

**PL-E18 Pipeline ILI Enable
(Mohawk River and I890 HDD) Project**

Article VII Application

**Attachment G. Copy of Local Laws the Applicant Requests
that the Commission Refuse to Apply**

Schenectady County

**Chapter 210. PARKING AND OPERATING MOTOR VEHICLES ON CERTAIN
COUNTY PROPERTY**

[HISTORY: Adopted 5-11-2004 by Local Law 4-2004.]

Section 210.01. Definitions.

As used herein, unless otherwise expressly stated or unless the context or subject matter otherwise requires:

- A. "County" shall mean the County of Schenectady;
- B. "County manager" shall mean the county manager of the County of Schenectady;
- C. "Director of facilities" shall mean the director of facilities of the County of Schenectady;
- D. "County property" shall mean and include all property owned by the County of Schenectady or leased by the County of Schenectady or all properties under the jurisdiction and control of the County of Schenectady, except county roads identified on the county road map prepared and recorded pursuant to section 115 of the New York State Highway Law, and certain state highways and town bridges that the County of Schenectady has limited jurisdiction and control over, pursuant to New York State Highway Law section 114, that may or may not be part of the county road system;
- E. "Parking area" shall mean any portion or portions of county property set aside for the parking of vehicles;
- F. "Person" shall mean any person, firm, partnership, association, corporation or organization
- G. "Vehicle" shall have the same meaning as defined in the Vehicle and Traffic Law of the State of New York;
- H. "Park", "parking" or "parked" shall mean the stopping of a vehicle and leaving such vehicle unattended by a person capable of operating it;
- I. "Stop", "stopped" or "stopping" shall mean the bringing or coming from motion to rest or halting or causing the same to cease from motion,
- J. "Schenectady County reserved parking permit sticker" is hereby defined as the permit officially designated and registered for the purpose; being appropriately numbered; bearing a facsimile of the official seal of Schenectady County and approved by the county manager or his or her designee as to form and design.

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Section 210.02. Speed limit.

No person shall operate any vehicle within any county property at a speed in excess of 15 miles per hour, or in excess of the speed posted on said property by the facilities director.

Section 210.03. Parking, standing and stopping.

- A. No person shall park, stand or stop a vehicle at any place within county property except those places where parking, standing or stopping shall be permitted by order of the director of facilities, or his or her designee.
- B. The director of facilities may by order designate areas where parking, standing or stopping shall be restricted to vehicles operated by county officials or personnel or others having official business or performing special services at any of the county or library buildings or court house.

Section 210.04. Movement of traffic.

The director of facilities may, by order, prescribe the direction in which vehicles shall proceed and the place where vehicles shall stop, turn or otherwise maneuver within county property.

Section 210.05. Signs and markings.

The director of facilities shall cause such appropriate signs to be erected and pavement markings to be made or other devices installed as he or she shall deem necessary for the enforcement of these rules and regulations or any order authorized herein.

Section 210.06. Observance of signs, markings and orders.

- A. Persons operating vehicles within county property shall at all times observe and obey the directions, orders and instructions appearing upon or conveyed by signs, pavement markings or other devices relating to the parking, standing or stopping of vehicles or the direction in which vehicles shall be stopped, turned or otherwise maneuvered.
- B. Persons operating vehicles within county property shall at all times comply with the orders of any peace officer, director of facilities, or his or her duly authorized designee, engaged in the direction of traffic or the parking of vehicles whether the same be given orally or by hand signal.

Section 210.07. Identification of vehicles parked in reserved parking areas.

- A. A Schenectady County registered reserved parking permit sticker shall be properly displayed on all vehicles parked in reserved parking areas.

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- B. Any vehicle improperly parked in a reserved parking area shall be deemed to be in violation of these rules and regulations.

Section 210.08. Traffic regulations.

The director of facilities is authorized to promulgate rules and regulations that supplement, correspond to and elaborate upon the rules and regulations contained in this local law and the rules and regulations promulgated by the director of facilities and the orders issued by the director of facilities, pursuant to his or her rules and regulations, shall become effective when the approved signs and markings have been erected and installed giving notice thereof.

Section 210.09. Authority to remove vehicles.

- A. When any vehicle is parked or abandoned on any Schenectady County property during a snowstorm, flood, fire or public emergency which affects that portion of the Schenectady County property upon which said vehicle is parked or abandoned, said vehicle may be removed by the director of facilities or his or her duly authorized designee, or the sheriff and his or her duly authorized designee.
- B. When any vehicle is found unattended within the confines of Schenectady County property, where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by the director of facilities or his or her duly authorized designee, or the sheriff and his or her duly authorized designee.
- C. When any vehicle is found unattended within the confines of Schenectady County property parked in such a manner as to be in violation of these rules and regulations, said vehicle may be removed by the director of facilities or his or her duly authorized designee, or the sheriff and his or her duly authorized designee.

Section 210.10. Storage and charges after removal of any vehicle.

After the removal of any vehicle as provided in this local law, the director of facilities or his or her duly authorized designee, or the sheriff and his or her duly authorized designee, may store such vehicle in a suitable place at the expense of the owner. Such owner, or the person in charge of such vehicle, may recover the same upon payment to the County of Schenectady, or contracted designee, of the amount of all expenses and charges actually and necessarily incurred in effecting such removal and storage.

Section 210.11. Notice of removal.

The director of facilities or the sheriff shall without delay, report the removal and disposition of any vehicle removed as provided in this local law and rules and regulations to the sheriff of Schenectady County and ascertain the owner or the person having charge thereof and notify him or her in writing of the removal and disposition of such vehicle and the amount which shall be required to redeem the same.

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Section 210.12. Authority to contract and hire.

The sheriff is hereby given the power and authority to engage, hire and contract with any person or corporation to tow away and to store motor vehicles and to otherwise carry out the purposes of sections 210.08 and 210.09 of this law.

Section 210.13. Soliciting not permitted.

No county property or parking areas shall be used for soliciting or for business purposes unless such use is specifically granted by license or permit.

Section 210.14. Unauthorized parking.

No vehicle shall be parked on county property between the hours of 11:00 PM and 8:00 AM, except vehicles of authorized county personnel and vehicles of persons attending public functions unless specifically authorized by the director of facilities.

Section 210.15. Issuance of identification stickers or tags.

- A. The director of facilities is authorized to issue suitable stickers, or other tags or devices to county officers and such county employees as may be certified to him or her by a department head as entitled thereto, the judges of the courts and such other persons as come within the intent of these rules and regulations indicating entitlement of the user to park or use certain designated parking areas.
- B. Such privileges shall be revocable at the will of the director of facilities upon violation of any of these rules, regulations or orders by the holder thereof, subject to the limitations contained upon this authority as set forth in the rules and regulations promulgated hereunder.

Section 210.16. Penalties.

- A. The violation of any provision of this local law or the rules and regulations prescribed herein or refusal to comply with any instructions or directions used thereunder shall be a traffic infraction and shall be punishable by a fine not exceeding one hundred dollars (\$100) and/or imprisonment of not more than 30 days, or in the alternative, a civil penalty may be imposed in an amount not to exceed one hundred dollars (\$100) to be recovered in a civil action.
- B. Fines not paid by the due date on the ticket notice shall be doubled.
- C. All fines and civil penalties are to be paid to the County of Schenectady and shall be deposited into its general fund account.
- D. Fines incurred in the city may be shared with the city of Schenectady if their parking violations bureau and city court is engaged in the process of enforcing this local law, and by this local law, they are empowered to do so if determined by the facilities director to be in the best interest of the county.

Section 210.17. Jurisdiction and enforcement of violations and regulations.

- A. The county court of the County of Schenectady, or the city court of the city of Schenectady, and the town courts and the village courts of the towns and villages, shall have jurisdiction over the enforcement of any violations of this law, and the county attorney or his or her assistants and deputies, shall prosecute.
- B. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by this local law, the duly designated county employee finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its owner and user, and shall conspicuously affix to such vehicle a ticket notice in writing, on a form provided by the sheriff for the driver to pay a fine or plead not guilty by mail or in person, by a due date provided on the ticket, during the hours and at a place specified in the notice.
- C. Receipt of a not guilty plea shall result in a trial notice being sent to the person or entity pleading not guilty and if not the owner, the registered owner shall also receive notice of trial.
- D. If a violator of the restrictions on stopping, standing, parking or speeding under this local law does not pay the fine or plead not guilty by the due date provided for on the ticket notice, or fails to appear for trial, the director of facilities shall cause to be sent to the owner of the motor vehicle to which the notice was affixed, a letter or a citation informing the owner of the violation and warning of its responsibility for the fine that has been doubled for failure to respond by the due date, in an amount up to two hundred dollars (\$200); and that if they do not pay the fine within 30 days by mail or in person during the hours and at a place specified in the letter or citation, the owner may be subject to a warrant and arrest, his or her vehicle may be towed, stored and or immobilized under the direction of the director of facilities or his or her designee, or the sheriff or his or her designee, and the owner's registration may be subject to suspension or non-renewal.
- E. The facilities director or the sheriff shall have the option in the first instance to secure the issuance of a warrant for the owner's arrest, if a trial date is not kept, or if the fine is not paid or if a guilty plea is not received by the due date indicated on the notice during the hours and at a place specified on the notice left on the vehicle.
- F. Any vehicle removed, immobilized or stored as herein provided shall be promptly released to its owner upon the payment of outstanding parking fines, the satisfaction of outstanding traffic warrants, and the payment of any impound fine or storage fees due thereon.
- G. If the owner or violator does not respond to such letter or citation of warning within 30 days, the facilities director or the sheriff shall have the option of having

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- a complaint entered against the owner and secure the issuance of a warrant for the owner's arrest; and the facilities director or the sheriff shall not, if a warrant is issued, accept fines or bails from any such owner, but the owner shall be entirely under the jurisdiction of the court.
- H. In any prosecution charging a violation of this local law governing the standing, parking, or speeding of a vehicle, proof that the particular vehicle described in the complaint was in violation of any such local law, together with proof that the defendant named in the complaint was at the time of such violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.
- I. The sheriff or any peace officer assigned by the sheriff, the director of facilities and his or her authorized designees, are authorized to enforce these rules and regulations and prevent violations thereof.

Section 210.19. Filing orders, rules and regulations.

The director of facilities shall file with the county manager and the clerk of the legislature all orders, rules and regulations promulgated by him or her pursuant to the authority granted him or her under this law.

Town of Glenville

*Town of Glenville, NY
Wednesday, January 8, 2025*

Chapter 99. Brush, Grass and Weeds

[HISTORY: Adopted by the Town Board of the Town of Glenville 9-4-2013 by L.L. No. 6-2013.
Amendments noted where applicable.]

GENERAL REFERENCES

Open burning — See Ch. **110**.

Zoning — See Ch. **270**.

Landscape Manual — See Ch. **LM**.

§ 99-1. Cutting required.

It shall be unlawful for any person being the owner, agent, lessee or occupant having control of any occupied or unoccupied lot or land in all zoning districts within the Town, with the exception of Rural Residential and Agricultural, Land Conservation, Public Park Lands and Riverfront Recreation/Commercial, to maintain, permit or allow upon any such lot or land any uncut growth of grass, weeds or brush, or any noxious or poisonous plants to accumulate or grow to a height in excess of 10 inches.

§ 99-2. Failure to comply.

If such person shall fail or neglect to provide for the cutting and removal as provided in § **99-1**, the Commissioner of Public Works, his designee or any Code Enforcement Officer of the Town shall give written notice to said person by personal service or by affixing the notice to the door of the offending property and by mailing the notice by first-class mail to the person to be served at his or her last known residence ordering such cutting and removal within five days after such notice is given.

§ 99-3. Work by Town; assessment of costs.

If, after due notice as set forth above, said person shall refuse, neglect or fail to comply with the order to cut and remove such growth, the Commissioner shall cause said grass, weeds or brush to be cut and removed, and the cost thereof, plus an administrative fee equal to the greater of 15% of the cost of such work or \$200, shall be assessed against the property by the Town Board, which shall constitute a lien and charge on such land and may be assessed upon said land in the manner provided in § 64, Subdivision 5-a, of the Town Law.

§ 99-4. Penalties for offenses.

Any person, firm or corporation violating any provision of this chapter shall, upon conviction thereof, be punishable by a fine of not more than \$250 or imprisonment for a term not exceeding 15 days, or both.

Town of Glenville, NY
Wednesday, January 8, 2025

Chapter 195. Parks and Recreation

[HISTORY: Adopted by the Town Board of the Town of Glenville as indicated in article histories.
Amendments noted where applicable.]

GENERAL REFERENCES

Animals — See Ch. **88**.
Building construction and fire prevention — See Ch. **101**.
Open burning — See Ch. **110**.
Mass gatherings — See Ch. **179**.
Peddling and soliciting — See Ch. **200**.
Public exhibitions and entertainment — See Ch. **204**.
Solid waste — See Ch. **232**.

Article I. Hemlock Hollow Park

[Adopted 8-5-1969 (Ch. 23 of the 1966 Code)]

§ 195-1. Purpose.

The purpose of this article is to adopt the following general rules and regulations for the government and protection of the Town of Glenville park land at Hemlock Hollow Park (former Water District No. 4), and to provide for the enforcement thereof. These rules and regulations are designed to keep this park in its natural state for the enjoyment of the community.

§ 195-2. Concessions.

No company or individual may sell anything on park land.^[1]

[1] *Editor's Note: Original § 23-3, Conduct, which immediately followed this section, repealed 4-5-2006 by L.L. No. 3-2006.*

§ 195-3. Dumping.

Littering, dumping or disposal of trash, waste, branches, leaves or grass clippings is prohibited.

[1] *Editor's Note: See Ch. 232, Solid Waste.*

§ 195-4. Firearms.

No firearms of any kind, air guns, compressed-gas or spring-operated guns, bows and arrows or slingshots are permitted to be used or carried on park land.

[1] *Editor's Note: See Ch. 143, Firearms and Explosives.*

§ 195-5. Fires.

Fires must not be built on park land.

§ 195-6. Fishing.

[Amended 4-5-2006 by L.L. No. 3-2006]

Fishing, in accordance with the rules of the New York State Conservation Department, is permitted.

§ 195-7. Hours.

[Amended 4-5-2006 by L.L. No. 3-2006]

The park is open from sunrise to sunset. No one is allowed in the park at night from sunset to sunrise. These hours apply year-round.

§ 195-8. Hunting.

Hunting and trapping on park land are prohibited.

§ 195-9. Motor vehicles.

Motorized vehicles are not allowed on park land except:

- A. Vehicles responding to an emergency situation.
- B. Work vehicles being used officially in the preservation or maintenance of the park.

§ 195-10. Natural beauty.

Persons must not deface, remove, injure or destroy any tree, shrub, flower, moss or other plant, rock, fossil or mineral found or growing on park land. Birds and their nests and other wildlife must not be molested or disturbed.

§ 195-11. Signs.

Park district signs must not be defaced, mutilated or removed.

§ 195-12. Structures.

Structures must not be erected on park land.

§ 195-13. Penalties for offenses.

[Amended 4-5-2006 by L.L. No. 3-2006]

Any person violating any of the provisions of this article shall be guilty of an offense punishable by a fine not to exceed \$250, or by imprisonment not to exceed 15 days, or by both such fine and imprisonment.

Article II. Park Regulations

[Adopted 11-6-1996 (Ch. 26 of the 1966 Code)]

§ 195-14. Purpose.

- A. The purpose of this article is to adopt the following general rules and regulations for the government and protection of park lands in the Town of Glenville, and to provide for the enforcement thereof, as listed below.
- (1) Maalwyck Park.
 - (2) Indian Meadows Park.
 - (3) Sanders Preserve.
 - (4) Mohawk-Hudson Bike/Hike Trail.
 - (5) Lock 8 Fishing Access Site.
 - (6) Freemans Bridge Boat Launch.
- B. The following conduct shall be prohibited within the Town parks:
[Amended 4-5-2006 by L.L. No. 3-2006]
- (1) No person shall disturb the peace and good order in the parks by fighting, quarreling or wrangling with loud voices or shouts, threatening violence to any person or the property of others or by engaging in clamor or boisterous shouts or conduct or tumult.
 - (2) No persons shall collect in parks in bodies or crowds for unlawful purposes or boisterous or riotous assemblage or for intentionally annoying or harassing or inflicting property damage or bodily injury upon another person or persons.
 - (3) No person shall beg, hawk, peddle or solicit within a park unless he or she has previously obtained a permit authorizing such conduct from the Town Board.
 - (4) No person shall play at disorderly games of chance in the parks.
 - (5) No person in any park shall possess, consume, offer for sale, use or be under the disturbing influence of any beer, alcoholic beverage, illegal controlled substance, stimulant, depressant or hallucinating agent.
 - (6) No person shall use obscene, profane or abusive language while in a park.
 - (7) No person shall loiter in or near toilet buildings in a park.
 - (8) No person, except authorized Town employees, shall enter a toilet room set aside for the opposite sex.
 - (9) No person shall appear in a park in a state of nudity, in a state of dress not properly belonging to his or her sex or in such a manner as to indecently expose his or her person.
 - (10) No person shall commit, perform or engage in any lewd, lascivious, obscene or indecent act or behavior in a park.
 - (11) No person, other than the disabled owner of a trained guide dog, shall bring into, have or keep any dog within a park during the hours in which activities sanctioned by the Town Director of Youth Activities are in progress unless he or she has previously obtained a permit authorizing such conduct from the Town Board.

§ 195-15. Bicycles and horses.

Bicycle riding and horseback riding are permitted, except as restricted by designation. Horseback riders are required to remove their animal droppings from trails and public areas.

§ 195-16. Concessions.

No person may sell anything on park land unless a permit is obtained from the Town Clerk, after review and approval of the Town Board.

§ 195-17. Dogs and pets.

[Amended 3-2-2016 by L.L. No. 4-2016]

In any Town park, all dogs and pets must be confined to the immediate area of the owner and restrained by a leash or similar restraint, in such a manner as to not disturb or endanger other park users. Owners are required to pick up their animal droppings. In order to use a dog park in any Town park, the dog owner must:

- A. Obtain a permit from the Town Clerk. Permits are free to Glenville Town residents and \$50 for nonresidents. The nonresident permit allows the dog owner to register up to two dogs; the fee for each additional dog is \$25. Upon applying for a permit, the dog owner must provide proof that each dog has a current New York State dog license and is current on its rabies and distemper vaccinations. Upon registration the dog will be issued a colored dog tag. Permits are valid for the calendar year and must be renewed each year. Town residents or visitors may obtain a dog park temporary pass from the Town Clerk, valid for 14 days from the date of issuance, for use by one or two dogs, upon submission of an application, payment of a fee of \$15 and proof of a valid current dog license(s) and current rabies and distemper vaccinations.

[Amended 10-19-2016 by L.L. No. 11-2016]

- B. Abide by dog park rules:

- (1) The dog park is open from 8:00 a.m. to dusk each day, weather permitting.
- (2) An owner may bring no more than two registered dogs to the park at any time.
- (3) Each dog must have a collar and must clearly display both its New York State license and Glenville dog park tag.
- (4) Dogs must be leashed when entering and exiting the dog park and under the control of the dog owner or a responsible person accompanying the dog; such person must have a leash in hand at all times. A "responsible person" is defined as a person age 17 or above who is capable of controlling the dog. Children between the ages of 12 and 16 may accompany a responsible person in the dog park. Children under age 12 are not allowed in the fenced area of the dog park.
- (5) The dog owner or person accompanying the dog must be in the fenced area of the dog park with the dog under visual contact and oral commands when not on a leash.
- (6) Dog owners are solely responsible for the actions of their dogs.
- (7) Dogs that have been declared dangerous or aggressive or female dogs in heat are not permitted in the dog park.
- (8) The dog owner or responsible person must clean up any dog feces dropped by the dog and place it in the proper receptacle.
- (9) Smoking is prohibited in the dog park.
- (10) No food or beverage is permitted in the dog park, with the exception of bite-sized dog training treats.
- (11) The dog owner or responsible person must fill in any holes dug by the dog before leaving the dog park.

(12) Large dogs (defined as greater than 30 pounds) must use the large dog area. Small dogs (30 pounds or less) must use the small dog area.

(13) Penalties for violations of these rules are as provided in § 195-26.

§ 195-18. Littering.

Littering of any paper, trash or other waste is prohibited. Litter shall be placed in receptacles provided or must be removed from park property. It shall be limited to materials accumulated during use of the area. Glass containers of any kind are prohibited. Recycling is required per local law specifications.

[1] *Editor's Note: See Ch. 232, Solid Waste.*

§ 195-19. Firearms; hunting permits.

[Amended 4-5-2006 by L.L. No. 3-2006]

No firearms of any kind, air rifles and pistols, slingshots, bows and arrows, or similar items are permitted to be used or carried on park land with the exception of the Sanders Preserve. A seasonal hunting permit issued by the Town is required for the use of firearms (or longbow) for the purpose of hunting in designated areas of the Sanders Preserve. To obtain a permit:

- A. The Town Clerk shall issue a permit to hunt in the Sanders Preserve upon the presentation of a valid hunting license issued by the State of New York.
- B. The Town of Glenville permit shall be valid for the same length of time as the hunting license presented to the Town Clerk.
- C. There shall be no fee for the issuance of a permit to a taxpayer of the Town of Glenville. A non-taxpayer of the Town of Glenville shall pay a fee of \$25.

§ 195-20. Trapping.

Trapping is prohibited on all park lands.^[1]

[1] *Editor's Note: Original § 26-8, Fires, which immediately followed this section, was deleted 4-5-2006 by L.L. No. 3-2006.*

§ 195-21. Park hours; night fishing.

