

Chapter 253

VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Board of Trustees of the Village of St. Johnsville 1-15-2003 by L.L. No. 1-2003. Amendments noted where applicable.]

GENERAL REFERENCES

Bicycles — See Ch. 98.

Streets and sidewalks — See Ch. 228.

ARTICLE I
Moving Violations

§ 253-1. Speeding.

Thirty miles per hour is hereby established as the maximum speed at which vehicles may proceed within the corporate limits of this Village, except as hereinbelow designated as the established maximum speed, to wit:

- A. Fifteen miles per hour on Lion Avenue between New York State Route 5 and Crouse Boulevard.
- B. Fifteen miles per hour on Monroe Street between Averill Street and the David H. Robbins Elementary School parking lot.
- C. Twenty miles per hour on Monroe Street between Center Street and Averill Street.

§ 253-2. One-way traffic.

The following streets, or portions thereof, and exits from public parking lots are hereby established as one-way traffic in the directions specified, to wit:

- A. Mechanic Street is hereby designated as a one-way street with traffic to proceed only in a southerly direction from West Main Street to East Liberty Street.
- B. Washington Street is hereby designated as a one-way street with traffic to proceed only in a northerly direction from East Main Street to Monroe Street.
- C. Exiting of traffic from the public parking lot situated west of the Central Hotel building is hereby designated as one-way with traffic to proceed only in a southerly direction to Park Place.

§ 253-3. Stop signs and yield signs.

- A. New York State Route 5, Main Street, is hereby designated as a through highway and stop signs shall be erected on the following entrances thereto:

Stop Sign On	Direction of Travel	At Intersection With
Ann Street	North	Main Street
Averill Street	South	Main Street
Bridge Street	North	Main Street
Center Street	South	Main Street
Church Street	South	Main Street
Failing Avenue	South	Main Street

Stop Sign On	Direction of Travel	At Intersection With
John Street	South	Main Street
Kingsbury Avenue	North	Main Street
Lion Avenue	North	Main Street
Union Street	North	Main Street
Union Street Extension	South	Main Street

- B. The following intersections in said Village are hereby designated stop intersections and stop signs shall be erected and maintained to control traffic moving along the following described streets, in the following specified directions:

Stop Sign On	Direction of Travel	At Intersection With
Cottage Street	East	Church Street
Cross Street	East	Center Street
Cross Street	West	North Division Street
Crouse Boulevard	East	Lion Avenue
Crouse Boulevard	West	Ann Street
Cumberland Farms parking lot	South	Park Place
East Liberty Street	East	Mohawk Street
East Liberty Street	West	South Division Street
Failing Avenue	North	William Street
High School Road	West	Center Street
Hilltop Drive	East	Averill Street
Hough Street	East	South Division Street
John Street	North	William Street
John Street	South	William Street
Kingsbury Avenue	South	New Street
Lion Place	East	Lion Avenue
Lion Place	South	Spring Street
Mechanic Street	North	East Liberty Street
Mechanic Street	South	East Liberty Street
Mechanic Street	South	Sanders Street
Mill Street	North	New Street
Mohawk Street	East	Bridge Street
Mohawk Street	South	Sanders Street
Monroe Street	East	Averill Street
Monroe Street	West	Averill Street
Monroe Street	West	Center Street

Stop Sign On	Direction of Travel	At Intersection With
Old Meadow Road	East	Averill Street
Rockefeller Drive	West	Fowler Drive
Roth Street	South	Hough Street
Saltsman Avenue	East	John Street
Smith Street	East	North Division Street
Spring Street	East	Lion Avenue
Spring Street	West	Ann Street
Timmerman Avenue	East	Failing Avenue
Timmerman Avenue	West	Timmerman Avenue north/south
West Liberty Street	East	South Division Street
West Street	North	William Street
William Street	East	Church Street
William Street Extension	West	Timmerman Avenue

- C. The following intersection in said Village are hereby designated yield intersections and yield signs shall be erected and maintained to control traffic moving along the following described streets, in the following specified directions:

Yield Sign On	Direction of Travel	At Intersection With
Center Street	North	North Division Street
New Street	West	Mohawk Street

§ 253-4. Weight and length limitations.

Weight and length of vehicles shall be limited on certain streets, or portions thereof.

- A. Liberty Street is hereby designated a weight/length-of-vehicle limitation street with the gross vehicle weight limited to nine tons and overall vehicle length limited to 30 feet.

§ 253-5. No right turn on red.

