilities during permitted times.
- C. Vehicles parked in violation of this section shall be subject to § 34-9, & §34-10 of this chapter.

§ 34-7. Standing and parking of Commercial vehicles.

No person shall stop, stand or park any commercial vehicle designed or rated by its manufacturer to carry cargo of more than one ton, with or without a trailer upon any public street, public parking lot or residentially used premises except for a period of loading or unloading.

§ 34-8. Manner of parking vehicles. [Amended 11-19-1973, effective 1-1-1974]

A. No motor vehicle or trailer shall be parked on any street within the corporate limits of the Village of Brockport between the hours of 2:00 a.m. and 6:00 a.m.

B. No vehicle or trailer shall stand or park in a roadway other than parallel with the edge of the roadway and with the curb side of the vehicle within twelve inches of the edge of the roadway, and such vehicles shall be headed in the direction of traffic; nor shall any vehicle be parked so as to interfere with, block or otherwise obstruct the free and unhindered use of any public sidewalks and crosswalk areas or any village easements, Rights of Way, private and/or public driveways, alleys and entrances.

C. No vehicle shall be parked between any sidewalk area and the adjacent street.

D. No vehicle shall be parked or operated on any part of any property that has not been paved or otherwise surfaced with an all-weather, material. All alterations and/or expansions of off street parking and driveways are subject to review and approval by the Planning Board upon application set-forth by Chapter 58 Section 58-8 (A) (1) of the Zoning Code. [Added 10-17-1988 by L.L. No. 5, 1988²⁰]

E. No vehicle or trailer shall be parked in any designated Handicapped Accessible parking space unless said vehicle is displaying clearly a valid and legible handicapped parking permit or license plate but in no case shall a vehicle occupy any adjacent access aisle.

F. No vehicle or trailer parked on any roadway or in any municipal parking lot may occupy more than one lined parking space at any one time, and shall be parked entirely within any such lines as clearly painted on such roadway or parking lot owned and maintained by the Village of Brockport.

G. No vehicle or trailer shall be parked within, stop, stand or block any fire lane or emergency access roads.

H. No motor vehicle or trailer shall stop, stand or park within 3' (three feet) of any municipally or privately owned fire department fire protection control system, inlet, connection, valve or exit access or path of travel to a building's doors or doorways.

§ 34-9. Violations and penalties. [Amended 12-2-1968; 2-2-1970; 1-21-1980 by L.L. No. 1, 1980; 8-1-1988 by L.L. No. 4, 1988¹⁸]

A. Vehicles or trailers violating the parking lot regulations from November 15 through April 1 each year can be towed at the owner's expense, and shall be subject to

¹⁸ Editor's Note: This local law was filed with the Secretary of State 8-29-1988.

parking violation fines as established by the Board of Trustees, as listed on the Simplified Parking Information (Parking Ticket).

B. Vehicles or trailers violating the parking lot regulations from April 2 through November 14 each year shall be subject to parking violation fines as established by the Board of Trustees, as listed on the Simplified Parking Information (Parking Ticket). [Amended 5-6-1991 by L.L. No. 2, 1991¹⁹]

C Any person who violates any section of this Local Law, unless otherwise stated, shall pay to the Village of Brockport a penalty in an amount as established by the Board of Trustees for each and every offense. In the event that said penalty is not paid within 30 days, the amount shall increase as established by the Board of Trustees, as listed on the Simplified Parking Information (Parking Ticket). Sundays and holidays are not exempted from the respective time periods involved. [Amended 5-6-1991 by L.L. No. 2, 1991²⁰]

§ 34-10. Removal of illegally parked motor vehicles.

A. No person shall allow, permit or suffer any vehicle or trailer registered in his/her name to stand or park in the Village of Brockport in violation of any of the Local Laws regulating the parking and standing of vehicles, nor shall any vehicle be so parked or placed by any person.

B. Any vehicle or trailer found standing or parked in violation of any such Local Law in a public place or street may be removed, towed or conveyed by, or at the direction of a member of the Brockport Police Department to a vehicle impoundment facility to be designated by the Board of Trustees of the village, and such removal shall be deemed the abatement of a nuisance and at the risk and expense of the owner or person entitled to possession of such vehicle or trailer. Said removed vehicle or trailer may be stored in a designated vehicle impoundment facility at the risk and expense of the owner or person entitled to possession of the vehicle or trailer. The owner or person entitled to possession of a vehicle or trailer so removed or stored may redeem the same by paying to the vehicle impoundment facility or to such person as may be designated by the Board of Trustees, the amount of all expenses actually and necessarily incurred in effecting such removal, together with the charges for storage.

C. In the event of the removal of a motor vehicle or trailer and the payment for such removal and storage as described above, any further prosecution for a violation of a parking ordinance arising out of the same violation shall be barred. However, in lieu of such removal, a police officer may serve upon the owner a summons, in which event the penalties otherwise provided shall apply, or he may affix a ticket as provided by law.

D. In the event the owner or person entitled to possession of a vehicle or trailer so removed shall claim there is a dispute as to ownership or right to possession of such

¹⁹ Editor's Note: This local law was filed with the Secretary of State 7-15-1991.