- A. The normal time for opening and closing park facilities for general use shall coincide with sunrise and sunset, except for those areas designated for evening recreation by the Town Board and for use by permit, secured in advance, for other areas.
- B. Night fishing is only allowed at the Lock 8 Fishing Access Site, after normal park hours, with a permit issued by the Town.

§ 195-22. Motor vehicles.

No motorized recreational vehicles such as snowmobiles, all-terrain vehicles (ATVs) and off-road motorcycles are allowed on park lands. Parking of passenger vehicles is limited to regular parking areas especially provided and designated for that purpose only. Passenger and maintenance vehicles are restricted to speeds not in excess of 15 miles per hour on roads within boundaries of park lands.

§ 195-23. Permits.

A. A permit will be required in each of the following circumstances:

- (1) Use of park land by any group of 25 or more persons, whether organized or not.
- (2) For reservation of picnic areas, baseball, softball and soccer fields, or any park facility.
- (3) For any individual or group overnight stay.
- (4) For night fishing at the Lock 8 Fishing Access Site.
- (5) For seasonal hunting in the Sanders Preserve.
- (6) Use of the Town Dog Park.
[Added 12-1-2010 by L.L. No. 7-2010]

B. All permits shall be issued by the Town Clerk pursuant to such rules and regulations, not inconsistent with this article, which shall from time to time be adopted by the Town Board. As subject to amendment of such rules and regulations, all permits shall be issued by the Town Clerk, after approval by the Park Department; and if such approval is not granted by either department, the application shall be forwarded to the Town Board for disposition.

§ 195-24. Use of facilities in park lands.

- A. No park facilities, plants, animals and natural features shall be damaged, disturbed or destroyed.
- B. No unauthorized construction shall occur.
- C. No golfing is permitted on any park property.

§ 195-25. Sanders Preserve registry.

[Added 4-5-2006 by L.L. No. 3-2006]

All users of the Sanders Preserve must sign in and sign out in the registry provided in the Sanders Preserve parking area.

§ 195-26. Penalties for offenses.

[Amended 4-5-2006 by L.L. No. 3-2006]

Any person guilty of any violation of any of the provisions of this article shall be punishable by a Town Justice, by a fine not to exceed \$250 or, in default of payment of such fine, by imprisonment not exceeding 15 days.

Article III. Return Park and Drainage District

[Amended 4-5-2006 by L.L. No. 3-2006]

§ 195-27. Purpose and findings.

- A. The purpose of this article is to adopt the following rules and regulations for the government and protection of the Return Park and Drainage District and to provide for the enforcement thereof. These rules and regulations are designed in recognition of the fact that the district is located wholly within a residential development and has been developed and maintained through fees assessed on the taxpayers in the residential development.

- B. The Town Board finds that over the years, the Return Park and Drainage District has seen increased automobile traffic from nonresidents of the residential development and increased use of the limited park facilities to the detriment of the inhabitants and taxpayers of the district. The Board also finds that Opinion 88-25 of the Office of the State Comptroller, citing to Town Law Articles 12 and 12-A and court cases interpreted those statutes, holds that a Town may limit the use of the facilities in a park district to district property owners and residents.

§ 195-28. Use of park and drainage district facilities limited to district property owners and inhabitants.

The use of the Return Park and Drainage District facilities are limited to district property owners and inhabitants. Nonresidents are not permitted to use the facilities unless accompanied by a district property owner or inhabitant.

§ 195-29. Specific restrictions.

Persons who are not property owners or inhabitants of the Return residential development are prohibited from fishing in any waterway in the park and drainage district; may not park cars or drive on park and drainage district property; and must not deface, remove, injure or destroy any tree, shrub, flower, moss or other plant, rock, fossil or mineral found or growing on park and drainage district land. Birds and their nests and other wildlife must not be disturbed or molested.

§ 195-30. Penalties for offenses.

Any person violating any of the provisions of this article shall be guilty of an offense punishable by a fine not to exceed \$250, or by imprisonment not to exceed 15 days, or by both fine and imprisonment.

Chapter 232. Solid Waste

[HISTORY: Adopted by the Town Board of the Town of Glenville as indicated in article histories.
Amendments noted where applicable.]

GENERAL REFERENCES

Open burning — See Ch. **110**.

Mobile home parks — See Ch. **184**.

Parks and recreation — See Ch. **195**.

Individual septic disposal systems — See Ch. **213**.

Sewers — See Ch. **217**.

Article I. Garbage and Refuse

[Adopted 8-17-1971 by L.L. No. 4-1971 (Ch. 22 of the 1966 Code)]

§ 232-1. Title.

This article shall be known as "Chapter **232** of the Code of the Town of Glenville."

§ 232-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

CLEAN FILL

Consists solely of topsoil, earth, rock, gravel, quarry process or sand. "Topsoil" is the exposed layer of the earth's surface, and "earth" is the layer of soil immediately beneath the topsoil and above rock. "Rock" excludes boulders, boulders being detached and rounded or worn pieces of rock, the greatest side of which is no less than six inches. All other materials are excluded. Excluded materials include, but are not limited to, muck, peat, timber, debris, stumps and roots of trees, demolished structures, construction or any other refuse; provided, however, that said excluded items shall not have been reprocessed so as to conform with the definition of "clean fill" herein provided. "Muck" is soft silt or clay, very high in organic content, which is usually found in swampy areas. "Peat" is a soil composed principally of partially decomposed vegetable matter.

[Added 6-21-1989 by L.L. No. 2-1989]

GARBAGE

Includes waste food, dead animals or parts thereof and/or any other matter which shall be capable of fermentation or decay.

PERSON

Includes an individual, society, firm, club, partnership, corporation or association of persons and municipality other than the Town of Glenville or Village of Scotia.

RUBBISH

Includes waste material, tin cans, ashes, cinders, glass, discarded paper, cardboard, wood, lumber and all other discarded solids and/or liquids.

SANITARY LANDFILL SITE

Any lands now used or hereafter acquired or leased by the Town of Glenville for use as a sanitary landfill.

§ 232-3. Dumping restricted.

[Amended 4-5-2006 by L.L. No. 3-2006]

The use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds is hereby prohibited.

§ 232-4. Restrictions and regulations.

- A. No person, for the purpose of final disposal thereof, shall throw, deposit or cause to be thrown or deposited any garbage, rubbish or abandoned vehicles or parts thereof, in or upon any private or public lands within said Town of Glenville.

[Amended 4-5-2006 by L.L. No. 3-2006; 9-2-2020 by L.L. No. 15-2020]

- B. No person, firm or corporation shall leave or deposit any garbage or rubbish of any kind upon any street, avenue, highway, park or public place within the Town of Glenville, except that householders and business places may place garbage and rubbish in properly covered containers, in front of their premises for authorized collection and removal to a sanitary landfill site. All waste containers shall be placed at the curb solely for collection. No person, firm or corporation shall place waste containers at any designated area for collection prior to 7:00 a.m. of the day immediately preceding the scheduled collection time for such designated area. Waste containers must be removed from the front of the property or any designated area for collection prior to 9:00 p.m. of the day of collection and may not be stored in front of the property.

[Amended 4-5-2006 by L.L. No. 3-2006; 11-17-2021 by L.L. No. 16-2021]

- C. The owner or his agent or the occupant of any premises within the Town of Glenville shall be responsible for the sanitary condition of the premises occupied or owned by him. No person or persons shall store, or cause to be stored, garbage or rubbish from a private residence or business establishment upon the premises of a private residence or business establishment outside of a closed building except in solid covered containers.

[Amended 9-2-2020 by L.L. No. 15-2020]

- D. Neither garbage nor rubbish shall be permitted on a vacant lot.

[Added 9-2-2020 by L.L. No. 15-2020]

§ 232-5. Requirements for vehicles.

[Amended 4-5-2006 by L.L. No. 3-2006]

- A. All garbage and rubbish transported, brought and/or carried through the Town of Glenville shall be contained securely and battened down within or upon the vehicles transporting the same.
- B. All commercial vehicles used in the transportation of rubbish shall be equipped with proper tarpaulin or other type of enclosing cover, and all trucks transporting garbage, with or without rubbish, shall have watertight metal containers, which shall be kept clean when not in use. If garbage is not in watertight containers, the body of this vehicle itself must be reasonably tight. Vehicles must be kept in reasonably good mechanical and body condition. They must be kept as sanitary as the nature of the use permits. The vehicles must bear the name of the operator in letters at least six inches high.^[1]

[1] *Editor's Note: Original § 22-6, Compliance with rules, and original § 22-7, Permits, as amended 11-16-1982 by L.L. No. 5-1982, both of which immediately followed this subsection, were deleted 4-5-2006 by L.L. No. 3-2006.*

§ 232-6. Licenses.

- A. A license shall be issued by the Town Clerk to each garbage and rubbish collector upon the payment by the applicant of a fee as set from time to time by resolution of the Town Board,^[1] and of a further fee as set from time to time by resolution of the Town Board for each additional truck or other conveyance owned by any person, firm or organization used by him, them or it in such removal or transportation. Rental trucks may be submitted for regularly licensed trucks without fee while the same are out of order for repair, but they must carry the same identification markings as the trucks they replace, and their use must be first reported to the Town Clerk.
[Amended 11-16-1982 by L.L. No. 5-1982; 4-5-2006 by L.L. No. 3-2006]
^[1] *Editor's Note: See Ch. 139, Fees.*
- B. Licensees under this section shall not collect garbage and/or rubbish on Sundays or such other days as the Town Board shall from time to time direct. No collection of garbage and/or rubbish shall be permitted in residential areas before the hour of 6:00 a.m.
- C. All licenses shall be issued on or before and effective as of January 1 of any year and shall be for the period covering January 1 to December 31 of such calendar year. Applicants for such licenses who apply at any other time shall pay a pro rata portion of the entire fee applicable from the date of issuance of the license to expiration time of December 31 of the license year.
- D. In addition to the other requirements of this article, all license and permit applications shall include a schedule of rates to be charged and services to be rendered, together with approximate hours of collection in each block or a map showing approximate hours of collection in each area shown. "Approximate" shall mean whether morning or afternoon hours and on what day. A separate schedule must be furnished for each vehicle licensed.
- E. Applications must be filed six weeks before a license expires or is to become effective, to allow for proper investigation and processing.
- F. All license applications shall be investigated under the supervision of the Superintendent of Highways, and all officers and employees of the Town shall cooperate with him in investigating applicants and inspecting equipment.
[Amended 4-5-2006 by L.L. No. 3-2006]
- G. Licenses described in this § 232-6 are limited to collectors collecting in the Town of Glenville.
[Amended 11-16-1982 by L.L. No. 5-1982; 4-5-2006 by L.L. No. 3-2006]
- H. A roster of licenses shall be maintained by the Town Clerk for public inspection.^[2]
^[2] *Editor's Note: Original Subsection I, regarding distribution of rules, which immediately followed this subsection, was deleted 4-5-2006 by L.L. No. 3-2006.*
- I. Each collector shall file a certificate of a \$10,000/\$20,000 public liability policy and a certificate of his vehicle liability policy with the Town Clerk.

§ 232-7. Penalties for offenses.

[Amended 6-21-1989 by L.L. No. 2-1989; 9-2-2020 by L.L. No. 15-2020]

- A. If any such person shall fail or neglect to provide for the removal of garbage or rubbish as described in § 232-4, the Commissioner of Public Works, his designee or any Code Enforcement Officer of the Town shall give written notice to said person by personal service or by affixing the notice to the door of the offending property and by mailing the notice by first-class mail to the person to be served at his or her last known residence ordering such cutting and removal within five days after such notice is given.

- B. If, after due notice as set forth above, said person shall refuse, neglect or fail to comply with the order to cut and remove such growth, the Commissioner shall cause said garbage or refuse to be removed, and the cost thereof, plus an administrative fee equal to the greater of 15% of the cost of such work or \$200, shall be assessed against the property by the Town Board, which shall constitute a lien and charge on such land and may be assessed upon said land in the manner provided in § 64, Subdivision 5-a, of the Town Law.
- C. Any person, firm or corporation who shall violate any of the provisions of this article or fail to comply therewith or with any of the provisions thereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding \$500 for each offense or by imprisonment in the county jail for a term not to exceed six months, or by both such fine and imprisonment.

§ 232-8. Additional penalties.

- A. In addition to the penalties above provided, after a public hearing the Town Board may revoke any license or special permit issued pursuant to this article if the Town Board at such public hearing determines the holder of such license or special permit to be an undesirable person or incapable of or unwilling to comply with the provisions of this article. The licensee or special permittee shall have an opportunity to be heard at such public hearing, which shall be held after such licensee or special permittee shall be served by written notice of such public hearing in person or by registered mail, return receipt requested, not less than 15 days prior to the date of such hearing.
- B. The Town Board shall also have such other remedies as are provided by law.
- C. Any vehicle used in violation of this article shall be confiscated by the Town of Glenville and shall become the property of the Town of Glenville.
[Added 6-21-1989 by L.L. No. 2-1989]

§ 232-9. Inspection of trucks and carriers.

[Amended 11-16-1982 by L.L. No. 5-1982]

The Town Board shall, by resolution, designate one or more Town employees to inspect all trucks and other carriers transporting garbage and rubbish prior to issuance or renewal or during the period of time licenses or special permits are in effect and also with the enforcement of such other provisions of this article as the Town Board may designate.

§ 232-10. Complaints.

All complaints of collectors submitted by customers, by employees of collectors or by the Town shall be investigated by the Superintendent of Highways and a report made to the Town Board before action is taken pursuant to § **232-8** or before pending license applications are issued by the Town Clerk.^[2]

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

[2] *Editor's Note: Original § 22-13, Fees, as amended, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 232-11. Exceptions.

[Added 6-21-1989 by L.L. No. 2-1989^[1]]

- A. The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the property owned by the

County of Schenectady in the Town of Glenville and for which the County of Schenectady has obtained approval to construct and operate a compost facility.

- B. The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the disposal of septic tank wastes. The disposal of septic tank wastes is regulated by §§ **217-15** through **217-19** of the Code of the Town of Glenville.
- C. The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the depositing of clean fill upon land in the Town of Glenville for the purpose of reclaiming land to enable it to be used for construction of buildings or for the construction of septic systems.

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

§ 232-12. Effective date.

This article shall take effect October 1, 1971; provided, however, that no additional licensing fees shall be charged commercial collectors now licensed by the Town of Glenville prior to January 1, 1972.

Article II. Recycling

[Adopted 4-19-1989 (Ch. 32 of the 1966 Code)]

§ 232-13. Definitions.

As used in this article, the following words are intended to include and be defined as follows:

JUNK MAIL

Any unwanted paper that comes in the mail and office papers, including writing paper, note paper, computer paper, fax paper, copy paper, other stationery and envelopes, including window envelopes, but excluding carbon paper and brown mailing envelopes or folders.

[Added 6-15-1994; amended 7-19-2000]

NEWSPAPER

Dry newspapers, including inserts.

RECYCLABLE MATERIALS

Newspapers, yard and garden waste, glass, plastics, corrugated cardboard, tin, aluminum, brown paper bags, magazines, glossy brochures, catalogs, junk mail, juice boxes and juice and milk cartons.

[Amended 9-20-1989; 4-3-1991; 5-1-1991; 6-15-1994]

SCAVENGING

The uncontrolled and unauthorized picking, sorting and removal of solid waste, either before, during or following disposal.

SOLID WASTE

All types of waste materials, including but not limited to residential, commercial, institutional and industrial waste.

UNSEPARATED RECYCLABLE MATERIALS

Recyclable materials, as specified herein, that are mixed with other solid waste.

YARD WASTE

Residential or commercial leaf waste, lawn clippings and brush.

§ 232-14. Separation of recyclable materials required.

- A. All waste generators and handlers in the Town of Glenville shall source-separate recyclable materials from all other solid wastes.
[Amended 7-19-2000]
- B. Newspaper and inserts shall be placed at the curbside only in plastic twenty-gallon or less containers having handles and lids and having the Scotia-Glenville recycling sticker affixed thereto.
[Added 8-16-1989]
- C. Yard waste shall be placed at the curbside in conformity with the requirements of the composting facility operated by the County of Schenectady or as those requirements may be amended from time to time.
[Added 8-16-1989]
- D. Residential solid waste (nonrecyclables), if packaged in plastic bags, shall be packaged in clear plastic bags.
[Added 5-1-1991]
- E. Recyclables, if packaged in plastic bags, shall be packaged in clear plastic bags.
[Added 5-1-1991]

§ 232-15. Scavenging.

[Amended 6-12-2013 by L.L. No. 4-2013]

- A. Upon placement of household waste, garbage, refuse, recyclables (including, but not limited to paper, glass, plastic and metal items), furniture, or other material out for residential curbside collection, Town bulk item pick-up or upon delivery to any disposal location designated by the Town, it shall be a violation of this article for any person other than a Town licensed garbage and refuse collector hired by the property owner or authorized agents or employees of the Town to disturb, rummage in or sort through, remove, collect or pick up any such waste, garbage, refuse, recyclables, furniture or other material or cause the same to be disturbed, sorted through, removed, collected or picked up.
- B. Nothing in this article shall abridge the right of any person to give or sell their recyclables or unwanted personal property to any person, provided that such items have not been set out for residential curbside collection, Town bulk item pick-up or delivered to a Town designated disposal location.

§ 232-16. Penalties for offenses.

[Amended 4-5-2006 by L.L. No. 3-2006]

Any person, firm or corporation violating any provision of this article shall be guilty of a misdemeanor punishable by a fine not to exceed \$1,000 or imprisonment not to exceed six months, or by both such fine and imprisonment.

§ 232-17. Effective date.

This article shall take effect on July 1, 1989.

Chapter 255. Vehicles and Traffic

[HISTORY: Adopted by the Town Board of the Town of Glenville 8-18-1981 by L.L. No. 1-1981 (Ch. 41 of the 1966 Code). Amendments noted where applicable.]

§ 255-1. Definitions.

The words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York.

§ 255-1.1. Authority.

[Added 3-17-2021 by L.L. No. 7-2021]

- A. The Highway Superintendent and Department of Public Works shall install and maintain traffic control devices when and as required under the provisions of this chapter to make effective the provisions of said chapter and to install and maintain such additional traffic control devices as the Town Board 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 §§ 1682 and 1684 of that law.
- B. Any official traffic control device or traffic control signal placed within the Town of Glenville and purporting to conform to the lawful requirements pertaining to such devices or signals shall be presumed to comply with the requirements pertaining to such devices or signals, unless the contrary shall be established by competent evidence.

§ 255-2. Stop intersections.

The following intersections are hereby designated as stop intersections and stop signs shall be erected on entrances thereto as indicated:

Intersection	Stop Sign On	Entrance(s)
Access Boulevard	Potential Parkway	West
Access Boulevard [Added 1-16-2013 by L.L. No. 1-2013]	Prestige Parkway	West
Access Boulevard [Added 1-18-2006 by L.L. No. 1-2006]	Sparton Way	East
Acorn Drive	Mountainwood Drive	South
Acorn Drive [Added 8-20-2008 by L.L. No. 3-2008]	Valleywood Drive	West

Intersection	Stop Sign On	Entrance(s)
Alder Lane [Added 12-2-2015 by L.L. No. 3-2015]	Birch Lane	East and west
Alder Lane [Added 5-5-2010 by L.L. No. 2-2010]	Willow Lane	East and west
B Street [Added 11-6-2013 by L.L. No. 7-2013]	7th Street	East
Bancker Avenue [Added 9-1-2004 by L.L. No. 2-2004]	Oakland Avenue	South
Bancker Avenue [Added 11-6-1991 by L.L. No. 2-1991]	Parkland Avenue	North and south
Bancker Avenue [Added 9-1-2004 by L.L. No. 2-2004]	Uncas Drive	West
Bancker Avenue [Added 12-18-2002 by L.L. No. 4-2002]	Van Slyck Avenue	North
Barhydt Road [Added 10-20-1981 by L.L. No. 2-1981]	Vley Road Extension	West
Berkley Road	Bromley Place	East and west
Berkley Square East [Added 11-17-1999 by L.L. No. 4-1999]	St. Stephens Lane East	North
Berkley Square North/Berkley Square West [Added 3-4-2009 by L.L. No. 1-2009]	Cumberland Place	West
Berkley Square North/Cumberland Place [Added 3-4-2009 by L.L. No. 1-2009]	Berkley Square West	South
Berkley Square West/Cumberland Place [Added 3-4-2009 by L.L. No. 1-2009]	Berkley Square North	East
Bigwood Road [Added 2-20-2019 by L.L. No. 1-2019]	Rosemary Drive (north)	East
Bigwood Road, Sheffield Road Birch Lane [Repealed 12-2-2015 by L.L. No. 3-2015]	Bigwood Road, York Place	North and south
Bradbury Street [Added 8-20-2008 by L.L. No. 3-2008]	Charles Street	East and west
Broad Street	Schermerhorn Street	North

Intersection	Stop Sign On	Entrance(s)
[Added 1-16-2013 by L.L. No. 1-2013]		
Burch Parkway [Added 4-1-1992 by L.L. No. 1-1992]	Access Boulevard	South
Burch Parkway [Added 4-1-1992 by L.L. No. 1-1992]	Brown Transportation, Inc. driveway	North
Business Boulevard	Potential Parkway	East and west
Business Boulevard	Prestige Parkway	East and west
Business Boulevard	Progress Parkway	West
Business Boulevard driveway [Added 1-18-2006 by L.L. No. 1-2006]	Middle School west parking area	East
Capital Boulevard [Repealed 5-28-1986 by L.L. No. 2-1986]		
Capital Boulevard	Progress Parkway	East
Cedar Lane [Added 9-6-2006 by L.L. No. 4-2006]	Alder Lane	West
Charles Street [Added 4-17-2019 by L.L. No. 2-2019]	Division Street	North
Charles Street	Schermerhorn Street	North and south
Charles Street	South Holmes Street	North and south
Clifford Drive [Added 9-6-2006 by L.L. No. 4-2006]	Wyndon Drive	West
Cypress Drive	Kalmia Drive	South
Daphne Drive	Compton Place	North and south
Daphne Drive	Cypress Drive	North
Daphne Drive	Glen Terrace	North and south
Daphne Drive	Monarda Drive	South
Daphne Drive [Added 10-17-1990 by L.L. No. 8-1990]	St. Stephens Lane East	North and south, east and west
Dongan Avenue	Schermerhorn Street	North and south
Drooms Road Extension [Added 10-5-1988 by L.L. No. 2-1988]	Aleda Drive	South
Drott Drive	Harvest Drive	West
Drott Drive	Kathleen Drive	East
Dutch Meadows Lane [Added 12-3-2003 by L.L. No. 8-2003]	Wal-Mart driveway (east)	North