- A. At the intersection of North Division Street and West Main Street a right turn shall not be permitted upon a red traffic light.

ARTICLE II
Parking Violations

§ 253-6. General violations.

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

§ 253-7. Overnight parking.

- A. The parking of vehicles is hereby prohibited on any streets or highway in this Village from, and including, November 1 of each calendar year to, and including, March 31 of the succeeding calendar year between the hours of 2:00 a.m. and 6:00 a.m. daily, Sunday and legal holidays included, any other provision of this chapter to the contrary notwithstanding.
- B. Parking is prohibited on the west side of the public parking lot situated west of the Central Hotel building southerly to Park Place from, and including, November 1 of each calendar year to, and including, March 31 of the succeeding year between the hours of 2:00 a.m. and 6:00 a.m. daily.

§ 253-8. Parking prohibited.

The parking of vehicles in this Village is prohibited in the following locations and at such times that may be designated:

Name of Street	Side	Location
Ann Street	East	From New Street northerly to the south curbline of Spring Street
Averill Street	East	From East Main Street north to the corporate boundary line of the Village
Averill Street	West	From Monroe Street southerly to East Main Street
Averill Street	West	From Monroe Street northerly to Old Meadow Road
Bridge Street	East and West	From the intersection of Mohawk Street southerly to the corporate boundary line of the Village
Center Street	East	From the north curbline of the High School Road northerly to North Division Street
Center Street	East	For 46 feet south from the south curbline of the High School Road
Center Street	East	Northerly from the north curbline of West Main Street for 225 feet

Name of Street	Side	Location
Center Street	West	From Cross Street northerly to North Division Street
Center Street	West	Northerly from the north curbline of West Main Street for 132 feet
Church Street	East	To a point opposite the northerly curbline of Cottage Street extended
Church Street	West	Northerly from the north curbline of Cottage Street to Smith Street
Church Street	West	20 feet northerly from the north curbline of West Main Street
Community House Parking Lot	Northwest corner	3 designated and abutting spaces, except for business conducted at Village offices, effective Monday through Friday, 8:00 a.m. to 4:00 p.m. only
Cottage Street	North	From John Street to Church Street
Cross Street	South	Entire length
East Liberty Street	South	From South Division Street to Mohawk Street
East Main Street	North	Between a point 15 feet east of the east curbline of Kingsbury Avenue extended and the easterly corporate boundary line of the Village
East Main Street	North	Between a point 55 feet westerly of the west curbline of Washington Street and a point 106 feet westerly of said west curbline of Washington Street
East Main Street	South	At a point in the south curbline of East Main Street opposite the west curbline of Averill Street, as extended, easterly to the corporate boundary line of the Village
East Main Street	South	Between the east curbline of Washington Street extended to a point 128 feet west of the east curbline of Washington Street extended
Failing Avenue	East	From West Main Street for 136 feet northerly
Failing Avenue	West	From West Main Street for 119 feet northerly
Handy Avenue	South	From the northwesterly corner of the David H. Robbins Elementary School parking lot to Averill Street
Hough Street	South	From the west curbline of South Division Street, 590 feet westerly, effective Monday through Friday, 8:00 a.m. to 4:00 p.m. only
John Street	West	From West Main Street to William Street and from William Street to Cottage Street

Name of Street	Side	Location
Kingsbury Avenue	East	From East Main Street to a point southerly 120 feet
Kingsbury Avenue	East	To a point 25 feet northerly from New Street
Kingsbury Avenue	West	76 feet southerly from East Main Street
Lion Avenue	West	From East Main Street to the north curbline of Crouse Boulevard
Lion Place	Both	From Lion Avenue to Spring Street
Mechanic Street	East	From East Liberty Street to Sanders Street
Mechanic Street	East and West	From West Main Street to East Liberty Street
Mohawk Street	East and West	From Bridge Street to Sanders Street
Monroe Street	North	From the David H. Robbins Elementary School west to Center Street
New Street	North	From Ann Street to Mohawk Street
North Division Street	East	Northerly from West Main Street to the corporate boundary line of the Village
North Division Street	West	From a point in the west curbline which is 115 feet north of the boundary line between the abutting properties now or formerly owned individually by Johnson and Kirkpatrick and continuing northerly to the corporate boundary line of the Village
North Division Street	West	From a point 144 feet northerly of the north boundary line of the Stewart's Ice Cream Store southerly to West Main Street
Roth Street	East	Entire length
Saltsman Street	North and South	From John Street to West Street
South Division Street	East	To a point 300 feet southerly from the south curbline of West Main Street
Washington Street	East	For 30 feet northerly and southerly of the main pedestrian entrance of the Community House
Washington Street	East	To a point 58 feet northerly from the north curbline of East Main Street
Washington Street	West	From East Main Street to Monroe Street
West Main Street	North	Between the west curbline of Bridge Street, as extended, and a point 123 feet west of same
West Main Street	North	Between the westerly corporate boundary line of the Village and the west curbline of North Division Street