²⁰ Editor's Note: This local law was filed with the Secretary of State 7-15-1991.

vehicle or trailer, upon written notice to the person in charge of said vehicle or trailer in storage, the vehicle or trailer shall remain in storage pending determination of ownership.

ARTICLE II
Emergency Parking Restrictions
[Adopted 11-21-49]

§ 34-11. Declaration of the existence of Emergency Parking Restrictions.

Whenever road conditions in the Village of Brockport have become hazardous or such that the free movement of Fire or EMS apparatus, Police vehicles, any emergency vehicles or municipal vehicular traffic may have become impeded by reasons of snow, freezing rain, ice, smoke, fire, or any other natural or manmade hazardous cause, the Mayor or Deputy Mayor or their designee is hereby authorized to declare the existence of Parking Restrictions and/or Emergency Parking Restrictions based upon the advice of the Police Chief, Fire Chief, Superintendent of Public Works, or their designees.

§ 34-12. Declaration of Emergency Parking Restrictions. [Added 12-4-1978 by L.L. No. 10-1978]

During an Emergency Parking Restriction crisis, the Mayor or Deputy Mayor of the Village of Brockport or their designee shall have the authority to declare that a parking emergency exists, which bans any parking from all streets, or parts thereof in the Village of Brockport and/or all village parking lots. This emergency shall be declared by whatever reasonable means are available. In addition to the sanctions prescribed in § 34-9, § 34-10 and § 34-13, owners of vehicles shall be responsible for any and all costs of removing their parked vehicles and shall be subject to parking violation fines as established by the Board of Trustees.

§ 34-13. Duration of Emergency Parking Restrictions.

Emergency Parking Restrictions shall exist as long as the emergency or similar crisis exists. The Mayor or Deputy Mayor of the Village of Brockport or their designee shall, from time to time, issue public announcements regarding the duration or termination of Emergency Parking Restrictions by whatever reasonable means are available.

§ 34-14. Declaration by Superintendent of Department of Public Works.

A. Whenever road conditions in the Village of Brockport necessitate closure for the operations of the Department of Public Works, the Superintendent of Public Works, or his/her designee can authorize the closure which bans any parking from streets, or parts

thereof in the Village of Brockport and/or all village parking lots. This parking restriction shall be declared by whatever reasonable means are available. In addition to the sanctions prescribed in § 34-9, § 34-10 and § 34-13, owners of vehicles shall be responsible for any and all costs of removing their parked vehicles and shall be subject to parking violation fines as established by the Board of Trustees.

B. The Village Board of Trustees can authorize the closure of village-owned streets for publicly authorized events such as but not limited to parades, walks and festivals. This may include banning parking from village streets or parts thereof or from village parking lots. This parking restriction shall be declared by whatever reasonable means are available. In addition to the sanctions prescribed in § 34-9, § 34-10 and § 34-13, owners of vehicles shall be responsible for any and all costs of removing their parked vehicles and shall be subject to parking violation fines as established by the Board of Trustees.

§ 34-15. Validity.

A. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this code shall be declared unconstitutional or invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code, which shall continue in full force and effect, and to this end the provisions of this code are hereby declared to be severable.

B. Saving clause. This code shall not affect violations of any other ordinance, code or regulation of the municipality existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

§ 34-16. Effective Date.

This local law shall take effect 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.

PROPOSED AMENDMENT TO ZONING CODE SECTION 58-8

Amend 58-8(A)(1) as follows:

(1) Site plan and building approval by the Planning Board is required for all land use and/or development within the Village of Brockport, including but not limited to expansion, reorientation, reduction and/or alteration of off-street parking areas and driveways in accordance with 58-22 (B) and Chapter 16 Section 16-8.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Amendments to Local Law Chapter 34 - Parking			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: Updating the Parking Code in order to regulate the manner of parking including amendments to Chapter 34, moving Chapter 19B into Chapter 34, and amendments to Chapter 58.			
Name of Applicant or Sponsor: Village of Brockport Board of Trustees		Telephone: 585-637-5300	
		E-Mail:	
Address: 49 State Street			
City/PO: Brockport		State: NY	Zip Code: 14420
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____ Date: _____		
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

This is an amendment to the current motor vehicle parking guidelines on existing streets, parking lots, and land within the Village of Brockport. As such, we do not anticipate any adverse environmental impacts either now or in the future.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village of Brockport Board of Trustees	_____
Name of Lead Agency	Date
Margaret B. Blackman	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

Part 1, Q1. Narrative Description of the Intent of the proposed action and the environmental resources that may be affected in the municipality.

Purpose. Regulating the manner of parking or standing of motor vehicles and trailers, this chapter establishes the policies, regulations, and standards pursuant to the parking on public and private lands within the Village of Brockport. These provisions are enacted to:

- (1) Establish areas designated for motor vehicle parking within the Village of Brockport.
- (2) Manner of parking motor vehicles
- (3) Removal of illegally parked motor vehicles
- (4) Emergency Parking Restrictions
- (5) Establish Planning Board authority to review public and private parking areas by amending Zoning Chapter 58-8 (A) (1)
- (6) Incorporate Chapter 19B Fire Lanes into Chapter 34, thereby eliminating Chapter 19B.

This is an Unlisted Action with no significant environmental impact based on the attached review.