Intersection	Stop Sign On	Entrance(s)
Dutch Meadows Lane [Added 12-3-2003 by L.L. No. 8-2003]	Wal-Mart driveway (west)	North
Elliott Street	Pleasantview Avenue	North and south
Eltinge Place	Sutherland Drive	West
Engleman Avenue	South Toll Street	North and south
E Street [Added 6-15-2005 by L.L. No. 2-2005]	Prestige Parkway	East and west
Evergreen Boulevard [Added 8-20-2008 by L.L. No. 3-2008]	Hadel Road	West
Fifth Street [Added 5-4-1988 by L.L. No. 1-1988]	A Street	North
Fredericks Road	Drott Drive	North and south
Glen Avenue	Cramer Drive	North and south
Glen Terrace [Added 10-17-1990 by L.L. No. 8-1990]	Daphne Drive	East and west, north and south
Glen Terrace [Added 11-17-1999 by L.L. No. 4-1999]	St. Stephens Lane East	South
Gould Drive	Marson Drive	North and south
Governor Drive	Woodhaven Drive	West
Habel Lane	Knollwood Drive	East
Harlau Drive [Added 6-15-2005 by L.L. No. 2-2005]	Maywood Drive	South
Harmon Road	Drott Drive	North and south
Horstman Drive [Added 10-17-1990 by L.L. No. 8-1990]	Glenview Drive	West
Indian Meadows Park Road [Added 10-5-2016 by L.L. No. 10-2016]	Indian Meadows Park Road playground driveway (west)	East and West
Indian Meadows Park Road [Added 10-5-2016 by L.L. No. 10-2016]	Baseball parking lot driveway	North
Indian Meadows Park Road [Added 10-5-2016 by L.L. No. 10-2016]	Softball Parking Lot Driveway	South
Jane Drive [Added 4-17-2019 by L.L. No. 2-2019]	Saratoga Drive	North
Kile Drive	Drott Drive	South
Knollwood Drive	Pinewood Drive	North
Maritime Drive	Mohawk Avenue	North and south

Intersection	Stop Sign On	Entrance(s)
[Added 1-18-2006 by L.L. No. 1-2006]		
Mayfair Drive [Added 3-5-1986 by L.L. No. 1-1986]	Cherry Lane	East and west
Mohawk Avenue [Added 11-1-2006 by L.L. No. 5-2006]	Maritime Drive	East and west
Mountainwood Drive	Glenwood Drive	West
Mountainwood Drive	Knollwood Drive	West
Mountainwood Drive	Valleywood Drive	East and west
Nichols Drive [Added 2-20-2019 by L.L. No. 1-2019]	Yolanda Drive	East
Oakland Avenue [Added 11-18-1987 by L.L. No. 4-1987]	Bancker Avenue	East
Orlinda Avenue	South Holmes Street	North and south
Paradowski Road [Added 3-3-1993 by L.L. No. 2-1993]	Tryon Street	South
Patent Parkway	Business Boulevard	South
Pinewood Drive	Glenwood Drive	East
Prestige Parkway [Added 3-5-1986 by L.L. No. 1-1986]	Access Boulevard	North
Prestige Parkway [Added 1-18-2006 by L.L. No. 1-2006]	Middle School easterly loop driveway	South
Prestige Parkway [Added 1-18-2006 by L.L. No. 1-2006]	Middle School westerly driveway	South
Prestige Parkway westerly driveway [Added 1-18-2006 by L.L. No. 1-2006]	Middle School west parking area	West
Ralmar Drive [Added 4-17-2019 by L.L. No. 2-2019]	Jane Drive	East
Ralmar Drive [Added 4-7-1999 by L.L. No. 2-1999]	Marjon Avenue	East
Riverside Avenue [Added 8-20-2008 by L.L. No. 3-2008]	Bradbury Street	North and south
Riverside Avenue	South Toll Street	North and south
Robinson Road and Richland Drive [Added 12-7-1982 by L.L. No. 6-1982]	Lorelei Lane	North and south

Intersection	Stop Sign On	Entrance(s)
St. Stephens Lane, East [Added 12-7-1982 by L.L. No. 6-1982]	Compton Place	West
St. Stephens Lane, East	Daphne Drive	East and west
St. Stephens Lane, East [Added 12-7-1982 by L.L. No. 6-1982]	Glen Terrace	East
Sandalwood Lane	Drott Drive	North and south
Sanders Avenue	Schermerhorn Street	North and south
Sanders Avenue [Added 6-21-1989 by L.L. No. 3-1989]	South Holmes Street	North and south
Saratoga Drive	Drott Drive	North
Saratoga Drive [Added 6-15-2005 by L.L. No. 2-2005; amended 4-17-2019 by L.L. No. 2-2019]	Eltinge Place	South
Saratoga Drive [Added 8-18-1999 by L.L. No. 3-1999]	Ralmar Drive	South
Saratoga Drive [Added 4-17-2019 by L.L. No. 2-2019]	Slater Drive	South
Schermerhorn Street	Alexander Avenue	West
Schermerhorn Street	Broad Street	East
Schermerhorn Street	Glen Avenue	East and west
Schermerhorn Street	Lark Street	West
Schermerhorn Street	Riverside Avenue	East and west
Schermerhorn Street	Wren Street	West
Seventh Street [Added 5-4-1988 by L.L. No. 1-1988]	C Street	North
South Holmes Street	Beacon Street	East and west
South Holmes Street	Elliott Street	East and west
South Holmes Street	Engleman Avenue	East and west
South Holmes Street	Riverside Avenue	East and west
South Holmes Street [Added 6-21-1989 by L.L. No. 3-1989]	Sanders Avenue	East and west
South Toll Street	Charles Street	East and west
South Toll Street	Glen Avenue	West
South Toll Street	Orlinda Avenue	East and west
South Toll Street	Sanders Avenue	East and west
South Toll Street [Added 11-19-1997 by L.L. No. 4-1997]	Sanders Avenue	North and south
Sparton Lane	Rosemere Road	East and west

Intersection	Stop Sign On	Entrance(s)
[Added 12-7-1982 by L.L. No. 6-1982]		
Valleywood Drive	Pinewood Drive	North and south
Valleywood Drive	Redwood Drive	South
[Added 4-7-1999 by L.L. No. 2-1999]		
Vley Road Extension		
[Repealed 10-20-1981 by L.L. No. 2-1981]		
Wagon Wheel Lane	Olde Coach Road	East and west
[Added 4-7-1999 by L.L. No. 2-1999]		
Wheeler Drive	Hillandale Drive	West
[Added 11-6-1991 by L.L. No. 2-1991]		
Willow Lane	Alder Lane	South and north
[Added 6-15-2005 by L.L. No. 2-2005]		
Woodcrest Drive	Maplewood Drive	South
Woodcrest Drive	Woodcrest Drive Extension	West
[Added 11-20-1996 by L.L. No. 4-1996]		
Woodcrest Drive	Woodhaven Drive	South
[Added 9-5-1984 by L.L. No. 3-1984]		
Woodhaven Drive	Acorn Drive	South
Woodhaven Drive	Maplewood Drive	North and south
Woodhaven Drive	Pinewood Drive	South
Woodhaven Drive	Woodcrest Drive	North and east
[Added 11-17-1999 by L.L. No. 4-1999]		
Woodhaven Drive		
[Repealed 9-5-1984 by L.L. No. 3-1984]		
Woodside Drive	Droms Road Extension	West
Woodside Drive	Heckler Drive	East and west
[Added 11-18-1987 by L.L. No. 4-1987]		

§ 255-3. Stop intersections at railroad crossings.

The intersection of Hutchinson Road and the Conrail Railroad is hereby designated as a stop intersection, and stop signs shall be erected on Hutchinson Road at its entrances to said intersection from the north and south.

§ 255-4. Yield intersections.

The following intersections are hereby designated as yield intersections, and yield signs shall be erected on entrances thereto as indicated:

Intersection	Yield Sign On	Entrance(s)
Barhydt Road	Town of Glenville Landfill Driveway	North
Barhydt Road [Added 5-6-1987 by L.L. No. 3-1987]	Vley Road Extension	West
Bigwood Drive	Daphne Drive	West
Bigwood Road [Added 5-2-2012 by L.L. No. 2-2012]	Cypress Drive	South
B Street [Added 10-5-1988 by L.L. No. 2-1988]	Fifth Street	East and west
B Street [Added 10-5-1988 by L.L. No. 2-1988]	Third Street	East and west
Capital Boulevard	Business Boulevard	East
Capital Boulevard [Added 3-5-1986 by L.L. No. 1-1986]	Potential Parkway	East and west
Capital Boulevard [Added 3-5-1986 by L.L. No. 1-1986]	Prestige Parkway	East and west
Cherokee Road [Added 10-20-1981 by L.L. No. 2-1981]	Tomahawk Trail	North
Cheyenne Road [Added 12-7-1982 by L.L. No. 6-1982]	Tomahawk Trail	North and south
Cloverleaf Drive [Added 12-7-1982 by L.L. No. 6-1982]	Sparton Lane	North and south
Evergreen Boulevard [Added 4-18-1984 by L.L. No. 1-1984; repealed 8-20-2008 by L.L. No. 3-2008]		
Harlau Drive	Lorelei Lane	South
Havenbrook Drive [Added 8-20-1986 by L.L. No. 3-1986]	Greenway Drive	North
Haviland Drive	Anita Drive	North
Haviland Drive	Laury Lane	South
Horstman Drive [Added 6-21-1989 by L.L. No. 3-1989; repealed 10-17-1990 by L.L. No. 8-1990]		
Jennifer Road [Added 11-16-2016 by L.L. No. 12-2016]	Wagner Lane	West
Nichols Drive	Velina Drive	East

Intersection	Yield Sign On	Entrance(s)
[Added 2-20-2019 by L.L. No. 1-2019]		
Pine Street [Added 1-18-2006 by L.L. No. 1-2006]	McArthur Drive	South
Pine Street [Added 1-18-2006 by L.L. No. 1-2006]	Rockland Road	South
Pleasantview Avenue [Added 12-7-1982 by L.L. No. 6-1982]	Walton Place	East and west
Saratoga Drive [Repealed 8-18-1999 by L.L. No. 3-1999]		
Socha Lane [Added 3-21-2018 by L.L. No. 1-2018]	Marilyn Drive	North
Van Slyck Avenue [Added 7-16-2003 by L.L. No. 2-2003]	Regal Court	North
Western Avenue [Added 4-20-1994 by L.L. No. 2-1994]	Hart Road	South
Woodside Drive [Repealed 11-18-1987 by L.L. No. 4-1987]		

§ 255-5. One-way streets.

A. The following locations are hereby designated for one-way traffic in the direction indicated:

Name of Street	Direction of Travel	Location
Capital Boulevard [Amended 3-5-1986 by L.L. No. 1-1986]	South	Between its intersection with Progress Parkway and its intersection with Business Boulevard
Hetcheltown Road, Schenectady County Road No. 31	North	Between its intersection with Glenridge Road and its intersection with Maple Avenue Extension
Maalwyck Park Main Parking Area [Added 8-15-2001 by L.L. No. 4-2001]	South	The parking area in Maalwyck Park located along the easterly side of Maalwyck Park Road 500 feet southerly of Route 5 and extending southerly adjacent to Maalwyck Park Road for 750 feet
Scotia-Glenville Middle School Main Entrance [Added 1-16-2013 by L.L. No. 1-2013]	East	Scotia Glenville Middle School Main Entrance Traffic Loop between the Business Boulevard Parking Area and its intersection with Prestige Parkway
Scotia-Glenville High School Main Entrance	South	Scotia-Glenville High School Main Entrance Traffic Loop between the parking lot along the

Name of Street	Direction of Travel	Location
[Added 1-16-2013 by L.L. No. 1-2013]		northerly side of the High School building and its intersection with Sacandaga Road
Scotia-Glenville High School Main Parking Area [Added 1-16-2013 by L.L. No. 1-2013]	West	Scotia-Glenville High School parking area located along the northerly side of the High School building from Sacandaga Road to Tartan Way
Scotia-Glenville High School Tartan Way [Added 1-16-2013 by L.L. No. 1-2013]	West	Scotia-Glenville High School parking area located along the northerly side of the High School building to Access Boulevard
Scotia-Glenville High School Southwest Parking Area [Added 1-16-2013 by L.L. No. 1-2013]	North	The easterly side of the Scotia-Glenville High School Southwest Parking Area located from Schermerhorn Street to the southwesterly entrance to the High School building
Scotia-Glenville High School Southwest Parking Area [Added 1-16-2013 by L.L. No. 1-2013]	South	The westerly side of the Scotia-Glenville High School Southwest Parking Area located from the southwesterly entrance to the High School building to Schermerhorn Street

- B. The following highways are designated for one-way traffic during Sundays between the hours of 9:00 a.m. and 1:00 p.m.:

Name of Street	Direction of Travel	Location
Brookside Place	North	Between its intersection with Riverside Place and its intersection with Alplaus Avenue
Riverside Place	West	Between its intersection with Snyder Road and its intersection with Brookside Place
Snyder Road	South	Between its intersection with Alplaus Avenue and its intersection with Riverside Place

§ 255-6. Parking, standing and stopping; penalty.

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

A. State of emergency parking.

- (1) The parking of vehicles is hereby prohibited on or along all Town highways within the Town of Glenville whenever a snowfall exceeds an average depth of three inches.
[Amended 12-7-2005 by L.L. No. 5-2005]

(a) Violations of the "state of emergency parking" will result in a fine of \$20 for the first offense and increasing fines in increments of \$10 for repeat offenses as well as the towing of vehicles at the owner's expense.

- (2) The parking of vehicles is hereby prohibited on or along all Town highways, or those Town highways as designated by the Supervisor of the Town of Glenville, within the Town of Glenville, upon declaration of a state of emergency for the term of the state of emergency.

B. Parking of vehicles prohibited.

[Amended 3-15-2000 by L.L. No. 1-2000]

- (1) Parking is prohibited on all Town roads in the Town of Glenville between the hours of 3:00 a.m. and 6:00 a.m., commencing on November 15 of each year and continuing until the first day of April of each succeeding year.
[Amended 12-7-2005 by L.L. No. 5-2005]
- (a) Violations of the overnight parking ban will result in a fine of \$20 for the first offense and increasing fines in increments of \$10 for repeat offenses.
- (2) The parking of vehicles is hereby prohibited in any of the following locations:

Name of Street	Side	Location
Access Boulevard	Both	Between Prestige Parkway and Patent Parkway
Business Boulevard	East	Between Progress Parkway and Prestige Parkway
Capital Boulevard	Both	Between Patent Parkway and Progress Parkway
Charlton Road [Added 4-18-1984 by L.L. No. 1-1984]	Both	From New York State Route No. 50 a distance of 500 feet northerly, between the hours of 9:00 p.m. and 1:00 a.m.
Culligan Drive	South	Between New York State Route No. 50 and its dead end
Indian Meadows Park Road [Added 8-15-2001 by L.L. No. 4-2001]	Both	Between Droms Road and its terminus
Maalwyck Park Road [Added 8-15-2001 by L.L. No. 4-2001 ^[1]]	Both	From Route 5 to its terminus
McArthur Drive [Added 9-5-1984 by L.L. No. 3-1984; amended 6-21-1989 by L.L. No. 3-1989]	North	Between Pine Street and its end at St. Joseph's School
Patent Parkway	South	Between Access Boulevard and Capital Boulevard
Pleasantview Avenue [Added 12-20-2023 by L.L. No. 10-2023]	Both	Between Beacon Street and Walton Place
Potential Parkway	Both	Between Access Boulevard and Capital Boulevard
Prestige Parkway	Both	Between Access Boulevard and Capital Boulevard
Schermerhorn Street [Added 1-16-2013 by L.L. No. 1-2013]	East	Between Broad Street and its dead end
St. Anthony Lane [Added 9-1-2004 by L.L. No. 2-2004]	West	From Glenridge Road northerly for 250 feet
Weatherwax Road [Added 4-20-2016 by L.L. No. 5-2016]	Both	Entire length
Wren Street	North	Between Schermerhorn Street and its dead end

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

- C. The parking of vehicles is hereby prohibited within 10 feet of the front, back or side, or extension thereof, of any building which contains an exit or entrance to that building in the parking areas of

the following shopping centers:

[Amended 11-1-2006 by L.L. No. 5-2006; 1-16-2013 by L.L. No. 1-2013]

Name of Shopping Center	Description
Lowes Shopping Center	Being the premises designated on the tax maps of the Town of Glenville as Parcel No. 30-1-39
Mayfair Shopping Center	The premises described in the deed to Benderson and Chesbro, recorded in the Schenectady County Clerk's office in Book 844 at page 86 and designated on the tax maps of the Town of Glenville as Parcel No. 22-1-1
Target Shopping Center	Being the premises designated on the tax maps of the Town of Glenville as Parcel Nos. 22.141-4-15.12 and 22-11-4-15.111
Wal-Mart Shopping Center	Being the premises designated on the tax maps of the Town of Glenville as Parcel No. 30-1-24.22
Willowbrook Shopping Center	The premises described in the deed to Gersten, recorded in the Schenectady County Clerk's office in Book 899 at page 377 and designated on the tax maps of the Town of Glenville as Parcel No. 22.7-6-6

D. Handicapped parking.

[Added 7-6-1982 by L.L. No. 3-1982]

- (1) No person shall park in spaces clearly marked for use by the handicapped and located in areas specified by this section without a parking permit for handicapped persons issued in accordance with § 1203-a of the New York State Vehicle and Traffic Law. Parking spaces for the handicapped shall also be extended for use to those persons with vehicles that are registered in accordance with § 404-a of the New York State Vehicle and Traffic Law. Parking spaces designated by this section shall be clearly marked in accordance with the New York State Vehicle and Traffic Law and the New York State Manual of Uniform Traffic Control Devices.
- (2) Shopping centers or facilities with at least five separate retail stores and at least 20 off-street parking spaces which are provided for use by the shopping public must designate as only for the handicapped and clearly mark for use by the handicapped a minimum of 5% of such parking spaces or 10 such spaces, whichever is less. These spaces must be located as close as reasonably practicable to the shopping-center facility and be reasonably distributed so as to provide convenient access by handicapped drivers. Any person, firm or corporation owning a shopping center or facility with at least five retail stores and at least 20 off-street parking spaces which are provided for use by the shopping public who fails to provide such spaces only for the handicapped in accordance with this section shall be punished by a fine of up to \$250, as set forth in § 1203-c, Subdivision 3, of the New York State Vehicle and Traffic Law. Shopping centers or facilities located in the Town of Glenville with at least five separate retail stores and at least 20 off-street parking spaces which are provided for use by the shopping public are as follows:
 - (a) Mayfair Shopping Center along Route 50 in the Town of Glenville.
 - (b) Unnamed shopping facility at the intersection of Route 50 and Charlton Road in the Town of Glenville.
 - (c) Willowbrook Shopping Center along Route 50 in the Town of Glenville.
- (3) Other areas in the Town of Glenville with spaces designated as only for the handicapped and clearly marked for use by the handicapped. Any person, firm or corporation owning a facility located in the Town of Glenville may request inclusion in this section to ensure proper enforcement of any spaces designated and clearly marked. For inclusion, written application must be made to the Town Board, through the Chairman of the Town of Glenville Traffic

Committee, and said application must include a plot plan clearly showing the number and location of proposed spaces to be designated and marked for use by the handicapped. Applicable areas located in the Town of Glenville which have applications approved under this section are as follows:

(a) K-Mart/Albany Public Shopping Center, Saratoga Road, Scotia, New York.

(b) Ponderosa Steak House, Saratoga Road, Scotia, New York.