Name of Street	Side	Location
West Main Street	South	Between the westerly Village line and a point 69 feet west of the west curbline of John Street extended
West Street	East and West	From William Street to Saltsman Street
William Street	South	From Church Street to Failing Avenue
Union Street	West	From West Main Street to West Liberty Street

§ 253-9. Parking prohibited at intersections.

The parking of vehicles in this Village is prohibited at, or near, the following intersections, as indicated:

Name of Street	Side	Location
East Main Street	North	For 20 feet east of the east curbline of Washington Street
East Main Street	North	For 20 feet west of the west curbline of Washington Street
East Main Street	South	For 23 feet east of the east curbline of Bridge Street
East Main Street	South	For 28 feet east of the east curbline of Kingsbury Avenue
East Main Street	South	For 28 feet west of the west curbline of Kingsbury Avenue
West Liberty Street	North	For 55 feet from the east curbline of Union Street
West Main Street	North	For 22 feet east of the east curbline of Center Street
West Main Street	North	For 26 feet west of the west curbline of Center Street
West Main Street	North	For 20 feet east of the east curbline of North Division Street
West Main Street	South	For 59 feet west of the west curbline of Bridge Street
West Main Street	South	For 20 feet east of the east curbline of Mechanic Street
West Main Street	South	For 20 feet west of the west curbline of Mechanic Street
West Main Street	South	For 26 feet east of the east curbline of South Division Street

§ 253-10. Two hour parking.

Parking shall be prohibited on the following streets, highways and public parking lots in the Village for any period of time in excess of that respectively herein below designated:

- A. On the north side of East Main Street and West Main Street between North Division Street and Kingsbury Avenue, and on the south side of East Main Street and West Main Street between Church Street and Kingsbury Avenue, for any continuous period in excess of two hours daily between the hours of 8:00 a.m. and 6:00 p.m., Sundays and legal holidays excepted.
- B. On the east and west sides of Bridge Street between Main Street and the intersection of Mohawk Street for any continuous period in excess of two hours daily between the hours of 8:00 a.m. and 6:00 p.m., Sundays and legal holidays excepted.
- C. On the east and west sides of Kingsbury Avenue between East Main Street and New Street for any continuous period in excess of two hours daily between the hours of 8:00 a.m. and 6:00 p.m., Sundays and legal holidays excepted.
- D. On the west side of Center Street from the intersection of Cross Street southerly for a distance of 190 feet for any continuous period in excess of two hours daily between the hours of 8:00 a.m. and 6:00 p.m. Sundays and legal holidays excepted.¹

§ 253-11. Twenty-four hour parking.

Parking for any continuous period in excess of 24 hours is prohibited on the following public highways, streets and public parking lots in the Village, to wit:

- A. On the north and south sides of Park Place.
- B. In any public parking lot.²

§ 253-12. Statutory parking restrictions.³

Blocking of driveways, parking on sidewalks, and parking near fire hydrants shall be restricted as set forth in Vehicle and Traffic § 1202.

1. Editor's Note: Original Subsection E, which immediately followed this subsection, was moved to § 253-7B, re: overnight parking, when this local law was codified as part of the 2004 Code.

2. Editor's Note: The following original sections, which immediately followed this section, were deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I): Section 5, Blocking Driveway; Section 6, Parking on Sidewalk; and Section 7, Parking Near Fire Hydrant. See now § 253-12.

3. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE III
Handicapped Parking

§ 253-13. Designated areas.

The following locations shall be designated handicapped parking areas and, as subsequently applicable, such others as may be particularly selected by the Chief of Police of the Village of St. Johnsville Police Department and approved by the Board of Trustees:

- A. One in front of Kinney's drugstore on Park Place.
- B. One in front of the Big M grocery store on Park Place.
- C. One in front of St. Johnsville Medical Associates, P.C. on East Main Street.
- D. One adjacent to the handicapped access ramp located off the Community House parking lot.
- E. One in front of the Central National Bank on West Main Street.
- F. One in front of St. Patrick's Catholic Church on the east side of Center Street, Saturday only.
- G. One on the east side of Center Street at the corner of the intersection of Center Street and Monroe Street, Sunday only.
- H. One at the southwest corner of Main Street at the intersection of Main Street with Bridge Street.
- I. One on the east side of Kingsbury Avenue in front of the Margaret Reaney Memorial Library.

