

RESOLUTION

WHEREAS, the Town Attorney has submitted to the Town Board of the Town of Dunkirk, a proposed Ordinance regulating vehicle parking and standing in designated fire lanes located in the parking area of the Twin Fair Shopping Center, and

WHEREAS, Section 130 of the Town Law of the State of New York requires that the Town Clerk give notice of a proposed hearing by publication in the official newspaper of the Town of Dunkirk.

NOW, on motion of Earl Walldorff, seconded by John Zaedow, the Town Clerk is hereby authorized to give public notice of a hearing on the proposed Ordinance, the clerk shall state in the notice the time when and the place where such hearing will be held and set forth in general terms the proposed Ordinance. The notice shall be published once at least ten (10) days prior to the date of the hearing. The 4th day of June at 7:15 p.m. o'clock shall be the scheduled time for the hearing to be held in the Town Hall, Willow Road, Dunkirk, New York.

LEROY F. GOLDHARDT
Town Clerk

ORDINANCE OF THE TOWN OF DUNKIRK, NEW YORK
REGULATING VEHICLE PARKING AND STANDING
IN DESIGNATED FIRE LANES LOCATED IN THE
PARKING AREA OF THE TWIN FAIR SHOPPING CENTER

WHEREAS, Section 130 (7) of the Town Law of the State of New York permits a Town Board to adopt a Town Ordinance regulating parking in the Township, and

WHEREAS, Section 1660-A (6) of the Vehicle & Traffic Law of the State of New York, authorizes a Town Board to regulate the parking and standing of motor vehicles in designated parking area of a shopping center if requested in writing by the owner of the shopping center, and

WHEREAS, The Town of Dunkirk has received a written request from Twin Fair Properties, Inc. the owner of the Twin Fair Shopping Center located on the South side of Vineyard Drive in the Town of Dunkirk, New York, requesting that the Town Board of the Town of Dunkirk regulate the standing and parking of motor vehicles in designated fire lanes on its property.

NOW, on motion of Councilman Zaedow and seconded by Councilman Walldorff

BE IT RESOLVED AND ORDAINED, by the Town Board of the Town of Dunkirk, County of Chautauqua, New York as follows:

DEFINITIONS

SECTION 1. "Motor Vehicles" Shall be defined as set forth in Section 125 of the Vehicle & Traffic Law of the State of New York.

SECTION 2 - "Twin Fair Shopping Center" All of the real property owned by the Twin Fair Properties, Inc., located on the South side of Vineyard Drive, in the Town of Dunkirk, County of Chautauqua, State of New York.

SECTION 3 - "Fire Lane" Those areas located and designated in the parking area of the Twin Fair Shopping Center near which is posted signs with the legend "FIRE LANE".

RESTRICTIONS

Upon any designated fire lane located in the Twin Fair Shopping Center no person shall park, or leave standing any motor vehicle whether attended or unattended except momentarily to pick up or discharge a passenger or passengers.

PENALTIES

It is a violation for any person to violate any of the provisions of this Ordinance. Every person convicted of violating the provision of this Ordinance shall be punished by a fine of not more than fifty (\$50.00) dollars or by imprisonment for not more than fifteen (15) days or by both such fine and imprisonment.

CIVIL PENALTIES

That in addition to the penalties provided for in Section 3 of this Ordinance any police officer upon finding an unattended motor vehicle in a designated fire lane located in the Twin Fair Shopping Center, shall have the said motor vehicle removed from the fire lane to a place of suitable storage. Upon payment for the reasonable charges for such removal and storage the said motor vehicle shall be returned to the owner or operator or any such motor vehicle.

EFFECTIVE DATE

This Ordinance shall take effect immediately.

Dated: June 4, 1974