- E. The standing of vehicles is hereby prohibited in any of the following locations, and "No Standing Any Time" signs shall be erected thereto as indicated:

[Added 4-18-1984 by L.L. No. 1-1984; amended 9-2-1998 by L.L. No. 2-1998; 8-15-2001 by L.L. No. 4-2001; 4-5-2006 by L.L. No. 3-2006; 10-5-2016 by L.L. No. 10-2016]

Name of Street	Side	Location
Access Boulevard	West	From Prestige Parkway northerly 70 feet
Airport Road, County Road 35	South	From Freemans Bridge Road westerly 700 feet
Indian Meadows Park Road	Both	Between Droms Road and its terminus
Maalwyck Park Road	Both	From Route 5 to its terminus
Mohawk Avenue (Alplaus)	Both	From the intersection of Alplaus Avenue for a distance of 100 feet southerly

- F. The stopping of vehicles is hereby prohibited in any of the following locations, and "No Standing Any Time" signs shall be erected thereto as indicated:

[Added 9-2-1998 by L.L. No. 2-1998; amended 8-15-2001 by L.L. No. 4-2001; 7-17-2002 by L.L. No. 3-2002; 4-5-2006 by L.L. No. 3-2006; 10-5-2016 by L.L. No. 10-2016]

Name of Street	Side	Location
Indian Meadows Park Road	Both	Between Droms Road and its terminus
Maalwyck Park Road	Both	From Route 5 to its terminus
Prestige Parkway	North	Between Access Boulevard and Business Boulevard
Viele Road [Added 3-21-2018 by L.L. No. 1-2018]	Both	620 feet from Vley Road to its terminus
Viele Road [Added 3-21-2018 by L.L. No. 1-2018]	South	50 feet at the end of Viele Road
Witbeck Drive	Northeast	Between No. 37 and No. 42 Witbeck Drive and its terminus
Witbeck Drive	Northwest	From its terminus 110 feet southwesterly (adjacent to No. 37 Witbeck Drive)

- G. Vehicles marking U-turns are hereby prohibited in any of the following locations:
[Added 9-2-1998 by L.L. No. 2-1998]

Name of Street	Side	Location
Prestige Parkway	Both	Between Access Boulevard and Business Boulevard

- H. The parking of vehicles is hereby prohibited within 10 feet of the front, back or side, or extension thereof, of any building which contains an exit or entrance to that building in the parking areas of the following schools:

[Added 1-16-2013 by L.L. No. 1-2013]

Name of School

Scotia-Glenville High School

Description

Being the premises designated on the tax maps of the Town of Glenville as Parcel No. 29.19-1-1

Scotia-Glenville Middle School

Being the premises designated on the tax maps of the Town of Glenville as Parcel Nos. 29.81-1 and 29-3-7.11

§ 255-7. Truck exclusions.**A. General weight exclusions.**

- (1) All trucks, tractors, tractor-trailers and commercial vehicles with a maximum gross weight of vehicle and load capacity in excess of four tons are hereby excluded from the following highways within this Town:

Name of Street

Alplaus Avenue

Location

Between its intersection with Bruce Drive and the Schenectady County-Saratoga County line

Baldwin Road

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Swaggertown Road and its intersection with Spring Road

Bruce Drive

[Added 9-17-2003 by L.L. No. 7-2003]

Between its intersection with Alplaus Avenue and its intersection with Glenridge Road

Church Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Sacandaga Road and its intersection with Ridge Road

Closson Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Sacandaga Road and its intersection with Ridge Road

Drams Road

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Charlton Road and its intersection with Swaggertown Road

Gower Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Amsterdam Road and its intersection with Sanders Road

Johnson Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Amsterdam Road and its intersection with West Glenville Road

Onderdonk Road

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Droms Road and its intersection with Swaggertown Road

Rector Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Amsterdam Road and its intersection with Ridge Road

Ridge Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Sacandaga Road and its intersection with West Glenville Road

Sanders Road

[Added 3-21-2018 by L.L. No. 1-2018]

Between its intersection with Ridge Road and its intersection with Washout Road

Snake Hill Road

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Sacandaga Road and its intersection with Spring Road

Socha Lane

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Swaggertown Road and its intersection with Baldwin Road

Spring Road

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Sacandaga Road and its intersection with Swaggertown Road

Tieman Road

[Added 7-18-2018 by L.L. No. 3-2018]

Between its intersection with Swaggertown Road and its intersection with Baldwin Road

Touareuna Road (Town of Glenville Road)

[Added 11-6-2013 by L.L. No. 7-2013]

Between its intersection with Wolf Hollow Road and its intersection with West Glenville Road

Van Vorst Road
[Added 7-18-2018 by L.L. No. 3-2018]
Washout Road
[Added 3-21-2018 by L.L. No. 1-2018]
Waters Road
[Added 3-21-2018 by L.L. No. 1-2018]
Wolf Hollow Road (Schenectady Count
Road No. 59)
[Added 11-6-2013 by L.L. No. 7-2013]

Between its intersection with Lake Hill Road and
its intersection with Charlton Road
Between its intersection with Amsterdam Road
and its intersection with Ridge Road
Between its intersection with Amsterdam Road
and its intersection with West Glenville Road
Between its intersection with Route No. 5 and its
intersection with West Glenville Road

- (2) The regulations established in this section shall not be construed to prevent the delivery or pickup of merchandise or other property along the highway from which such vehicles and combinations are otherwise excluded.

B. Exclusion for when frost is leaving the ground.
[Added 3-17-1999 by L.L. No. 1-1999]

- (1) Pursuant to the authority found in § 1660, Subdivision 11, of the New York State Vehicle and Traffic Law, and finding that Town highways would be materially damaged by the operation of vehicles with a gross weight of over four tons on them when the frost is leaving the ground, vehicles with a gross weight of over four tons are hereby excluded from all Town highways in the Town of Glenville when the frost is leaving the ground.
- (2) This exclusion shall take effect each year on the erection of signs on the highways from which such vehicles are excluded and upon the publication of a notice of the exclusion in the Town's official newspaper. The exclusion shall remain in effect until the removal of the signs as directed by the Town Board.
- (3) The provisions of Subsection **B(1)** herein shall not be applicable to any moving van, truck or tractor-trailer used solely for moving household goods while removing household goods from or delivering household goods to a residence, nor to a school bus regularly picking up or discharging pupils, nor to any truck or van making delivery of goods, fuel or services to a residence in said district, nor to a truck, sander or other highway maintenance vehicle used in plowing or sanding said highway, or repairing said highways if said vehicles are under the direction of Town Superintendent of Highways. The provisions of Subsection **B(1)** herein shall not apply to any fire truck or fire vehicle operated under control of a duly constituted fire district of the Town of Glenville.
- (4) Upon a showing duly made to the Town Supervisor or Deputy Supervisor that the specific operation of a truck or other vehicle otherwise prohibited from the use of Town highways by Subsection **B(1)** herein, for a limited purpose and for a limited period of time, will not adversely affect the public health, safety and welfare, and not cause damage to the road, the Town Clerk may issue a special permit on application therefor. The permit shall list the owner and/or operator of the permitted vehicle, the vehicle license number and the period for which the special permit is granted. Such permit shall be prominently displayed and affixed to such vehicle and shall be open to inspection by any police officer. If, however, damage is done to a Town highway, any damage caused by the permitted vehicle shall be the joint and several responsibility of the vehicle owner and driver.
- (5) Should any portion, section or paragraph of this Subsection **B** be declared invalid or unenforceable for any reason, the remainder of said Subsection **B** shall remain in effect as though such portion, section or paragraph were not present.
- (6) Violations and penalties. The owner, agent, driver and person controlling the operation or authorizing the operation of any vehicle in violation of this Subsection **B** and any person, corporation or other entity aiding and abetting a violation hereof shall be guilty of a misdemeanor punishable by a fine not to exceed \$250 or imprisonment for a period not to exceed 30 days, or both.

- (7) This Subsection **B** shall take effect immediately upon filing with the Secretary of State of the State of New York.

§ 255-8. Speed limits.

- A. Except as otherwise provided in Subsections **B**, **C**, **D** and **E**, a maximum speed limit of 30 miles per hour is hereby established within the Town of Glenville, exclusive of the Village of Scotia, on all Town and county highways within the boundaries which are described as follows: beginning at the intersection of the southerly right-of-way line of the Boston and Maine Railroad with the Mohawk River; thence southeasterly along the southerly right-of-way line of the Boston and Maine Railroad to its intersection with the westerly right-of-way line of Larrabee Road; thence northerly along the westerly right-of-way line of Larrabee Road; thence northerly along the westerly right-of-way line of Larrabee Road to its intersection with the southerly right-of-way line of New York State Route No. 5; thence southeasterly along the southerly right-of-way line of New York State Route No. 5 to its intersection with the southerly right-of-way line of Vley Road (Schenectady County Road No. 30); thence southeasterly along the southerly right-of-way line of Vley Road to its intersection with the easterly right-of-way line of New York State Route No. 147; thence northerly along the easterly right-of-way line of New York State Route No. 147 to its intersection with the easterly right-of-way line of Spring Road (Schenectady County Route No. 47); thence northeasterly along the easterly right-of-way line of Spring Road to its intersection with the easterly right-of-way line of Swaggertown Road (Schenectady County Route No. 43); thence northerly along the easterly right-of-way line of Swaggertown Road to its intersection with the Schenectady - Saratoga County line; thence easterly and southerly along the Schenectady - Saratoga County line to its intersection with the Mohawk River; thence westerly along the Mohawk River to the point of beginning.
- B. A maximum speed limit of 35 miles per hour is hereby established within the Town of Glenville on the following county highways:

Name of Street	Location
Baldwin Road (Schenectady County Route No. 49) [Added 6-15-2005 by L.L. No. 2-2005]	From Swaggertown Road to Spring Road
Church Road (Schenectady County Route No. 36)	From New York State Route No. 147 to Ridge Road
Closson Road [Added 5-6-1987 by L.L. No. 3-1987]	From Ridge Road to New York State Route No. 147
Dawson Road [Added 1-18-2006 by L.L. No. 1-2006]	From Route 147 to the Glenville-Charlton Town line
Droms Road (Schenectady County Route No. 41) [Added 6-15-2005 by L.L. No. 2-2005]	From Swaggertown Road to Charlton Road
Dutch Meadows Lane [Added 12-18-2002 by L.L. No. 4-2002]	From Freeman's Bridge Road to New York State Route 50
Gower Road [Added 1-16-2002 by L.L. No. 1-2002]	From New York State Route 5 to Sanders Road
Hetcheltown Road (Schenectady County Route No. 31)	From New York State Route No. 50 to Glenridge Road
High Mills - Scotch Bush Road [Added 12-21-1994 by L.L. No. 3-1994]	From Route 50 to the Schenectady - Saratoga County line
Lake Hill Road (Schenectady County Route No. 24)	From the Glenville - Ballston Town line to a point 300 feet east of the easterly building line of the Burnt Hills - Ballston Lake Junior High School

Name of Street	Location
Lake Hill Road (Schenectady County Route No. 24)	From a point 300 feet west of the westerly building line of the Burnt Hills - Ballston Lake Junior High School to the Glenville - Charlton Town line
Maple Avenue (Schenectady County Road No. 29) [Added 2-3-2016 by L.L. No. 1-2016]	From Alplaus Avenue to Glenridge Road
Maple Avenue (Schenectady County Route No. 29)	From Glenridge Road to Hetcheltown Road
Rector Road (Town Road) [Added 6-16-2021 by L.L. No. 12-2021]	From Ridge Road to New York State Route No. 5
Snake Hill Road (Schenectady County Route No. 32) [Added 3-5-1986 by L.L. No. 1-1986]	From New York State Route No. 147 to Spring Road
Spring Road (Schenectady County Route No. 47) [Added 6-15-2005 by L.L. No. 2-2005]	From Swaggertown Road to a point 1.0 miles north-west of Route No. 147
Sunnyside Road (Schenectady County Route No. 12)	From Freeman's Bridge Road to the easterly Scotia Village line
Swaggertown Road (Schenectady County Road No. 43) [Added 8-15-1990 by L.L. No. 7-1990]	From New York State Route No. 50 to the Schenectady - Saratoga County line
Van Buren Road (Schenectady County Route No. 28) [Added 5-4-1988 by L.L. No. 1-1988]	From New York State Route No. 50 to Swaggertown Road
Van Vorst Road (Schenectady County Route No. 39)	From Lake Hill Road to Charlton Road
Vley Road [Repealed 5-6-1987 by L.L. No. 3-1987]	
Vley Road (Schenectady County Route No. 30) [Added 5-6-1987 by L.L. No. 3-1987]	From the westerly Scotia Village line to Williams Avenue

- C. A maximum speed limit of 40 miles per hour is hereby established within the Town of Glenville on the following county highways:

Name of Street	Location
Baldwin Road (Schenectady County Road No. 49) [Repealed 6-15-2005 by L.L. No. 2-2005]	
Bolt Road (Schenectady County Road No. 34)	From New York State Route No. 147 to Swaggertown Road
Charlton Road [Repealed 5-6-1987 by L.L. No. 3-1987]	
Droms Road (Schenectady County Road No. 41) [Repealed 6-15-2005 by L.L. No. 2-2005]	
Green Corners Road (Schenectady County Road No. 38) [Added 4-20-1994 by L.L. No. 2-1994]	From West Glenville Road to Potter Road
High Mills - Scotch Bush Road	

Name of Street	Location
[Repealed 12-21-1994 by L.L. No. 3-1994]	
Hoffman Hill Road Ext. [Added 11-4-2009 by L.L. No. 3-2009; re-pealed 5-5-2010 by L.L. No. 2-2010]	
Maple Avenue (Schenectady County Road No. 29) [Repealed 2-3-2016 by L.L. No. 1-2016]	
Maple Avenue (Schenectady County Road No. 29) [Added 8-20-1986 by L.L. No. 3-1986; amended 2-3-2016 by L.L. No. 1-2016]	From Freemans Bridge Road to Alplaus Avenue
Maple Avenue (Schenectady County Road No. 29) [Added 5-5-1993 by L.L. No. 3-1993; re-pealed 2-3-2016 by L.L. No. 1-2016]	
North Road (Schenectady County Road No. 55) [Added 5-1-1985 by L.L. No. 1-1985]	From New York State Route No. 147 to a point 1,500 feet north of West Glenville Road
Potter Road [Added 5-4-2011 by L.L. No. 1-2011]	Entire length, from North Road to Touareuna Road
Rector Road (Town Road) [Added 10-4-1989 by L.L. No. 4-1989; re-pealed 6-16-2021 by L.L. No. 12-2021]	
Ridge Road (Schenectady County Road No. 49) [Added 9-6-1983 by L.L. No. 2-1983]	Between Sacandaga Road (New York State Route No. 147) and its intersection with Sanders Road and Church Road
Sanders Road (Schenectady County Road No. 38) [Added 3-3-1993 by L.L. No. 2-1993]	From Ridge Road to Washout Road
Spring Road (Schenectady County Road No. 47) [Repealed 6-15-2005 by L.L. No. 2-2005]	
Swaggertown Road [Repealed 8-15-1990 by L.L. No. 7-1990]	
Van Buren Road [Repealed 5-4-1988 by L.L. No. 1-1988]	
Washout Road [Added 5-4-2011 by L.L. No. 1-2011]	From New York State Route 5 to Ridge Road
West Glenville Road (Schenectady County Road No. 40)	From New York State Route No. 147 to a point 1,500 feet east of North Road
West Glenville Road (Schenectady County Road No. 40)	From a point 1,500 feet west of North Road to the Schenectady - Montgomery County line
Wolf Hollow Road (Schenectady County Road No. 59) [Added 8-20-2008 by L.L. No. 3-2008; re-pealed 1-16-2013 by L.L. No. 1-2013]	

- D. A maximum speed limit of 45 miles per hour is hereby established within the Town of Glenville on the following county highways:

Name of Street	Location
Maple Avenue [Repealed 5-5-1993 by L.L. No. 3-1993]	
Maple Avenue (Schenectady County Road No. 29) [Added 8-20-1986 by L.L. No. 3-1986]	From a point 1,400 feet northeast of Freemans Bridge Road to a point 800 feet southeast of Air National Guard Road
Ridge Road (Schenectady County Road No. 49) [Added 4-1-1992 by L.L. No. 1-1992]	From its intersection with Church Road and Sanders Road northerly to a point one mile north of its intersection with Church Road and Sanders Road
Vley Road [Added 5-6-1987 by L.L. No. 3-1987]	From Williams Avenue to New York State Route No. 5

- E. A maximum school speed limit of 25 miles per hour is hereby established within the Town of Glenville on Lake Hill Road (Schenectady County Road No. 24) adjacent to the Burnt Hills - Ballston Lake Junior High School between a point 300 feet west of the westerly building line of said school and a point 300 feet east of the easterly building line of said school.
- F. A maximum speed limit of 30 miles per hour is hereby established within the Town of Glenville on all Town and county highways within the boundaries which are described as follows: beginning at a point in West Glenville Road (Schenectady County Road No. 40) 1,500 feet east of its intersection with North Road; thence in a northwesterly direction to a point in North Road (Schenectady County Road No. 55) 1,500 feet north of its intersection with West Glenville Road; thence in a southwesterly direction to a point in West Glenville Road 1,500 feet west of its intersection with North Road; thence easterly to the point of beginning.
- G. A maximum speed limit of 30 miles per hour is hereby established within the Town of Glenville on the following county highways:
[Added 3-5-1986 by L.L. No. 1-1986]

Name of Street	Location
Charlton Road (Schenectady County Road No. 37) [Added 5-6-1987 by L.L. No. 3-1987]	From New York State Route No. 50 to the Schenectady - Saratoga County line
Hoffman Hill Road Extension [Added 5-5-2010 by L.L. No. 2-2010]	Entire length from Wolf Hollow Road to Wolf Hollow Road
Spring Road (Schenectady County Route No. 47)	From New York State Route No. 147 to a point 1.3 miles north of New York State Route No. 147
Touareuna Road [Added 10-5-2016 by L.L. No. 10-2016]	From a point 1,200 feet west of Wolf Hollow Road to West Glenville Road
Wolf Hollow Road (Schenectady County Road No. 59) [Added 1-16-2013 by L.L. No. 1-2013]	From a point 1,200 feet north of Route No. 5 to the southerly intersection of Wolf Hollow Road and Hoffman Hill Road Extension

- H. A maximum speed limit of 30 miles per hour is hereby established within the Town of Glenville on all Town and county highways within the boundaries which are described as follows: beginning at the intersection of Route 5 and Wolf Hollow Road and continuing in a northerly direction 1,200 feet to a point; thence southwesterly to a point in Touareuna Road, which is located approximately 1,200 feet west of Wolf Hollow Road; thence southeasterly to the point of beginning.
[Added 9-20-2000 by L.L. No. 6-2000]
- I. A maximum park speed limit of 15 miles per hour is hereby established within the Town of Glenville on the following roadways in Town parks:
[Added 8-15-2001 by L.L. No. 4-2001]

Name of Street	Location
Flint House — Dog Park — Community Gardens Driveway [Added 6-16-2021 by L.L. No. 12-2021]	From Elliott Street to the Village of Scotia
Indian Meadows Park Road	From Droms Road to its terminus
Maalwyck Park Road	From Route 5 to its terminus

- J. A maximum school speed limit of 15 miles per hour is hereby established within the Town of Glenville on the following roadways:
[Added 9-1-2004 by L.L. No. 2-2004]

Name of Street	Location
Access Boulevard	Adjacent to Scotia-Glenville High School, from Tartan Way to Prestige Parkway
Business Boulevard	Adjacent to Scotia-Glenville Middle School, from Progress Parkway to Prestige Parkway
Prestige Parkway	Adjacent to Scotia-Glenville Middle School, from Business Boulevard to Access Boulevard
Area known as Scotia-Glenville High School [Added 1-18-2006 by L.L. No. 1-2006]	West of Scandaga Road (Route 147); north of Seeley Street, Schermerhorn Street and Wren Street; east of Business Boulevard, Prestige Parkway and Access Boulevard; and south of Burch Parkway

- K. Except as otherwise provided in Subsections **B**, **C**, **D**, **F**, **G**, and **H**, a maximum speed limit of 40 miles per hour is hereby established within the Town of Glenville, on all Town and county highways within the boundaries which are described as follows: beginning at the intersection of the southerly right-of-way line of the Boston and Maine Railroad with the Mohawk River; thence southeasterly along the southerly right-of-way line of the Boston and Maine Railroad to its intersection with the westerly right-of-way line of Larrabee Road; thence northerly along the westerly right-of-way line of Larrabee Road; thence northerly along the westerly right-of-way line of Larrabee Road to its intersection with the southerly right-of-way line of New York State Route No. 5; thence southeasterly along the southerly right-of-way line of New York State Route No. 5 to its intersection with the northerly right-of-way line of Vley Road (Schenectady County Road No. 30); thence southeasterly along the northerly right-of-way line of Vley Road to its intersection with the westerly right-of-way line of New York State Route No. 147; thence northerly along the westerly right-of-way line of New York State Route No. 147 to its intersection with the Schenectady - Saratoga County line; thence northwesterly along the Schenectady -Saratoga County line to its intersection with the Schenectady County - Montgomery County line; thence southerly along the Schenectady County - Montgomery County line to the Mohawk River; thence easterly along the Mohawk River to the point of beginning.
[Added 10-5-2016 by L.L. No. 10-2016]

- L. A maximum speed limit of 30 miles per hour is hereby established within the Town of Glenville on Town highways within the boundaries which are described as follows: beginning at the intersection of Vley Road Extension and the northerly right-of-way line of Amsterdam Road - NYS Route 5, thence westerly along the northerly right-of-way line westerly to the easterly right-of-way line of Rector Road, thence northerly along the easterly right-of-way line of Rector Road to the northerly right-of-way line of Barhydt Road, thence along the northerly easterly to the northerly end of Wagner Road, thence southeasterly to the point of beginning at the northerly right-of-way line of Amsterdam Road - NYS Route 5.
[Added 10-16-2019 by L.L. No. 6-2019]

§ 255-8.1. Prohibited turns.

[Added 1-18-2006 by L.L. No. 1-2006]

Name of Street	Direction of Travel	Prohibited Turn	At Intersection of
Maritime Drive	East	Left	Mohawk Avenue
Maritime Drive	West	Right	Mohawk Avenue

§ 255-9. Removal and storage of 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 the Police Department.
- B. 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 the Police Department.
- C. After removal of any vehicle as provided in this section, the Police 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 of reasonable charges for such removal and storage, and such charges shall constitute a garageman's lien.
- D. The Police Department shall, without delay, upon the removal and disposition of any vehicle as provided in this section, ascertain to the extent possible the owner of the vehicle or person having charge of the same and notify him of the removal and disposition of such vehicle and the amount which will be required to redeem the same.

§ 255-10. Authority of Chief of Police.