§ 253-14. Violations.⁴

In accordance with the provisions of §§ 1203-a, 1203-b, 1203-c and 1203-d of the New York State Vehicle and Traffic Law, the driver of any motor vehicle which is parked in any handicapped parking zone without a handicapped parking permit issued by an authorized agent, or without a New York State plate designating such vehicle as a handicapped person vehicle, shall have committed a parking violation herein.

ARTICLE IV
Uninspected or Unregistered Motor Vehicles

§ 253-15. Uninspected motor vehicles.

In accordance with § 306(b) of the Vehicle and Traffic Law of the State of New York, the driver of any motor vehicle which is parked on any public street or public parking lot of this Village, either without a certificate of inspection as required in Article 5 of the New York

⁴ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

State Vehicle and Traffic Law or, the display of such certificate of inspection upon the vehicle or affixed to the registration certificate, shall have committed a parking violation herein.

§ 253-16. Unregistered motor vehicles.

In accordance with § 401, Subdivision 1, of the Vehicle and Traffic Law of the State of New York, the driver of any motor vehicle which is parked upon a public street or public parking lot of this Village without a certificate of registration displayed on the windshield, as required in Article 14 of the Vehicle and Traffic Law of the State of New York, shall have committed a parking violation herein.

**ARTICLE V
Penalties for Offenses**

§ 253-17. Moving violations.⁵

Every person convicted of a traffic infraction for a violation of any provision of this local law which is not a violation of the Vehicle and Traffic Law of the State of New York shall be punishable as follows:

- A. Upon a first conviction, such person be punished by a fine of not more than one \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.
- B. Upon a second such violation within 18 months thereafter, such person shall be punished by a fine of not more than \$200 or by imprisonment for not more than 45 days, or by both such fine and imprisonment.
- C. Upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

§ 253-18. Parking violations.

- A. Except as may otherwise be authorized herein, every person convicted of a violation of any parking provision of Article II, III or IV of this chapter shall be assessed a fine as indicated below for the applicable offense:
 - (1) General violation: \$10.
 - (2) No parking at intersection: \$10.
 - (3) No parking in excess of two hours: \$10.
 - (4) No parking 2:00 a.m. to 6:00 a.m.: \$10.
 - (5) No twenty-four-hour parking: \$10.

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (6) No blocking driveway: \$10.
 - (7) No parking on sidewalk: \$10.
 - (8) No parking within 15 feet of fire hydrant: \$25.
 - (9) No parking in handicapped zone without permit: \$50.
 - (10) Uninspected motor vehicle: \$15.
 - (11) Unregistered motor vehicle: \$20.
- B. Unless otherwise agreed by the prosecutor, every person who fails to answer, either personally or by properly posted mail, on, or as of, the scheduled Court appearance date of an alleged parking violation shall be deemed delinquent and from that date the applicable fine, as may be assessed, shall be doubled.

ARTICLE VI Miscellaneous Provisions

§ 253-19. Effect on prior legislation.

All prior ordinances, local laws, or parts of ordinances or local laws, of this Village regulating motor vehicles and traffic are hereby repealed, as of the effective date hereof, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance, local law or part thereof hereby repealed prior to the taking effect of this enactment.

§ 253-20. Validity.

If any part, or parts, of this chapter are for any reason held to be invalid, such holding or decision shall not affect the validity of the remaining portions of the within enactment.

§ 253-21. Emergency legislative authority.

Nothing herein contained shall be construed to limit the legislative authority of the Village of St. Johnsville Board of Trustees granted pursuant to Vehicle and Traffic Law § 1640 of the State of New York, as now existing or subsequently amended and upon compliance with proper procedure and majority vote taken of all members of such Board, to order specified vehicle and traffic regulations to take effect during, and continuing in effect, as necessary, following declared public emergencies.

§ 253-22. Emergency chief executive authority.

Nothing herein contained shall be construed to limit the Mayor of the Village of St. Johnsville from properly exercising, by order, the emergency rule authority granted pursuant to Vehicle and Traffic Law § 1602 of the State of New York, as now existing or subsequently amended.