Pursuant to the provisions of Subdivision (e) of § 1603 of the Vehicle and Traffic Law, power is hereby delegated to the Chief of Police to exercise, by official order, rule or regulation, the following powers granted to the legislative body of this Town in Article 41 of the Vehicle and Traffic Law, subject, however, to the limitations imposed by Article 44 of the Vehicle and Traffic Law:

- A. To install and maintain traffic control devices when and as required under the provisions of this chapter to make effective provisions of said chapter.

§ 255-11. Traffic Safety Committee; composition; duties.

[Amended 2-21-1996 by L.L. No. 1-1996]

Any request for an amendment, addition or change in this traffic chapter shall be first referred by the Town Board to a Traffic Safety Committee, which Committee shall consist of nine members. Two of such members shall be Town Board members appointed by the Town Supervisor for one-year terms; one member of such Committee shall be the Chief of Police of the Town of Glenville; three members shall be residents of the Town of Glenville appointed by the Town Board for three-year terms, with a term ending each year; and the remaining three members shall be appointed by the Town Board for one-year terms and may be the Traffic Engineering Technician, Highway Superintendent and the Town Planner. Said Committee shall hold meetings, hearings and proceedings necessary to act on such request for any amendment, addition or change in this traffic chapter and within 30 days of receiving said request shall deliver to the Town Board a recommendation either for or against said request. Said Committee meetings shall be held at the call of the Chairperson, who shall be appointed by the Committee. Said Committee shall promulgate its rules for conducting its affairs.

§ 255-12. Amendments.

The Town Board of the Town of Glenville shall have the power to amend this chapter in the manner provided by law.

§ 255-13. Penalties for offenses.

[Amended 7-19-1995 by L.L. No. 1-1995]

- A. Every person convicted of a violation of § **255-6C** of this chapter (dealing with fire lanes) shall for a first conviction thereof be punished by a fine of \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of 18 months, such person shall be punished by a fine of \$200 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a conviction of a third or subsequent violation, all of which were committed within a period of 18 months, such person shall be punished by a fine of \$300 or by imprisonment for not more than 90 days or by both such fine and imprisonment.
- B. Every person convicted of a violation of § **255-6D** of this chapter (dealing with handicapped parking) shall be subject to a fine of not less than \$100 nor more than \$150 or by imprisonment for not more than 15 days, or by both such fine and imprisonment, for the first offense and not less than \$150 nor more than \$200 or by imprisonment for not more than 45 days, or by both such fine and imprisonment, for the second offense occurring within a period of two years within the Town of Glenville.
- C. Every person convicted of any other violation of the provisions of this chapter shall be subject to the same penalties as if they had been charged and convicted with violations of the applicable sections of the Vehicle and Traffic Law of the State of New York.
- D. Every person convicted of a traffic infraction of § **255-13.1** of this chapter shall be punishable by a fine of not more than \$450 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.

[Added 3-17-2021 by L.L. No. 7-2021]

§ 255-13.1. Failure to obey an overhead clearance sign.

[Added 3-17-2021 by L.L. No. 7-2021]

No person shall operate or move a vehicle or combination of vehicles over, on or through any bridge, viaduct or other structures on any highway which exceeds the height of the posted clearance as shown by an official sign or other marking or device.

§ 255-13.2. School bus stop-arm camera program.

[Added 7-19-2023 by L.L. No. 3-2023]

- A. Purpose. The purpose of this section is to impose monetary liability on the owner of a motor vehicle under circumstances where the operator of the motor vehicle fails to stop for a school bus displaying a red visual signal and stop-arm. Vehicle operators often fail to stop for a school bus displaying a red visual signal and stop-arm, thus creating a hazardous and dangerous condition for passengers, especially children, who board and depart from a stopped school bus. The installation of cameras on the school bus stop-arm is intended to increase safety for passengers boarding and departing the school bus by imposing financial liability on the owner of the vehicle, in order to deter such dangerous behavior.
- B. Definitions. As used in this § **255-13.2**, the following definitions shall apply:

OWNER

The registered owner of a motor vehicle.

PERSON

One or more individuals, a partnership, company, association, corporation, limited-liability company, trust, trustee, receiver, or other entity.

SCHOOL DISTRICT

The Scotia-Glenville Central School District.

TOWN

The Town of Glenville, New York.

- C. Adoption of demonstration program. Pursuant to § 1174-a of the New York State Vehicle and Traffic Law, the Town hereby establishes a demonstration program imposing monetary liability on the owner of a motor vehicle for the failure of an operator thereof to comply with § 1174-a of the New York State Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in Subdivisions 20 and 21-(1)-(c) of § 375 of the New York State Vehicle and Traffic Law and operated in the Town. This demonstration program empowers the Town to install and operate, or to cause to be installed and operated, school bus photo violation monitoring systems which may be stationary or mobile. Such school bus photo violation monitoring systems may be installed on school buses owned and operated by the school district, or on the school buses privately owned and operated for compensation under contract with the school district, provided that no such stationary school bus photo violation monitoring system shall be installed and operated, or caused to be installed and operated, by the Town, except on roadways under the jurisdiction of the Town, and further provided that no such mobile school bus photo violation monitoring system shall be installed or operated on school buses unless the Town and the school district enter into an agreement for such installation and operation.
- D. Custody procedures. As part of the demonstration program, the Town will create procedures for the proper handling and custody of photographs, micro photographs, videotapes and other recorded images and data produced by such mobile school bus photo violation monitoring systems in place on school buses and for the forwarding of such photographs, micro photographs, videotapes and other recorded images and data to the Town. Any such agreement entered into between the Town and the school district must be approved by a majority vote of the Town Board of the Town of Glenville and also by resolution of the board of the school district.
- E. Privacy procedures. As part of the demonstration program, the Town shall adopt and enforce measures to protect the privacy of drivers, passengers, pedestrians and cyclists whose identity and identifying information may be captured by a school bus photo violation monitoring device. Such measures shall include:
 - (1) Utilization of necessary technologies to ensure, to the extent practicable, that photographs produced by such school bus photo violation monitoring devices shall not include images that identify the driver, the passengers, the contents of the motor vehicle, pedestrians and cyclists; provided, however, that no notice of liability issued pursuant to this section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a motor vehicle, if the Town has made a reasonable effort to comply with the provisions contained herein;
 - (2) A prohibition on the use or dissemination of motor vehicles' license plate information and other information and images captured by such school bus photo violation monitoring systems, except:
 - (a) As required to establish liability under this section or collect payment of penalties;
 - (b) As required by court order; or
 - (c) As otherwise required by law;

- (3) Installation of signage in conformance with standards established in the Manual on Uniform Traffic Control Devices (MUTCD), as maintained by the Commission of Transportation, at each roadway entrance of the Town boundaries giving notice that school bus photo violation monitoring systems are used to enforce restrictions on motor vehicles violating § 1174 of the New York State Vehicle and Traffic Law. For purposes of this section, the term "roadway" shall not include state expressway routes or state interstate routes, but shall include controlled access highway exit ramps that enter or exit the boundaries of the Town;
 - (4) Photographs, micrographs, videotapes, other recorded images, and data produced by the school bus photo violation monitoring systems shall be destroyed 90 days after final disposition of a notice of liability issued pursuant to this section. All photographic images of motor vehicles which do not depict or result in liability for violation of § 1174-a of the New York Vehicle and Traffic Law shall be destroyed by the appropriate school district and law enforcement agency within two days of the determination that no violation occurred; and
 - (5) Oversight procedures to ensure compliance with the Town's adopted privacy protection measures as described in this Subsection **E**.
- F. Owner liability. The owner shall be liable for a monetary penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, expressed or implied, in violation of § 1174 of the New York State Vehicle and Traffic Law if such violation is evidenced by information obtained from a school bus photo violation monitoring system; provided, however, that no owner shall be liable for a monetary penalty imposed pursuant to this section where the operator of such motor vehicle has been convicted of the underlying violation of § 1174 of the Vehicle and Traffic Law.
- G. Monetary penalties. An owner liable for a violation of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law shall be liable for monetary penalties as provided herein. The liability of the owner pursuant to this section shall be \$250 for a first violation; \$275 for a second violation if the first and second were committed within a period of 18 months; and \$300 for a third, or subsequent, violation, if all violations were committed within a period of 18 months. An additional penalty in the amount of \$25 for each violation shall be due and payable resulting from the failure of the owner to respond to a notice of liability within the prescribed time period.
- H. Effect of imposition of liability. An imposition of liability pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.
- I. Notice of liability. A notice of liability shall be sent by first-class mail to each person alleged to be liable as an owner for a violation of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law pursuant to this section. Personal delivery to the owner shall not be required; a manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein. The notice of liability shall:
- (1) Contain the name and address of the person alleged to be liable as an owner for a violation of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law pursuant to this section, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation and the identification number of the camera which recorded the violation or other document locator number;
 - (2) Include information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice of liability;
 - (3) Contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon; and
 - (4) Be prepared and mailed by the Town or by such other entity authorized by the Town to prepare and mail such notice of liability and recover any such monetary penalty.

- J. Adjudication. Adjudication of the liability imposed upon owners by this section shall be made by the Town Court of the Town of Glenville, New York.
- K. Presumption of owner liability. For purposes of this section, there shall be a presumption that the operator of such motor vehicle was operating such vehicle with the consent of the owner at the time such operator failed to comply with § 1174 of the New York State Vehicle and Traffic Law.
- L. Defenses.
- (1) If an owner receives a notice of liability pursuant to this section for any time period during which the motor vehicle was reported to the police as having been stolen, it shall be a valid defense to the allegation of liability for a violation of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law pursuant to this section that the motor vehicle had been reported to the police as stolen prior to the time the violation had occurred and had not been recovered by such time. For purposes of asserting a defense provided by this subsection, it shall be sufficient that a certified copy of the police report on the stolen motor vehicle be sent by first-class mail to the Town Court of the Town of Glenville, New York.
 - (2) Vehicles leased to others. An owner who is a lessor of a vehicle to which notice of liability was issued shall not be liable for the violation of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law, provided the owner sends to the Town Court of the Town of Glenville, New York, a copy of the rental, lease or other such contract document covering such motor vehicle on the date of the violation with the name and address of the lessee clearly legible, within 37 days after receiving notice from the court of the date and time of such violation, together with such other and further information contained in the original notice of liability. Failure to send such information within such thirty-seven-day time period shall render the owner liable for the monetary penalty prescribed by this section. Where the lessor complies with the provisions of this Subsection L, the lessee of such motor vehicle on the date of such violation shall be deemed to be the owner for purposes of this section, shall be subject to liability for the violation of Subdivision (a) of § 1174 of the Vehicle and Traffic Law pursuant to this section and shall be sent a notice of liability pursuant to this section.
- M. Other defenses. No owner shall be subject to a monetary penalty imposed pursuant to this section if:
- (1) Such owner can demonstrate by clear and convincing evidence that such school bus stop-arms were malfunctioning at the time of the alleged violation; or
 - (2) The operator of such motor vehicle was operating such motor vehicle without the consent of the owner at the time such operator failed to comply with § 1174 of the New York State Vehicle and Traffic Law and the owner of the motor vehicle is able to demonstrate to the court by clear and convincing evidence that the motor vehicle was operated at the time of the violation without the consent of the owner.
- N. Reporting requirements. As required by § 1174-a, the Town must submit an annual report on the results of the use of a school bus photo violation monitoring system to the Governor, the President of the Senate and the Speaker of the Assembly on or before June 1, 2024, and on the same date in each succeeding year in which the demonstration program is in effect. Such report shall include, but not be limited to, the following:
- (1) The number of buses and a description of the routes where stationary and mobile school bus photo violation monitoring systems were used;
 - (2) The aggregate number, type and severity of accidents reported at locations where a school bus photo violation monitoring system is used for the year preceding the installation of such system, to the extent the information is maintained by the New York State Department of Motor Vehicles;
 - (3) The number of violations recorded at each location where a school bus photo violation monitoring system is used and in the aggregate on a daily, weekly and monthly basis;

- (4) The number of convictions for violations of Subdivision (a) of § 1174 of the New York State Vehicle and Traffic Law recorded at each location where a school bus photo violation monitoring system is used on an annual basis, to the extent the information is maintained by the Department of Motor Vehicles of this state;
 - (5) The total number of notices of liability issued for violations recorded by such systems;
 - (6) The number of monetary penalties and total amount of monetary penalties paid after the first notice of liability issued for violations recorded by such systems;
 - (7) The number of violations adjudicated and results of such adjudications, including breakdowns of dispositions made for violations recorded by such systems, which shall be provided at least annually to such Town by the courts conducting such adjudications;
 - (8) The total amount of revenue realized by the Town;
 - (9) The expenses incurred by the Town in connection with the program;
 - (10) The quality of the adjudication process and its results, including the total number of hearings scheduled, rescheduled, and held; the total number of persons scheduled for such hearings; the total number of cases where monetary penalties were paid on or before the hearing date; and the total number of default judgments entered. Such information shall be provided at least annually to the Town by the court conducting such adjudications; and
 - (11) A description of public education activities conducted to warn motorists of the dangers of overtaking and passing stopped school buses.
- O. Severability. The provisions of this section are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, clauses or part of this section.
- P. Effective date. This section shall take effect upon filing with the New York Secretary of State.
- Q. Expiration. This demonstration program shall expire on December 1, 2024, unless extended further by act of the New York State Legislature. In the event of an extension by the New York State Legislature, the demonstration program set forth herein shall not otherwise expire unless this section is repealed.

§ 255-14. Applicability.

This chapter shall have no effect within the corporate limits of the Village of Scotia.

Chapter 270. Zoning

Article IV. Districts and Boundaries

§ 270-10. Establishment.

[Amended 8-21-2013 by L.L. No. 5-2013; amended 8-19-2020 by L.L. No. 11-2020]
The Town of Glenville is hereby divided into the following zoning districts:

RA District	Rural Residential and Agricultural
SR District	Suburban Residential
RM District	Multi-Family Residential
PR District	Professional Residential
CB District	Community Business
GB District	General Business
HC	Highway Commercial
RDT District	Research, Development and Technology
LC District	Land Conservation
PPL District	Public Park Lands
RRC District	Riverfront Recreation/Commercial
AZ District	Airport Zoning
PD District	Planned Development
TCO District	Town Center Overlay
FBR	Freemans Bridge Road Corridor

Chapter 270. Zoning

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PD District	Planned Development
TCO District	Town Center Overlay
FBR	Freemans Bridge Road Corridor

Article V. Uses Permitted and Dimensional Regulations by District

§ 270-19. GB General Business District.

The following apply to the GB General Business District:

- A. Purpose: to provide for a wide variety of commercial uses that serve both local and regional needs in those areas where easy access is available, and where residential neighborhoods will not be significantly disturbed.
- B. Uses permitted by site plan review.
 - (1) Retail businesses.
 - (2) Offices.

- (3) Personal and general services.
- (4) Public and private clubs, fraternities and lodges.
- (5) Museums.
- (6) Libraries.
- (7) Day-care centers.
- (8) Shopping centers.
- (9) Indoor and outdoor recreation facilities.
- (10) Human services/social services offices.
- (11) Hotels, motels, bed-and-breakfast establishments, tourist homes and boardinghouses.
- (12) Residential dwelling units within the same building as any other use permitted within this district, provided the residence(s) is (are) not located on the ground floor.
- (13) Personal wireless service facilities.
- (14) Indoor, outdoor and not-for-profit recreation facilities.
- (15) Laundromats.
- (16) Microbreweries, microwineries and microdistilleries.
- (17) Contractors' offices.
- (18) Food and beverage processing and distribution facility not to exceed 10,000 square feet of gross floor area.
- (19) Restaurants, food services, taverns and nightclubs.
- C. Uses permitted by conditional use permit.
 - (1) Veterinary clinics, animal training facilities, kennels and animal hospitals with completely enclosed pens or kennels.
- D. Uses permitted by conditional use permit which also require site plan review.
 - (1) Automobile dealerships.
 - (2) Gasoline service stations.
- E. Dimensional regulations. The Table of Dimensional Regulations is **included as an attachment to this chapter**.

§ 270-22. PPL Public Park Lands District.

The following apply in the PPL Public Park Lands District:

- A. Purpose: to identify publicly owned parks, preserves, recreation areas and open spaces, and to preserve and enhance those very features which led to the acquisition/establishment of these publicly owned properties.
- B. Uses permitted by right.
 - (1) Publicly owned parks, preserves, recreation areas and open spaces.
 - (2) Structures and facilities typically associated with such uses.

- C. Dimensional regulations. Dimensional regulations do not apply within the Public Park Lands District.

§ 270-23. RRC Riverfront Recreation/Commercial District.

The following apply in the RRC Riverfront Recreation/Commercial District:

- A. Purpose: to provide for public and privately sponsored water-dependent or water-enhanced development which promotes and supports recreational opportunities and commerce on the Mohawk River/Barge Canal and its adjacent shoreline, while at the same time preserving the riverfront environment as much as possible.
- B. Uses permitted by right.
- (1) Agricultural activities/farms.
 - (2) Roadside produce stands (not exceeding a building footprint of 600 square feet).
 - (3) Bike paths.
- C. Uses permitted by site plan review.
- (1) Marinas.
 - (2) Lodging facilities.
 - (3) Swimming facilities.
 - (4) Outdoor and not-for-profit recreation facilities.
 - (5) Campgrounds.
 - (6) RV parks.
 - (7) Restaurants.
[Amended 9-6-2023 by L.L. No. 4-2023]
- D. Uses permitted by conditional use permit which also require site plan review:
- (1) RV parks.^[1]
[1] *Editor's Note: Former Subsection D(2), Large-scale solar farm (see § 270-166), which immediately followed, as added 5-5-2021 by L.L. No. 10-2021, was repealed 4-17-2024 by L.L. No. 5-2024.*
- E. Dimensional regulations. The Table of Dimensional Regulations is **included at the end of this chapter.**

Chapter 270. Zoning

Article VIII. Supplemental Regulations

§ 270-53.1. Contractor's yards.

[Added 8-21-2013 by L.L. No. 5-2013]

The following shall apply to contractor's yards:

A. Storage of equipment and materials.

- (1) All equipment and materials associated with the contractor's business shall be stored either inside an enclosed building, or within an outdoor storage area that is confined on all sides by either solid fencing or a solid wall.
- (2) There shall be no outdoor storage or holding of construction and demolition materials.

B. Setbacks for outdoor storage areas.

- (1) Outdoor storage areas and the walls or fences that confine these areas must comply with the front, rear and side yard setbacks that are prescribed for the principal use.

C. Landscaping to supplement fences/walls along public streets and residential properties.

- (1) In instances where a contractor's yard abuts a public street and/or a property currently being used for residential purposes, the outside of the fence/wall facing the public street and/or residential property shall be landscaped to soften the visual appearance of the fence/wall and storage area. The type of plantings, size, spacing, and density is to be determined by the Planning and Zoning Commission during the site plan review process.

Chapter 270. Zoning

Article VIII. Supplemental Regulations

§ 270-63. Temporary/mobile trailers for commercial use.

- A. Purpose. The placement and usage of trailers for temporary or permanent retail, office, restaurant, and other commercial uses can and does degrade the visual quality of commercial properties. Further, the haphazard siting of trailers can negatively impact on-site traffic circulation, off-street parking, green space, landscaping, etc. Consequently, the purpose of this section is to ensure that trailers are only used on a temporary basis, and that they are situated and sized so as to minimize aesthetic and site impacts.
- B. Duration of use. Only one trailer can be used on any given commercial property, and then only for a maximum of six months in any consecutive five-year period.
- C. Size in relation to the principal structure. The trailer's footprint (lot coverage) may not exceed 1/3 the footprint of the principal structure which it serves.
- D. Location and setbacks. Trailers may only be located in side or rear yards. Further, the trailer must comply with the side and rear yard setbacks prescribed for the principal building in the zoning district in which it is located.
- E. Maintenance of landscaping and trees. Trailers shall be located in such a way as to not necessitate the cutting down or removal of any trees or the removal or relocation of any landscaping vegetation (i.e., shrubs, flowers, hedges, trees, etc.). Trailers should not be located within the dripline of trees over 10 inches in diameter at breast height (DBH).

Chapter 270. Zoning

Article VIII. Supplemental Regulations

§ 270-65. Performance standards.

- A. Compliance required. All uses of lands or buildings in the Town of Glenville shall comply with the performance standards as described in this section.
- B. Evaluation. The Building Inspector or Code Enforcement Officer may require independent expert evaluation to determine the compliance of a proposed use with these performance standards at the expense of the applicant before issuing a permit.
[Amended 10-1-2014 by L.L. No. 7-2014]
- C. Determination of violation. The Building Inspector or Code Enforcement Officer shall investigate any written or alleged violation of performance standards. If reasonable evidence of a violation exists, the Building Inspector may then revoke the certificate of occupancy.
[Amended 10-1-2014 by L.L. No. 7-2014]
- D. Certain nuisances prohibited. No use shall be established or operated in a manner so as to create hazards, vibration, glare or air, water or ground pollution, or nuisance elements in excess of the limits established under this section.
- E. Determination of nuisance elements. The determination of any nuisance shall be made at:
 - (1) The interior of the property for fire, explosion and other safety hazards.
 - (2) The property lines of the use creating noise, vibration, glare, dust, electrical disturbance and safety hazards.
 - (3) Anywhere in the Town of Glenville for elements involving radioactivity, air, water and ground pollution.
- F. Fire and explosion hazards; open burning. All activities involving, and all storage of, flammable and explosive materials shall implement adequate safety devices against the hazard of fire and explosion and shall be required to have installed on-site fire-suppression equipment and devices standard in this industry. Burning of waste materials in open fires is prohibited.
- G. Electrical disturbance. No electrical disturbance which adversely affects the operation of any equipment on any other property shall be permitted.
- H. Radioactivity. There shall be no possession of radioactive materials without issuance of a current license from one of the following: New York State Department of Health, New York State Department of Labor, New York State Department of Environmental Conservation or the Schenectady County Department of Health. Products and devices customarily used in residences and businesses that exhibit minute quantities of radiation (i.e., smoke detectors) are exempt from this provision.
- I. Noise. No use shall operate in violation of Article **XIV** of this chapter.

- J. Vibration. No vibration shall be permitted which is detectable without an instrument at the property line.
- K. Glare. Glare, whether direct or reflected, whether from floodlights or high-temperature processes such as welding or combustion, shall be confined to the property in which it is generated. Temporary glare customarily associated with motor vehicles is exempt from this provision.
- L. Odor. No emission of any malodorous matter shall be permitted so as to be detected outside the property line of the lot on which the facility is located. Any facility which may involve the emission of any odor shall be equipped with a secondary safeguard system, so that control will be maintained if the primary system should fail. Agricultural activities are exempt from this provision, provided such odors are typical of agricultural operations and not unique to any particular farm or agricultural site.
- M. Discharge of toxic or noxious matter. No activity shall permit any type of discharge either on- or off-site of any toxic or noxious matter in such concentrations as to be detrimental to or endanger the health of the public or any species of bird or mammal. For the purposes of this provision, "noxious" is defined as that which causes or tends to cause injury to health.
- N. Other forms of air pollution. No emission of toxic gases or other forms of air pollution shall be permitted which can cause any damage to human or animal health, vegetation or other properties or which may cause any excessive soiling beyond the property line.

Chapter 270. Zoning

Article IX. Sign Control

[Amended 2-20-2013 by L.L. No. 2-2013; 8-21-2013 by L.L. No. 5-2013; 8-19-2020 by L.L. No. 13-2020; 11-18-2020 by L.L. No. 18-2020; 4-21-2021 by L.L. No. 9-2021]

§ 270-66. Purpose.

- A. The purpose of this article is to create a more attractive business climate, protect property values, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas and provide a more enjoyable and pleasing community. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way and to provide more open space.
- B. Further, this article is intended to promote attractive signs which clearly present the visual message in a manner that is compatible with its surroundings. The appearance, character and quality of a community are partially affected by the location, size and appearance of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings.

§ 270-67. Permits and exemptions.

Except as noted herein, no person will erect, alter or relocate any sign without first obtaining a permit from the Town Building Department. Signs not requiring a permit include the following:

- A. Residential occupant and address signs, whether freestanding or affixed to the dwelling or mailbox.
- B. Historical markers, tablets and statues, memorial signs and plaques, names of buildings, and dates of erection when cut into the building, statue, marker or sign.
- C. All traffic signs and other signs erected by governmental bodies.
- D. Signs required by law, such as motor vehicle repair registration numbers, vehicle dealership registration numbers, etc. Only the minimum number and size required by such law is exempt from a Town of Glenville sign permit.
- E. Temporary signs (as defined and used herein).

§ 270-68. General provisions and prohibitions.

No more than two external signs displaying the business name shall be allowed, subject to maximum square footage limitations prescribed for the relevant sign type, location, or zoning district.

- A. No exterior signs advertising products or businesses shall be permanently attached to the building or placed upon the premises, unless it is an allowed temporary sign.

- B. No sign will be placed in the right-of-way of any public highway or street. No signs shall be placed on any other Town property, except for informational signs placed by the Town and such other signs as may be specifically authorized by the Town.
- C. No new off-premises advertising signs, including billboards, will be permitted.
- D. No sign will be illuminated by periphery, flashing, intermittent, rotating or moving lights except in association with LED signs, per regulations prescribed herein, or if associated with a holiday display.
- E. No sign will impair, confuse or unduly affect vehicular, bicycle or pedestrian traffic due to its design, color, placement or lighting. No ground sign will impair visibility at street corners by sign placement within 30 feet of the edge of the pavement of any intersection.
- F. No sign will be erected on any roof.
- G. Streamers, ribbons, spinners, inflatable or similar revolving or fluttering elements are not allowed.
- H. No sign will interfere with any public safety activity. Fire escapes, doorways, windows and other functional entrances or exits shall not in any way be obstructed.
- I. Illumination of any sign shall not produce a direct glare beyond the limits of the property. Ground-mounted spotlights used to illuminate a sign shall be shielded.
- J. No sign will be attached to any public utility pole.
- K. No sign or part thereof will be displayed on a vehicle parked on a public right-of-way or public property or on private property so as to be intended to be viewed from a motorized vehicular public right-of-way, which has for its basic purpose the providing of advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This provision is not intended to prohibit any form of vehicular signage, such as a sign attached to a bus or lettered on a motor vehicle or signs that are part of a vehicle such as a construction trailer, whose primary purpose is not advertising to the public right-of-way.
- L. No sign shall contain animated or projected images, or intermittent or intense illumination of a traveling, tracing, scrolling, or sequential light type or contain or be illuminated by animated or flashing lights.

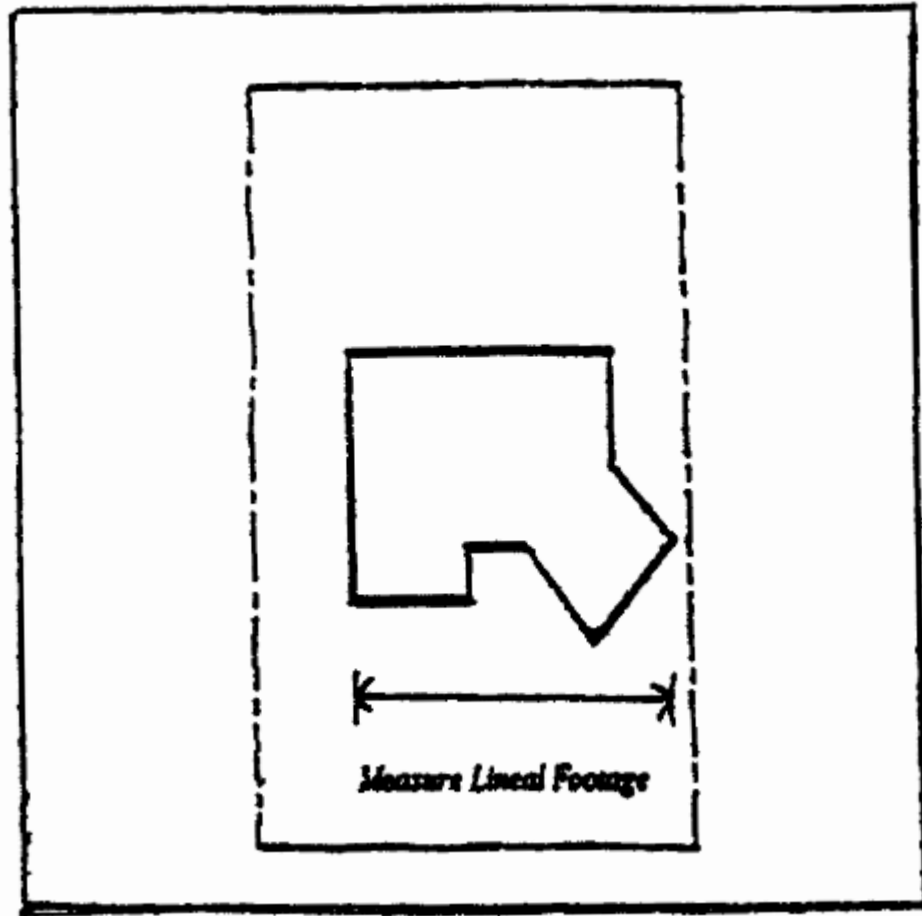
§ 270-69. Signs by zoning district/area.

[Amended 2-16-2022 by L.L. No. 1-2022]

- A. Rural Residential and Agricultural and Suburban Residential Districts.
 - (1) Residential occupant and address signs (excluding mailboxes):
 - (a) Will not exceed two square feet in total sign display area.
 - (b) No more than one sign will be allowed per street frontage.
 - (c) May be affixed, in a permanent fashion, to the face of the dwelling, or said sign may be erected on a post not over four feet in height.
 - (2) Home occupation and home-based day-care signs:
 - (a) Will not exceed four square feet in total display area.
 - (b) No more than one sign will be permitted per property.
 - (c) May be affixed, in a permanent fashion, to the face of the dwelling or said sign may be erected on a post not over four feet in height, located at least 15 feet from the front property line.

- (d) Will not be illuminated.
- (e) Will be permitted only after a home occupation permit has been issued and, in the case of day care, only after necessary state agency permits have been issued.
- (3) Residential development identification signs (for subdivisions, apartment complexes, townhouse developments, condominium developments and planned developments):
 - (a) Will not exceed 32 square feet in total sign display area.
 - (b) No more than one sign will be permitted for each entrance to the development.
 - (c) Will be a monument/ground sign and will be located at least 15 feet from the property line.
- (4) Places of worship and other nonprofit establishment signs:
 - (a) One monument/ground sign only will be permitted at the establishment's main entrance.
 - (b) Said monument/ground sign will not exceed 32 square feet in size.
 - (c) Said monument/ground sign will be located at least 15 feet from the property line.
 - (d) If the establishment has frontage on an additional street, one additional monument/ground sign not to exceed 12 square feet will be allowed at that street's driveway.
- B. Professional/Residential District. For permitted uses other than residential, the following signs are allowed for approved uses:
 - (1) A maximum of 15 square feet of total sign display area is permitted. Said sign may be a wall sign, monument/ground sign or combination of both.
 - (2) One ground sign is permitted and must be located a minimum of 15 feet from all property lines.
- C. Riverfront Recreation/Commercial, Community Business, General Business, Highway Commercial, and Research, Development and Technology Districts (except for the Glenville Business and Technology Park).
 - (1) Pole, monument/ground, and wall signs are permitted. Both must be located a minimum of 15 feet from the property line.
 - (2) For every lineal foot of building facing the street frontage, two square feet of display area for wall signs will be allowed for interior lots, subject to the maximum sign allowances noted in Subsection **C(5)** below. [For buildings that do not allow a practical measurement of lineal footage due to an odd building configuration or orientation (see Figure 5 below), the method for measuring lineal building footage will be based on a straight-line distance, parallel to the street, measured between the two widest points of the building.]
 - (3) Where a building fronts onto a second street, one additional square foot of wall sign display area for each additional lineal foot of such building frontage will be allowed, subject to the maximum sign allowances noted in Subsection **C(5)** below.
 - (4) The total amount of square footage for all signs on any one lot is 150 square feet.
 - (5) Individual pole signs and individual monument/ground signs cannot exceed 65 square feet, except in shopping centers, where 75 square feet is allowed.

Figure 5 - Lineal footage for odd-shaped buildings



D. Glenville Business and Technology Park.

- (1) Wall, monument/ground, and pole/pylon signs are permitted. However, monument/ground signs and pole/pylon signs will not be used in combination.
 - (a) Height. Monument signs shall be no greater than eight feet in height above finished grade.
 - (b) Size.
 - [1] Monument signs shall have a maximum area of 65 square feet per sign face for the primary sign and 24 square feet per sign face for any secondary signs.
 - [2] For facade signs, one square foot of sign area shall be permitted for each linear foot of building frontage. Such facade signs shall only be attached to the building facade, shall not protrude more than one foot from the building facade and shall be single-faced. Where uses are joined by a common wall, the sign area for facade signs shall not be combined into a common sign area. Under no circumstances shall any one facade sign exceed 50 square feet. Double-faced signs are permitted for all signs other than facade signs. For all other signs, the size standards specified in Article IX shall apply.
 - (c) Illumination. Sign lighting should minimize glare and maintain the aesthetic character of the area.
 - (d) Logo. In the event that a picture logo is displayed on a sign, it shall be incorporated into the permitted sign area and comprise no more than 30% of the sign area. All colors associated with a logo, as defined in this chapter, may be permitted.

- (e) Colors. A maximum of three colors shall be utilized for a sign. Color shall match or complement the predominant building color.
 - (f) Lettering. A maximum of two lettering styles shall be permitted on signs, except that all lettering associated with a logo, as defined in this chapter, may be permitted.
 - (g) Setbacks. Freestanding monument signs or pylon signs shall have a minimum setback of 10 feet from the right-of-way line and 10 feet from the side property line and shall be located in a manner that does not interfere with required minimum sight distance at driveways and intersections.
 - (h) Number of signs. A maximum of one facade sign per use is permitted, except that a use fronting on two streets or on-site roadways may have one sign for each building front. A maximum of one monument or pylon sign is permitted per driveway up to a maximum of three monument signs, pylon signs, or combination, except if two or more signs are to be permitted, driveways must be separated by a minimum of 200 feet as measured from center line to center line.
- (2) One pole/pylon sign, not to exceed 75 square feet, will be permitted at the park's main entrance.
 - (3) Signs directing traffic to individual businesses within the park will be allowed. For each business located within the park, two directional signs, each no greater than six square feet, will be allowed.
 - (4) Two "for sale" or "for rent" signs will be allowed for every business or building which is up for sale and/or occupancy, and will be installed as either a wall sign or ground sign in the immediate vicinity of the available business or building. Further, each sign will be no larger than 30 square feet.

E. Shopping centers and multiple development sites.

- (1) One monument/ground or pole/pylon sign, not to exceed 75 square feet, will be permitted at the shopping center's main entrance, subject to the following condition:
 - (a) If the site has a minimum of 500 feet of frontage on another street, one additional monument/ground or pole/pylon sign, not to exceed 75 square feet, will be allowed at the entrance/exit of that particular street.
- (2) On multiple development sites, each individual establishment will be permitted to have two signs, of any type, on the parcel, but with the maximum square footage for all signs on the parcel being limited to 150 square feet.
 - (a) Two "for sale" or "for rent" signs will be allowed for every business or building which is up for sale and/or occupancy, and will be installed as either a wall sign or ground sign in the immediate vicinity of the available business or building. Further, each sign will be no larger than 30 square feet.
- (3) For individual stores/businesses within the shopping center, the following signs will be permitted:
 - (a) One wall sign not to exceed two square feet per lineal foot of store frontage.
 - (b) One hanging sign perpendicular to the face of the store/business to facilitate pedestrian identification of the store/business, subject to the following:
 - [1] The sign will have a clearance of at least eight feet.
 - [2] The sign will not exceed four feet in width or 18 inches in height.

F. Town Center Overlay.

- (1) The following signs shall be permitted in the Town Center Overlay District:

- (a) Monument (ground) signs.
 - (b) Facade signs.
 - (c) Directional signs.
 - (d) Temporary signs.
- (2) Prohibited signs. The following signs shall be prohibited in the Town Center Overlay District:
- (a) Moving signs.
 - (b) LED signs.
 - (c) Flashing signs.
 - (d) Animated signs.
 - (e) Pole/pylon signs.
 - (f) Neon signs.
- (3) Minimum performance criteria. The following performance standards shall apply to signs in the Town Center Overlay District:
- (a) Materials.
 - [1] Monument signs shall be made of rigid materials, preferably wood, simulated wood, stone, brick or composites.
 - [2] Facade signs shall be made of rigid materials, preferably wood, simulated wood, stone, brick, or composites.
 - [3] Uniform materials shall be used for signs on buildings that are connected by common walls, located in a common plaza or otherwise associated as a single group.
 - [4] Directional signs shall be of materials compatible with facade signs.
 - [5] Temporary signs may be of cloth or vinyl.
 - (b) Height. Monument signs as permitted in Subsection **F(1)(a)** of this section shall be no greater than eight feet in height above the finished grade.
 - (c) Size. Monument signs, as permitted in Subsection **F** of this section, shall have a maximum area of 65 square feet per sign face for the primary sign and 24 square feet per sign face for any secondary signs. Double-faced signs are permitted. For all other signs, the size standards specified in Article **IX** for the underlying zoning district shall apply.
 - (d) Illumination. Sign lighting should minimize glare and maintain the aesthetic character of the area.
 - (e) Logo. In the event that a logo is displayed on a sign, it shall be incorporated into the permitted sign area and comprise not more than 30% of the sign area. All colors associated with a logo, as defined in this chapter, may be permitted.
 - (f) Colors.
 - [1] Except as provided in Subsection **F(3)(e)** above, a maximum of three colors shall be utilized for a sign.
 - [2] Colors shall match or complement the predominant building color.
 - (g) Lettering. A maximum of two lettering styles shall be permitted on signs, except that all lettering associated with a logo, as defined in this chapter, may be permitted.

- (h) Setbacks. Monument signs shall have a minimum setback of 15 feet from the property line and 15 feet from the side property line and shall be located in a manner that does not interfere with required minimum sight distance at driveways or intersections.
- (i) Number of signs. A maximum of one facade sign per use is permitted, except that a use fronting on two streets may have one sign for each building front. A maximum of one monument sign as described in Subsection **F(1)(a)** of this section is permitted per driveway up to a maximum of three signs, except that for two or more signs to be permitted, driveways must be separated by a minimum of 200 feet as measured from center line to center line.

G. Freemans Bridge District signs.

- (1) Standard. At any time that there is a new sign or modification or a replacement of an existing sign, the following standards shall apply.

- (a) Permitted signs.

- [1] Monument (ground) signs.
- [2] Pole (pylon) signs.
- [3] Facade (wall) signs.
- [4] Directional signs.
- [5] Temporary signs.
- [6] Signs required by law (i.e., automotive sales license signs, price signs for gasoline sales, etc.).

- (b) Prohibited signs. The following signs are not permitted:

- [1] Moving signs.
- [2] Flashing signs.
- [3] Animated signs.
- [4] Signs with exposed neon tubing.
- [5] Backlit canopies.

- (c) Minimum legal nonconforming LED performance criteria. The following performance standards apply:

- [1] Materials. Monument signs and facade signs shall be made of rigid materials, preferably wood, simulated wood, stone, brick, or composites.
- [2] Directional signs shall be constructed of materials compatible with facade signs.
- [3] Temporary signs may be constructed of cloth or vinyl.

- (d) Height. Monument signs shall be no greater than eight feet in height above finished grade.

- (e) Size.

- [1] Monument signs shall have a maximum area of 65 square feet per sign face for the primary sign and 24 square feet per sign face for any secondary signs.
- [2] For facade signs, one square foot of sign area shall be permitted for each linear foot of building frontage. Such facade signs shall only be attached to the building facade, shall not protrude more than one foot from the building facade and shall be single-faced. Where uses are joined by a common wall, the sign area for facade signs shall

not be combined into a common sign area. Under no circumstances shall any one facade sign exceed 50 square feet. Double-faced signs are permitted for all signs other than facade signs. For all other signs, the size standards specified in Article IX shall apply.

- (f) Illumination. Sign lighting should minimize glare and maintain the aesthetic character of the area.
- (g) Logo. In the event that a picture logo is displayed on a sign, it shall be incorporated into the permitted sign area and comprise no more than 30% of the sign area. All colors associated with a logo, as defined in this chapter, may be permitted.
- (h) Colors. A maximum of three colors shall be utilized for a sign. Color shall match or complement the predominant building color.
- (i) Lettering. A maximum of two lettering styles shall be permitted on signs, except that all lettering associated with a logo, as defined in this chapter, may be permitted.
- (j) Setbacks. Freestanding monument signs or pylon signs shall have a minimum setback of 10 feet from the right-of-way line and 10 feet from the side property line and shall be located in a manner that does not interfere with required minimum sight distance at driveways and intersections.
- (k) Number of signs. A maximum of one facade sign per use is permitted, except that a use fronting on two streets or on-site roadways may have one sign for each building front. A maximum of one monument or pylon sign is permitted per driveway up to a maximum of three monument signs, pylon signs, or combination, except if two or more signs are to be permitted, driveways must be separated by a minimum of 200 feet as measured from center line to center line.

§ 270-70. Additional specifications for certain sign types.

[Amended 2-16-2022 by L.L. No. 1-2022]

A. Wall/facade signs.

- (1) The sign display area will not project more than 50% above any roofline, and no portion of the sign will project more than five feet above the roof line.
- (2) Wall signs projecting six or more inches laterally from the structure will have a clearance of at least eight feet.
- (3) All portions of said sign must be not less than 10 feet from all property lines.
- (4) If the property has at least 500 feet of frontage on a second street, a second sign will be allowed, subject to the above regulations.

B. Monument/ground signs.

- (1) Will not be more than eight feet in height.
- (2) Clearance will not be more than three feet.
- (3) All portions of said signs will be no closer than 10 feet to any property line.
- (4) One sign per property will be allowed and will not exceed 65 square feet in total sign display area.

C. Pole/pylon signs.

- (1) One such sign will be permitted per property. The maximum allowable sign area for pole/pylon signs varies depending on the zoning district or area, but not to exceed 75 square feet in any instance.
 - (2) If the property has at least 500 feet of frontage on a second street, a second pole/pylon sign will be allowed, subject to the regulations below.
 - (3) Will not be more than 25 feet in height.
 - (4) A clearance of not less than 10 feet will be maintained.
 - (5) All portions of said sign will be not less than 10 feet from all property lines. If property lines should change, said signs will be brought into conformance with setback regulations within 30 days.
- D. LED signs. New LED signs are not permitted in any district. Legal nonconforming LED signs are subject to the following:
- (1) The static display time of each changeable message or image shall be a minimum of 20 seconds.
 - (2) The maximum length of time between change of messages or images shall be two seconds.
 - (3) The change of message or image shall occur simultaneously for the entire sign face.
 - (4) During daylight hours, the maximum illumination shall be 5,000 nits (or candelas per square meter), with a maximum illumination of 500 nits between dusk and dawn, as measured from the sign's face at maximum brightness.

§ 270-71. Temporary signs.