§ 253-23. Emergency police authority.

Nothing herein contained shall be construed to limit any police officer of the Village of St. Johnsville, or any other person properly empowered by law to regulate traffic, from exercising, by order, the emergency rule authority granted pursuant to Vehicle and Traffic Law § 1602 of the State of New York, as now existing or subsequently amended, or to limit any police officer from exercising the removal of illegally stopped vehicles as authorized pursuant to Vehicle and Traffic Law § 1204, as now existing or subsequently amended.

§ 253-24. Enforcement of traffic violations.**A. Prosecution.**

- (1) In addition to the duly appointed municipal attorney for the Village of St. Johnsville, any complainant police officer, or the Chief of Police, of the Village of St. Johnsville Police Department, despite such police officer or Chief of Police also appearing as a witness, is authorized to prosecute alleged violations of this chapter.
- (2) Nothing herein shall be construed to prevent the prosecutor of any violation hereunder, but only upon his or her express approval prior to the date of trial and in accordance with relevant provisions of the Penal Law, and/or Criminal Procedure Law, of the State of New York, to consent to a disposition of unconditional discharge, conditional discharge, or adjournment in contemplation of dismissal.

B. Village Justice.

- (1) The Village Justice of the Village of St. Johnsville, in accordance with applicable provisions of law, is hereby authorized to hear and adjudicate, without a jury, all alleged violations of this chapter.
- (2) The Village Justice may, but only upon the express consent of the prosecutor prior to the date of trial and in accordance with relevant provisions of the Penal Law, and/or Criminal Procedure Law, of the State of New York, impose a disposition of unconditional discharge, conditional discharge, or adjournment in contemplation of dismissal.
- (3) Nothing herein shall be construed to limit the Village Justice from dismissing any alleged violation of this chapter in the furtherance of justice pursuant to the criteria presently existing, or as hereafter provided, in the Criminal Procedure Law of the State of New York, or on any legal grounds otherwise applicable under existing state or federal constitutional or statutory law.

§ 253-25. Official forms.

To the extent applicable, all alleged violations of this chapter shall be charged on the existing official forms adopted by the Commissioner of Motor Vehicles pursuant to, and in accordance with, Vehicle and Traffic Law § 207 and all dispositions shall be recorded on all official

forms adopted pursuant to, and in accordance with, Article 60 of the Penal Law of the State of New York,

§ 253-26. Definitions.

The definition of any word necessary to interpret this chapter shall be first determined by such definition as may be provided in the Vehicle and Traffic Law of the State of New York, as now existing or subsequently amended, and if no such statutory definition exists, then pursuant to applicable case law or administrative decision. If no such definition is determinable by the preceding methods, then the common usage and understanding of such term shall be utilized for necessary interpretation.

§ 253-27. Subsequent regulation.

- A. Pursuant to the authority granted by Vehicle and Traffic Law § 1640(a) through 1640(d), but except for a proposed increase in penalty, or penalties, under Article V herein or when the procedure of the within provision cannot be accomplished, all regulation of motor vehicles and traffic in the Village of St. Johnsville after the effective date of this chapter may be enacted by formal resolution of the Board of Trustees if such resolution is adopted in accordance with a majority-plus-one vote of the full membership of such Board as then legally constituted.
- B. Any resolution regarding motor vehicles and traffic hereafter duly adopted pursuant to the within section shall be denoted a "traffic regulation" and numerically identified by the year and order of its enactment and shall, for all purposes, otherwise be immediately enforceable under the provisions of this chapter as though originally incorporated therein. A copy of such traffic regulation, duly certified by the Village Clerk, shall, as applicable, be entitled to judicial notice.
- C. Notwithstanding the authority granted pursuant to this section, the Board of Trustees shall, at reasonable intervals as determined by the record of its proceedings and, in any event, at all subsequent times when the filing of this chapter, or an amended version thereof, is required to be made with the Secretary of State, direct that all then existing duly adopted traffic regulations be incorporated in appropriate parts of the text herein and, upon which, such regulations shall be deemed repealed for purposes of independent enforcement.

§ 253-28. When effective.

This chapter shall take effect upon its filing with the Secretary State except as to those parts which may be subject to approval under § 1684 of the Vehicle and Traffic Law and § 46 of the Highway Law of the State of New York and, as to those parts, the same shall take effect from and after the day on which approval in writing is received from the New York State Department of Transportation.