A. General regulations.

- (1) The following temporary signs do not require a permit from the Town Building Department:
 - (a) A-frames placed within the property line during daylight hours and taken indoors each night;
 - (b) Window signs, posters or banners posted indoors facing out;
 - (c) Banners for grand openings sized a maximum of three feet by five feet.^[1]
- [1] Editor's Note: Former Subsection A(1)(d), regarding H-frame signs, which immediately followed this subsection, was repealed 11-16-2022 by L.L. No. 8-2022.*
- (2) In no case will a temporary sign exceed 20 square feet in size.
 - (3) Temporary signs will not be attached to fences, trees, utility poles, street signs, rocks or other parts of the natural landscape.
 - (4) Temporary signs (with the exception of holiday decorations) will not be illuminated.
 - (5) Temporary signs will not be placed in a position which obstructs or impairs traffic, or in any manner that creates a hazard or disturbance to the health, safety and welfare of the public.
 - (6) Temporary signs are subject to the provisions of § 270-68 of this chapter.

B. Regulations for specific uses.

- (1) "Grand opening"/"coming soon"/"anticipated occupancy" signs:
 - (a) Will not exceed 20 square feet in size.

- (b) Will not be operative for more than 45 days prior to the opening, or five days after the opening or completion of construction.
- (c) Will be located at least 10 feet from the edge of the pavement.
- (2) Sandwich board/sidewalk signs:
 - (a) Will not exceed six square feet.
 - (b) Must be portable and removed at the close of business each day.
 - (c) Must be located between the facade of the building/business to which it belongs and the street or parking lot. However, the sign shall be set back at least 10 feet from the edge of pavement of any public street or highway.
 - (d) Shall be placed so as to not impede, restrict, or otherwise interfere with pedestrian or vehicular traffic.
- (3) Roadside agricultural/farm stand signs:
 - (a) Will not exceed 12 square feet in size.
 - (b) Will not be operative for more than five days prior to the opening seasonal date of the business or longer than five days after the closing seasonal date of the business.
 - (c) Will be located at least 10 feet from the edge of the pavement.
- (4) "Contractor's" signs.
 - (a) Residential properties.
 - [1] Only one such sign will be permitted per property.
 - [2] Will be permitted only during the construction period. Upon completion of construction, the sign is to be immediately removed.
 - [3] Will not exceed 12 square feet in size.
 - [4] Will be located at least 10 feet from the edge of the pavement.
 - (b) Nonresidential properties.
 - [1] Only one such sign will be permitted per property.
 - [2] Will not exceed 20 square feet in size.
 - [3] Will be removed within five days of completion of the project.
 - [4] Will be located at least 10 feet from the edge of the pavement.
 - [5] Will not be in place on any one property for a period which exceeds two years; whether it is for a consecutive two-year period or intermittently for two years.
- (5) Political/campaign signs:
 - (a) Will not exceed 16 square feet in size.
 - (b) Will not be operative for more than 60 days prior to the election, or five days after the election.
 - (c) Will be located no closer than five feet to the edge of the pavement.
- (6) "For sale"/"for rent" signs:

- (a) Will not exceed 12 square feet in size (except in residential zoning districts, where said signs will be limited to six square feet in size).
 - (b) Will be removed within three days after the premises/structure has been sold or rented.
 - (c) Will be located at least 10 feet from the edge of the pavement.
 - (d) Will contain the name, address or phone number of the owner or agent.
 - (e) Must be located on the same property as the advertised building/space.
- (7) Civic, religious, educational or nonprofit organization signs:
- (a) Will not exceed six square feet in size.
 - (b) Will not be on display for more than 45 days.
 - (c) Will not be on display for more than 90 days in any twelve-month period.
 - (d) Will be located no closer than five feet from the edge of the pavement of any public street or highway.
 - (e) Will only be located on properties with the consent of the owner.
- (8) Garage sale signs:
- (a) Will not exceed six square feet in size.
 - (b) Will be removed within 24 hours of the close of the garage sale.

§ 270-72. Nonconforming signs.

- A. Any sign legally in existence as of the date of the adoption of the local law amending this article^[1] which does not fully comply with the provisions of this article, as amended, shall be considered a nonconforming sign and may be continued and maintained.
- [1] *Editor's Note: "This local law" refers to L.L. No. 9-2021, adopted 4-21-2021.*
- B. Nonconforming signs will not be enlarged or replaced by another nonconforming sign. Should the maintenance, repair or alteration of a nonconforming sign cost more than 50% of the original cost of the sign, the sign will be considered a new sign and shall be required to conform to all the provisions of this article, unless such nonconforming sign was damaged or destroyed through no act, failure to act or responsibility of the owner. In the case of damage or destruction of the nonconforming sign by a severe weather incident, motor vehicle accident or other incident beyond the control of the owner, it may be replaced by a substantially similar sign, even if the cost exceeds the cost of the original.

Chapter 270. Zoning

Article X. Off-Street Parking and Loading

[Amended 2-19-2020 by L.L. No. 4-2020]

§ 270-73. Off-street parking.

A. General requirements.

- (1) The provisions outlined herein apply to all land uses, with the exception of single-family dwellings.
- (2) Minimum and maximum parking space requirements for specific uses are identified in Schedule A^[1] of this chapter.
[1] Editor's Note: Schedule A is included as an attachment to this chapter.
- (3) For those uses not specified in Schedule A, the minimum and maximum number of parking spaces will be determined by the Planning Department, as noted in Schedule A.
- (4) For properties and buildings comprised of mixed uses, shared parking provisions below shall apply.
- (5) Whenever the size or intensity of any use or building is increased, or whenever there is a change in use which would result in an increased parking demand, additional parking spaces in accordance with Schedule A will be provided and will be designed and located in conformance with this section except where shared parking may apply.
- (6) All off-street parking areas will be surfaced with a dust-free, all-weather material and will be graded and drained so as to dispose of all surface water without erosion, flooding or negative impacts onto neighboring properties.
- (7) Parking areas will be kept in good condition. Smooth surfaces will be maintained, potholes repaired, markings repainted, and litter removed on a regular basis so as to allow for safe and efficient vehicular and pedestrian movement within the parking area.
- (8) Any lighting associated with parking areas will be directed into the parking area and away from adjacent properties and public rights-of-way.
- (9) Adequate parking and maneuvering areas will be provided for buses, recreational vehicles and other large vehicles in association with those land uses which commonly attract such vehicles.
- (10) With the exception of automobile dealerships, parking areas will not be used to display vehicles for sale.
- (11) Handicapped parking spaces will be provided in accordance with the most recent standards of the American National Standards Institute (ANSI), which is on file with the Town Building Department and is available for review.
- (12) Adequate accommodation on site for snow plowing and snow storage will be provided.

B. Dimensions for off-street parking spaces and aisles.

- (1) Every parking space will be at least 10 feet wide and 20 feet long.
- (2) Aisles for maneuvering within parking areas will be as follows:

Type of Parking	Aisle Width (feet)	
	One-Directional Flow	Two-Directional Flow
Parallel curb	10	24
30°	10	24
45°	11	24
60°	18	24
75°	22	24
Perpendicular	24	24

- (3) Handicapped parking: as determined by the most recent standards of the American National Standards Institute (ANSI), which is on file with the Town Building Department and is available for public review.

C. Location of parking areas and spaces.

- (1) Off-site parking is allowed for nonresidential uses, provided safe and efficient pedestrian access is afforded between the parking area and the nonresidential use/property. However, no pedestrian grade-level street crossings to accommodate off-site parking will be allowed on any street that exhibits a traffic volume in excess of 1,000 vehicles per day.
- (2) All parking lots will be located no closer than 25 feet to any street right-of-way, nor closer than 10 feet to the rear or side property lines.
- (3) Additionally, with the exception of entrance and exit driveways, only green space and vegetation will be permitted within the twenty-five-foot strip/setback between the parking lot and street right-of-way and must conform to the requirements set forth in Article **XIX**, Landscaping. A parking lot (including its entrance and exit driveways) serving a nonresidential or multifamily use may not be located any closer than 40 feet to the property line of a single- or two-family dwelling. However, the entrance and/or exit driveway may be located as close as 10 feet to the adjacent property line, if a greater distance would limit sight distance and result in a possible traffic hazard.
- (4) With the exception of single-family and two-family dwellings, all parking within the Community Business and Professional Residential Zoning Districts shall be located to one side of the principal building and/or to the rear of the lot. No more than 1/3 of the required parking may be located to the one side. Parking should be located to the side and rear of the buildings and/or to the rear of the lot in the Town Center Overlay District and the Freemans Bridge Road Corridor District.
- (5) Access management.
 - (a) Off-street parking should be designed to minimize traffic conflicts and utilize space through combined access where feasible.
 - (b) Off-street parking areas shall be interconnected by access driveways for commercial and mixed use developments and may be connected between residential and commercial uses. Access easement documentation shall be provided to the Economic Development and Planning Department for any interconnected access driveways.
 - (c) The preferred access management technique is to provide a single right-in and right-out or combination entrance aligned with a driveway across the street and preferably at a traffic

signal.

D. Entrances and exit requirements for parking lots with 20 or more cars.

- (1) No more than two combination entrance and exit driveways will be permitted. The width of the driveway, measured at the throat (the point where the turning radii end and the parallel driveway boundaries begin), will not exceed 35 feet in width.
- (2) Street access will be permitted only through designated driveways.
- (3) In those instances where one-way entrances and/or exits afford safer vehicular movement than a two-way entrance/exit arrangement, one-way entrances and/or exits may be permitted.
- (4) Entrances and exits will be permitted up to the side lot lines, but only if there is no single- or two-family dwelling located on the property adjacent to the driveway. In the case where there is an adjoining single- or two-family dwelling, the entrance/exit may be located no closer than 40 feet to the adjacent property line. However, the entrance or exit driveways may be located up to 10 feet from the adjacent property line, if a greater distance would limit sight distance and result in a possible traffic hazard.

E. Shared parking.

- (1) Shared parking is encouraged between uses subject to review by the Planning and Zoning Commission. Shared parking agreements shall be recorded by deed reference.
- (2) When shared parking is pursued, the applicant and Town are to be guided by the table below when calculating the minimum number of parking spaces.
 - (a) Calculate the minimum amount of parking required for each land use as if it were a separate use.
 - (b) To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage for each of the six time periods.
 - (c) Calculate the column total for each of the six time periods.
 - (d) The column (time period) with the highest value must be the minimum parking requirement.

Land Use	Monday - Friday			Saturday-Sunday		
	8:00 a.m. - 6:00 p.m.	6:00 p.m. - 12:00 Midnight	12:00 Midnight - 8:00 a.m.	8:00 a.m. - 6:00 p.m.	6:00 p.m. - 12:00 Midnight	12:00 Midnight - 8:00 a.m.
Residential	60%	100%	100%	80%	100%	100%
Office	100%	10%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	60%	5%
Lodging	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theater	40%	100%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Civic (non-religious)	100%	40%	40%	10%	10%	5%
Religious Use	20%	40%	40%	100%	50%	5%

F. Bicycle parking.

- (1) Commercial and mixed-use developments shall supply bicycle racks at a rate of one bicycle parking stall per 15 parking spaces. Racks can consist of any size as long as they meet the total number of stalls required.

G. Electric vehicle charging station (accessible/nonaccessible).

- (1) Off-street parking lots for nonresidential and multifamily dwellings of 50 spaces or more shall have at least one accessible electric vehicle parking space with an electric vehicle charging system. Additional spaces and provisions should be determined by the Planning and Zoning Commission during Site Plan Review based upon best practices. Spaces shall clearly be marked as reserved as an electric vehicle charging space.

§ 270-74. Off-street loading.

A. General requirements.

- (1) The provisions outlined herein apply to all land uses, with the exception of single-family dwellings.
- (2) Off-street loading and/or unloading spaces for commercial and/or industrial vehicles shall be provided on each lot where it is deemed that such facilities are necessary to serve the use or uses on the lot.
- (3) All off-street loading areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection from potholes, erosion and dust.
- (4) All loading areas shall be on the same lot as the use which is to be served.

B. Location.

- (1) All loading facilities shall be related to the building/use to be served to provide for loading and unloading of delivery and other service vehicles and shall be so arranged that they may be used without blocking or otherwise interfering with the use of accessways, parking facilities, public streets or sidewalks.
- (2) Loading spaces shall not face or be visible from the frontage street and shall not be located in a required front yard, nor a required side yard if adjoining a residentially zoned or developed property.

C. Size. Each loading space shall not be less than 10 feet in width and 25 feet in length and have a minimum clearance of 14 feet.

D. Access.

- (1) Each off-street loading space shall be designed for vehicular access by means of a driveway or driveways to a public street in a manner which is consistent with pedestrian safety and will least interfere with adjacent traffic movements and interior circulation.
- (2) Loading and/or unloading facilities shall be designed so that trucks must not back in or out of nor park in any public right-of-way.

E. Lighting. Lighting used to illuminate off-street loading areas shall be configured in a manner so as not to reflect upon adjoining properties or streets. Light sources shall be shielded and project downward.

F. Screening.

- (1) Sufficient screening shall be provided along all lot lines abutting any residentially zoned or developed property to visually insulate the residential use from all operations, materials and vehicles within any loading space.

- (2) Loading areas accessory to commercial uses, shopping centers or planned developments shall be so located and screened as to be visually insulated from public awareness.
- (3) Screening material and methods shall conform to Article **XIX**, Landscaping, and Article **XVIII**, Commercial and Development Design Guidelines, of this chapter.

Town of Rotterdam

Chapter 73. All-Terrain Vehicles

[Adopted by the Town Board of the Town of Rotterdam 9-25-2019 by L.L. No. 17-2019. Amendments noted where applicable.]

GENERAL REFERENCES

Snowmobiles — See Ch. **240**.

Streets and sidewalks — See Ch. **247**.

Taxicabs — See Ch. **257**.

Vehicles and traffic — See Ch. **266**.

§ 73-1. Purpose.

The purpose of this chapter is to protect the public health, welfare and safety of the residents of the Town of Rotterdam by regulating the operation of all-terrain vehicles and motorized vehicles throughout the Town of Rotterdam, which will promote the proper use of all-terrain vehicles and motorized vehicles, and minimize detrimental effects of such use on the public and the environment.

§ 73-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALL-TERRAIN VEHICLE

Any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or off-highway competitions and only incidentally operated on public highways, provided that such vehicle does not exceed 60 inches in width or 800 pounds dry weight; provided, however, that this definition shall not include a snowmobile or other self-propelled vehicle manufactured for off-highway use which utilizes the endless belt tread.

MOTORIZED VEHICLES

Any self-propelled vehicle, which is not an all-terrain vehicle and is not an automobile, truck, or agricultural equipment as these terms are defined in the New York State Vehicle and Traffic Law, manufactured for sale for operation primarily on private property and only incidentally operated on public highways, including, but not limited to, minibikes, mopeds, go-peds, scooters, pocket scooters, motor-assisted bicycles and go-carts.

OPERATOR

The individual person operating the all-terrain vehicle or motorized vehicle, whether or not he or she is the owner of the all-terrain vehicle or motorized vehicle, or authorized by the owner of the vehicle to operate the all-terrain vehicle or motorized vehicle.

PUBLIC PROPERTY

All sidewalks, easements or other areas dedicated or commonly used by the public, including Town highways, as well as all lands in which title is vested in the Town of Rotterdam, other political subdivisions or agencies, or public authorities thereof, located within the Town of Rotterdam.

§ 73-3. Operation on public and private property.

- A. No all-terrain vehicle or motorized vehicle shall be operated on public property within the Town of Rotterdam.
- B. No all-terrain vehicle or motorized vehicle shall be operated on private property in the Town of Rotterdam unless the operator thereof has permission from the property owner for that particular all-terrain vehicle or motorized vehicle to be operated on the owner's property.

§ 73-4. Prohibited acts.

It shall be unlawful:

- A. To operate an all-terrain vehicle or motorized vehicle for sport or recreation during the period of 8:00 p.m. until 9:00 a.m.
- B. To operate an all-terrain vehicle or motorized vehicle within 100 feet of a dwelling other than the dwelling of the owner or operator of the all-terrain vehicle or motorized vehicle.
- C. To operate an all-terrain vehicle or motorized vehicle unsafely within 75 feet of a highway within the limits of the Town of Rotterdam, except as provided in § 2403 of the New York State Vehicle and Traffic Law.
- D. For a parent or guardian to authorize or knowingly permit a child or ward, if under 16 years of age, to operate an all-terrain vehicle or motorized vehicle in violation of any provision of this chapter. However, a child between the ages of 10 and 16 may operate an all-terrain vehicle or motorized vehicle in accordance with this chapter when accompanied by a parent or legal guardian and when such operator possesses a New York State safety certificate.
- E. To operate an all-terrain vehicle or motorized vehicle at a speed that is imprudent.
- F. To operate an all-terrain vehicle or motorized vehicle in violation of the noise ordinance found in Chapter **188**, Noise.
- G. To operate an all-terrain vehicle or motorized vehicle so as to cause it to propel sand, dirt, dust, rocks, gravel or other similar materials into the air, or as a projectile, so as to be likely to injure persons and/or damage property.
- H. To operate an all-terrain vehicle or motorized vehicle on public or private property in such a way as to harass or disturb farm animals, domestic livestock, wildlife or further to destroy or damage crops or farm produce.
- I. To operate an all-terrain vehicle or motorized vehicle near any public roadway so that the operation of said all-terrain vehicle or motorized vehicle causes operators of automobiles, motorcycles or trucks to take evasive or irregular action to move away from said all-terrain vehicle or motorized vehicle.
- J. To operate an all-terrain vehicle or motorized vehicle in a careless, reckless or negligent manner which endangers the safety of any person, including the operator himself, or the property of any person, or to engage in any fancy or trick riding or ride without maintaining full control of the all-terrain vehicle or motorized vehicle, or to remove both hands from the handlebar.
- K. To operate an all-terrain vehicle or motorized vehicle with any other person on it, except in a place designated for such purpose and equipped for such purpose as part of the original manufacturer's design.

§ 73-5. Impoundment; redemption; confiscation.

- A. Any all-terrain vehicle or motorized vehicle operated in violation of any of the provisions of this chapter may be impounded. The Town of Rotterdam Police Department shall store the impounded

vehicle in a suitable place at the expense of the owner. The Town of Rotterdam Police Department shall, to the extent possible, ascertain the owner or custodian of the all-terrain vehicle and notify him or her of the impoundment and the requirements to redeem the same. A police officer may impound any all-terrain vehicle or motorized vehicle if:

- (1) The operator is in violation of this chapter.
 - (2) The all-terrain vehicle or motorized vehicle was involved in an accident causing serious injury or death while operated in violation of this chapter.
 - (3) The operator of the all-terrain vehicle or motorized vehicle has no evidence of permission to operate the same on private property.
- B. The period of impoundment for the all-terrain vehicle or motorized vehicle shall be for such period of time as is necessary for police purposes, which shall include use of the vehicle for identification in any court action. Any person wishing to have an all-terrain vehicle or motorized vehicle released from impoundment must make a motion before the appropriate court, and said all-terrain vehicle or motorized vehicle shall only be released upon court order. Upon receipt of said court order, the all-terrain vehicle or motorized vehicle shall be released by the Town of Rotterdam Police Department, and any storage fees and/or towing fees incurred by the Town of Rotterdam Police Department shall be paid prior to the release of the all-terrain vehicle or motorized vehicle.
- C. Any all-terrain vehicle or motorized vehicle not redeemed within 10 business days of impoundment shall be treated as an abandoned vehicle under § 1224 of the New York State Vehicle and Traffic Law.
- D. In the case of a second or subsequent violation, the court may order confiscation of said vehicle(s) in lieu of any fine. Any vehicle which is confiscated pursuant to this section will be sold at public auction according to the appropriate procedures and law affecting public auctions by municipalities.

§ 73-6. Conflicts with other laws.

Should any section or portion of this chapter be in conflict with the laws of the State of New York applicable to the operation, registration, ownership or control of all-terrain vehicles, then, in that instance, said laws of the State of New York shall prevail.

§ 73-7. Enforcement.

The Town of Rotterdam Police Department is charged with the enforcement of the provisions of this chapter.

§ 73-8. Severability.

If any clause, sentence, paragraph or part of this chapter or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons and circumstances directly involved in the controversy in which the judgment shall have been rendered.

§ 73-9. Penalties for offenses.

Any person convicted of violating any provision of this chapter shall be punishable as follows:

- A. For a first conviction, by a fine not less than \$500 nor more than \$1,000.

- B. For a second conviction, by a fine not less than \$750 nor more than \$1,000.
- C. For a third and subsequent conviction, by a fine not less than \$1,000 nor more than \$1,500.

*Town of Rotterdam, NY
Friday, January 10, 2025*

Chapter 188. Noise

[HISTORY: Adopted by the Town Board of the Town of Rotterdam 8-25-1993 by L.L. No. 15-1993; amended in its entirety 9-11-2019 by L.L. No. 16-2019. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Alarms — See Ch. **71**.

Mass gatherings — See Ch. **180**.

Public entertainment — See Ch. **217**.

§ 188-1. Legislative intent; construal of provisions.

- A. It is hereby declared to be the policy of the Town of Rotterdam to prevent excessive, unnecessary or unusually loud noises. It is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of preserving, protecting and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Town of Rotterdam and its inhabitants. It is the intent of the Town Board that this chapter will be liberally construed so as to effectuate the purpose described in this chapter.
- B. This section shall be liberally construed so as to effectuate the purposes described in this section. Nothing herein shall be construed to abridge the emergency powers of any Town department or the right of such department to engage in any necessary or proper activities. Nothing herein shall abridge the powers and responsibilities of any Police Department or law enforcement agency to enforce the provisions of this chapter.

§ 188-2. Nonapplicability.

[Amended 9-14-2022 by L.L. No. 6-2022]

This chapter shall not apply to the operation or use of any organ, radio, bell, chimes or other instrument, apparatus or device by any church, synagogue or school. This chapter shall not apply to noise created as a result of snow removal by a snow blower or related snow-removal machinery, nor to noise created as a result of lawn maintenance by a lawn mower, lawn tractor, or grass/weed trimmer.

§ 188-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A-WEIGHTED SOUND LEVEL [DB(A)]

The sound pressure level in decibels as measured on a sound meter using the A-weighting network slow response. The level so read is designated dB(A).

DECIBEL

A unit for measuring the volume of a sound and pressure of sound.

DEVICE

Any mechanism which is intended to produce or which actually produces sound when operated or handled.

EMERGENCY

A public disaster or an exposure of any person or property to imminent danger.

EMERGENCY SIGNAL DEVICE

Any gong, siren, whistle, air horn or similar device, the use of which on emergency vehicles is permitted by Subdivision 26 of § 375 of the New York State Vehicle and Traffic Law.

EXCESSIVE NOISE

- A. Sound which is annoying, causes alarm, disturbs a reasonable person of reasonable sensitivity, unreasonably causes public inconvenience, or unreasonably disturbs the quiet use and enjoyment of one's life and property. Such sound includes but is not limited to mechanically increased volume of sounds of the human voice, musical instruments, recorded music, or any other mechanically enhanced sound-producing or -reproducing device, apparatus or device.
- B. Excessive noise also includes incessant or repeated sounds that have the effect of disturbing the welfare, comfort, peace and quiet of the community, or any sound in excess of 85 decibels.

NOISE

Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

NOISE DISTURBANCE

- A. Any sound which endangers or injures the safety or health of humans or animals or annoys or disturbs a reasonable person of normal sensitivities or endangers or injures personal or real property; or
- B. A level of sound which, in each context described either annoys or disturbs a reasonable person of normal auditory sensitivities, or is clearly audible outside the residential, real property boundary from which it originates, or is loud, disturbing, unusual, unreasonable and unnecessary as well as audible outside the structure or the real property boundary from which it originates.

§ 188-4. Noise disturbance prohibited.

It shall be unlawful for any person to make, continue, cause, permit or allow, verbally or mechanically, any noise disturbance.

§ 188-5. Noise disturbance noises enumerated.

The following acts and the causing thereof are declared to be loud, disturbing or unnecessary noises in violation of this chapter, but the enumeration herein shall not be deemed to be exclusive:

- A. Horns, signaling devices. The sounding of any horn or other signal device on any automobile, motorcycle, bus or other vehicle while stationary, except as a danger signal when an approaching vehicle is apparently out of control or, if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound or the sounding of any such device for an unnecessary period of time.
- B. Noisy vehicles. No person shall:

- (1) Use an automobile, motorcycle or other vehicle so out of repair, so loaded or in such a manner as to create loud, unnecessary grating, grinding, rattling or other noise;
 - (2) Operate any vehicle in such a manner as to cause unnecessary noise by spinning or squealing the tires or revving the motor of such vehicle; or
 - (3) Modify or cause to be modified the muffler, exhaust system or other noise-control device of any vehicle in a manner that will increase the noise emitted by such vehicle above that emitted by the vehicle when newly manufactured, regardless of the date of manufacture. The noise-control devices of any vehicle operated in the Town of Rotterdam shall be maintained and in good working order. No person shall operate or permit to be operated a vehicle where the muffler, exhaust system or other noise-control device has been so modified or has not been maintained.
 - (4) No person shall load any garbage or trash on a compactor truck, or any other truck, whereby the loading, unloading or handling of boxes, crates, equipment or other objects is conducted within a residential district nor within 300 feet of any hotel or motel between the hours of 11:00 p.m. and 6:00 a.m. the following day.
- C. Discharge of exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal-combustion engine, motor vehicle or boat engine or motor, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- D. Construction, demolition, excavation. Except in the case of an urgent necessity in the interest of public safety and then only with a permit from the Town Building Inspector/Code Enforcement Officer, which permit may be renewed for a period of three days or less while the emergency continues, the erection (including excavating), demolition, alteration or repair of any building shall be prohibited at all times except:
[Amended 9-14-2022 by L.L. No. 6-2022]
- (1) Between 6:00 a.m. and 9:00 p.m. on any Monday, Tuesday, Wednesday, Thursday and Friday; and
 - (2) Between 7:00 a.m. and 7:00 p.m. on any Saturday and Sunday.
- E. Noise near schools, other institutions. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court, while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital, church or court street.
- F. Drums, loudspeakers, similar devices. The use of a drum, loudspeaker or any other sound-producing instrument or device for the purpose of attracting public attention by the creation of noise, except where authorized by special permit to be issued by the Chief of Police, who shall make reasonable rules and regulations therefor.
- G. Sound reproduction.
- (1) No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound so as to produce unreasonable or unnecessary noise at any time, except for activities open to the public or for the public benefit and for which permission has been granted by the Town of Rotterdam.
 - (2) Said sound reproduction shall be per se unreasonable and unnecessary if produced:
 - (a) Between the hours of 11:00 p.m. and 6:00 a.m. the following day in such a manner as to create noise that can be heard inside any residence, regardless of whether the windows of said residence are open.

- (b) When operated in or on a motor vehicle on a public highway or in a boat on public waters or by a person on public or private property that can be heard 50 feet from such device.
 - (c) In such a manner as to create noise when operated by any passenger on a common carrier.
- (3) It shall be prima facie evidence of a violation of this section if a noise disturbance emanating from such apparatus, machine or device is:
 - (a) Audible beyond the property line of the premises upon which it is being used.
 - (b) Audible at a distance of 25 feet from such apparatus, machine or device when operated in a public park or other public place.
- H. Shouting. No person shall shout, yell, call, hoot, whistle or sing on public streets or in public places in such a manner and for such a period of time as to be unreasonable under the circumstances.
- I. Noise from tools, machinery and heavy equipment in the construction, repair or alteration of property. The use of domestic or industrial tools, machinery and equipment of any kind in construction, repair or alteration of property and resulting in loud grinding, hammering, sawing and similar noise, which noise can be heard inside any residence, regardless of whether the windows of said residence are open, shall be prohibited at all times except:
[Amended 9-14-2022 by L.L. No. 6-2022]
 - (1) Between 6:00 a.m. and 9:00 p.m. on any Monday, Tuesday, Wednesday, Thursday and Friday; and
 - (2) Between 7:00 a.m. and 7:00 p.m. on any Saturday and Sunday.
- J. Noise in the conduct of any business. The creation of noise in the operation, conduct and/or maintenance of any business, factory, plant yard or manufacturing establishment (except as otherwise provided in this chapter), including but not limited to excavating, blasting, grinding, breaking, crushing or processing of any substance (where permitted), resulting in noise which can be heard inside any residence, regardless of whether the windows of said residence are open, shall be prohibited at all times except:
[Amended 9-14-2022 by L.L. No. 6-2022]
 - (1) Between 6:00 a.m. and 9:00 p.m. on any Monday, Tuesday, Wednesday, Thursday and Friday; and
 - (2) Between 7:00 a.m. and 7:00 p.m. on any Saturday and Sunday.
- K. The operation of restaurants, taverns, bars and discos.
 - (1) No restaurant, tavern, bar, nightclub, disco or other similar use, whether public or private, shall be conducted so that music or other noise caused by and/or emanating from said use can be heard:
 - (a) Inside any residence between the hours of 11:00 p.m. and 12:00 noon the following day, other than in the building where the premises are located, regardless of whether the windows of such residence are open.
 - (b) At any other time if said noise is unnecessary or unreasonable under the circumstances.
 - (2) Any corporation, agent, owner, operator or proprietor of such a business use or other owner, licensee or person in control of any private premises shall so limit the level of noise emanating from premises.
 - (3) Further, it shall be the duty of any such person to disburse any assembly of persons loitering, drinking alcoholic beverages or otherwise engaging in loud or disorderly conduct adjacent to or near the premises or to immediately notify the Town of Rotterdam Police of such conduct.

- L. Fraternities and sororities, dormitories, private clubs, meeting halls, private residences. No noise from parties, entertainment, music or social gatherings of any kind, whether public or private, shall be such that noise caused by and/or emanating from said use can be heard:
 - (1) Between the hours of 11:00 p.m. and 12:00 noon the following day, inside any residence, regardless of whether the windows of such residence are open.
 - (2) At any other time if said noise is unnecessary or unreasonable under the circumstances.
- M. Vibration. Operating or permitting the operation of any device that creates vibration which is above the vibration perception threshold of an individual at or beyond the property of the source if on private property or at approximately 50 feet from the source if on a public space or public right-of-way. For the purposes of this section, "vibration perception threshold" means the minimum ground- or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. This section shall not apply to construction activities performed in compliance with all applicable federal, state and any local laws and ordinances.

§ 188-6. Penalties for offenses.

Any violation of this chapter by any person, firm or corporation shall constitute a violation and shall be punishable by a fine not less than \$500 and no more than the sum of \$1,000 or imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense. Each subsequent violation will be punishable by a fine of not less than \$1,000 nor more than \$2,000 or imprisonment for a period not to exceed 15 days, or both. Each day of continued violation shall constitute a separate, additional offense.

Chapter 247. Streets and Sidewalks

[HISTORY: Adopted by the Town Board of the Town of Rotterdam as indicated in article histories.
Amendments noted where applicable.]

GENERAL REFERENCES

Delivery and service personnel — See Ch. **104**.

Excavations — See Ch. **121**.

Hawking, peddling and soliciting — See Ch. **150**.

Jogging — See Ch. **169**.

Subdivision of land — See Ch. **249**.

Article I. Use

[Adopted 4-16-1921]

§ 247-1. Obstruction prohibited.

No person shall leave, place or deposit in any of the public highways, streets or sidewalks of the Town of Rotterdam any building material or any obstruction to the free and perfect use thereof; nor encumber the sidewalks or streets or highways with any articles of merchandise, boxes or other articles or obstruct the use of any streets, sidewalks or highways by the use of any motorcycle, bicycle, tricycle, pushcart or other vehicle so as to interfere with the free and unobstructed use of said highway, sidewalk or street, except if it is necessary for the purpose of going to and from a yard or lot.

§ 247-2. Restrictions.

[Amended 3-12-1986 by L.L. No. 4-1986]

- A. No person shall assemble with another person or persons upon any sidewalk, street or highway in the Town of Rotterdam or so congregate in groups so as to interfere with the free and unobstructed use of such street or highway or sidewalk or to congregate in any public place that may annoy or interfere with persons lawfully using such highway, street or sidewalk.
- B. No person shall injure or interfere with or damage any trees that may be located within the bounds of the highway.

§ 247-3. Removal of obstacles.

[Amended 7-9-2003 by L.L. No. 9-2003]

The Town Highway Superintendent or any of his deputies or any peace officer is hereby authorized to remove any obstacle that may have been left or placed in any public place, highway, street or sidewalk, at any time an encroachment may be discovered.

§ 247-4. Penalties for offenses.

[Amended 3-12-1986 by L.L. No. 4-1986]

Any person violating any of the provisions of this article shall, upon conviction before a Justice of the Town of Rotterdam, be fined in a sum not to exceed \$250 or imprisonment for a term not to exceed 15 days, or both, for each offense.

Article II. Construction and Repair of Sidewalks

[Adopted 3-12-1937]

§ 247-5. Permit required.

No person, firm, corporation and/or its agents shall be permitted to construct, repair, alter or reconstruct sidewalks without first securing a permit from the Town Superintendent of Highways and complying with the conditions and specifications hereinafter set forth.

§ 247-6. Applicability.

[Amended 3-12-1986 by L.L. No. 4-1986]

This article shall cover and apply to all streets and highways in the Town of Rotterdam.

§ 247-7. Location.

- A. The street side, that is, the inside edge of the walk, is to be exactly five feet, measured from the back of the curb; or 5 1/2 feet, measured from the face of the curb.
- B. Construction is to be of portland cement, washed sand and washed No. 2 gravel mixed to a proportion of 1:2:4, or one bag of cement, two cubic feet of washed sand and four cubic feet of washed No. 2 gravel.
- C. The reconstruction and repair of said sidewalks shall be made in good and workmanlike manner, and no deviation from the above specifications will be permitted.

§ 247-8. Materials.

Portland cement, washed sand and washed No. 2 gravel are to be the standard materials used, mixed to the aforementioned proportions of 1:2:4 or, namely, one bag of cement, two cubic feet of washed sand and four cubic feet of washed No. 2 gravel.

§ 247-9. Grades.

The grade of the street or inside edge of the sidewalk is to be exactly 1 1/4 inches above the curb immediately adjacent to it; whereas, the outside edge of the walk closest to the property line is to be 2 1/2 inches above that point in the curb directly adjacent to it.

§ 247-10. Width and thickness; telephone poles.

- A. The standard width of the sidewalk is to be exactly five feet, thereby making the street side of the walk five feet from the back of the curb, and the property line side of walk is to be one foot from the aforementioned property line.

- B. The thickness of said sidewalk or sidewalks is to be in no case less than four inches, but may be thicker if the property owner or contractor desires to make it so.
- C. Telephone poles. The center of telephone poles shall be located two feet from back of curb or 2 1/2 feet from the face of the curb.

§ 247-11. General provisions.

Permits to construct, reconstruct or repair sidewalks shall be issued by Superintendent of Highways of the Town of Rotterdam. A permit, when so issued, shall be valid for 30 days. No charge shall be made for such permit. The permit may be revoked by the Superintendent of Highways for cause and/or failure to comply with specifications hereinbefore set forth. Revocation of the permit may be made orally or in writing. In the event that the permit is revoked, it shall be unlawful for the person holding said permit, the owner of premises and/or his agents and employees to continue with the construction, reconstruction or repair of the sidewalks. Notice shall be given to the Superintendent of Highways by the owner or his contractor of commencement of work. The Superintendent of Highways shall, within 48 hours from receipt of said notice, make an inspection of said work. Disputes as to grades, thickness of concrete, workmanship and proper manner of construction of sidewalks shall be decided by the Town Engineer. His decision shall be final unless the party aggrieved shall, within 10 days after the Engineer's decision, apply to the Town Board to review the same. No construction, repair or reconstruction of sidewalks shall be carried on after revocation of permit or pending the decision of the Town Engineer or the Town Board. The decision of the Town Board shall be final. Violations of this article shall be prosecuted by the Superintendent of Highways. No concrete shall be mixed or prepared on the street surface or curbing and such mixing or preparing concrete on the street surface or curbing is hereby declared a violation of this article.

§ 247-12. Penalties for offenses.

[Amended 3-12-1986 by L.L. No. 4-1986]

Any violation of this article shall be punishable by a fine not to exceed \$250 or imprisonment for a term not to exceed 15 days, or both.

Article III. Depositing of Snow

[Adopted 2-18-1970 by L.L. No. 4-1970; amended in its entirety 9-10-2003 by L.L. No. 17-2003]

§ 247-13. Placement of snow or ice on municipal property.

No person shall plow, shovel or otherwise place snow or ice on municipal property. For purposes of this section, municipal property shall include all parcels of property owned by any municipality. Municipal property shall also include all municipal rights-of-way, including all sidewalks thereon.

§ 247-14. Penalties for offenses.

Violation of this article shall be punishable by a fine not to exceed \$250 or imprisonment for a term not to exceed 15 days, or both.

Article IV. Notification of Defects

[Adopted 6-20-1984 by L.L. No. 6-1984]

§ 247-15. Notice required for maintenance of action.

No action or special proceeding shall be prosecuted or maintained against the Town of Rotterdam for personal injury or damages to real or personal property alleged to have been sustained by reason of any street, highway, bridge, culvert, sidewalk or crosswalk being out of repair, unsafe, dangerous or obstructed, or in consequence of the existence of snow or ice thereon, unless it appears that the written notice of the defective, unsafe, dangerous or obstructed condition, or the existence of snow or ice, was actually given to the Town Clerk or the Town Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to report or remove the defect, danger or obstruction complained of, or to cause the snow or ice to be removed, or the place otherwise made reasonably safe.

§ 247-16. Maintenance of records.

[Amended 7-9-2003 by L.L. No. 9-2003]

The Town Clerk and the Town Superintendent of Highways shall keep an indexed record, in a separate book, of all notices which it shall receive of the existence of such defective, unsafe, dangerous or obstructed conditions, or of such snow or ice, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five years after the date it is received.

§ 247-17. Time period for transmission to Clerk and Town Board.

The Town Superintendent of Highways shall transmit, in writing to the Town Clerk, within five days after the receipt thereof, all written notices received by him pursuant to this article and Subdivision 2 of § 65-a of the Town Law, to be presented to the Town Board within five days of the receipt or at the next succeeding Town Board meeting, whichever shall be sooner.

§ 247-18. Effect on statutory provisions.

This article shall supersede, in its application to the Town of Rotterdam, Subdivisions 1 and 3 of § 65-a of the Town Law.

Article V. Temporary Street, Highway and Road Closures

[Adopted 7-10-2013 by L.L. No. 10-2013]

§ 247-19. Purpose.

No person, corporation or other legal entity shall occupy, march or proceed along or close any Town highway or part thereof without having first obtained a temporary street closure permit from the Town of Rotterdam. Applications for such a permit shall be made in writing to the Town Clerk and shall be reviewed and approved by the Superintendent of Highways, the Department of Public Works, and the Chief of Police. The permit shall be issued by the Superintendent of Highways, through the Town Clerk's office.

§ 247-20. Application for street closure generally.

The application for a street closure permit shall set forth the following information:

- A. The name, address, e-mail address and telephone number of the person or organization seeking the street closure.
- B. The name, address, e-mail address and telephone number of the person who will be responsible for the event and street closure's conduct and completion.
- C. The proposed date when the street closure is to be conducted.
- D. The proposed map of the street to be closed.
- E. The approximate number of persons and number and type of animals and vehicles to be in the event.
- F. The application shall be filed 30 days prior to the proposed street closure.
- G. The proposed hours when the street closure will start and terminate.
- H. The proposed location by streets of any assembly areas and disbandment areas for any such event.

§ 247-21. Additional application requirements for parade, road race, run, walk, or any similar activity.

Each application for a street closure permit for a parade, road race, run, walk, or any similar activity shall set forth the following information:

- A. The time and place of assembly.
- B. The starting time and starting point of the parade, road race, run, walk, or any similar activity.
- C. The map showing the route of travel and portions of the streets to be traversed that may be occupied by the parade, road race, run, walk, or any similar activity.
- D. The termination point and place of disbandment.

§ 247-22. Issuance of temporary street closure permit.

The Superintendent of Highways shall issue a street closure permit when, from a consideration of the application and from such other information as may otherwise be obtained, he or she finds that:

- A. The conduct of the event and closure will not substantially interrupt the safe and orderly movement of other pedestrian and vehicular traffic at or contiguous to the route, assembly and disbandment areas of the event.
- B. The event is scheduled to move from its point of origin to its point of termination expeditiously.
- C. The event is not to be held for the sole purpose of advertising any commercial product, goods or event and is not designed to be held purely for private profit.
- D. A sufficient number of police officers are available to adequately protect both observers and participants, to direct traffic and to provide reasonable protection to the remainder of the Town.
- E. If the event creates the need for overtime expenditures by the Highway Department, the Department of Public Works or the Police Department, the applicant will be advised of the monetary amount of the necessary employee overtime costs, which shall be paid by the applicant prior to the issuance of the street closure permit.

§ 247-23. Denial of temporary street closure permit and rerouting.

The Superintendent of Highways, in denying an application for a street closure permit, may authorize the conduct of the event on a date, at a time or over a route different from that named by the applicant in the interest of facilitating crowd control, relieving congestion and promoting public safety, provided that the applicant's right of free speech is not denied thereby.

§ 247-24. Permit conditions.

- A. A permittee shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- B. Possession of permit. The event chairperson shall carry the parade permit upon his or her person during the event.
- C. Parking in the event or route area. The Chief of Police shall have the authority to prohibit or restrict the parking of vehicles along a street constituting a part of the event area or route or as necessary to facilitate pedestrian and vehicular traffic in the vicinity of the event. Signs shall be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this section.
- D. The Superintendent of Highways shall have the authority to revoke a parade permit upon application of the standards for issuance of such permit.

§ 247-25. Effect on existing laws.

Nothing in this section shall prohibit the temporary closure of a street during an emergency, for public safety or for road maintenance or repair.

§ 247-26. Alternate authority to issue street closure permit.

If the Superintendent of Highways is unable to act, the Department of Public Works or the Chief of Police is authorized to issue the street closure permit.

Article VI. Snow Emergency

[Adopted 9-11-2019 by L.L. No. 15-2019]

§ 247-27. Findings and declaration of legislative determination.

The Town Board hereby finds as a matter of legislative determination and by the authority of the New York State Vehicle and Traffic Law that it is in the best interests of the inhabitants of the Town of Rotterdam to expedite the removal of snow on the public streets so as to prevent the congestion of traffic and to expedite the orderly movement thereof during snow and other natural emergencies.

§ 247-28. Authorization to declare emergency.

Whenever road conditions in the Town of Rotterdam shall become hazardous after a snowfall in excess of three inches, as determined by the National Weather Service, or when the free movement of fire, health, police, emergency or other vehicular traffic may become impeded by reason of snow, freezing

rain, sleet, ice or other natural causes, the Town of Rotterdam Superintendent of Highways is hereby authorized to declare the existence of an emergency.

§ 247-29. Snow emergency parking.

No owner or operator of a motor vehicle shall park the same unattended on any Town or county street or highway following any snowfall of three inches or more in depth until said street shall have been plowed by or at the direction of the Highway Superintendent of the Town of Rotterdam.

§ 247-30. Notice to public.

The declaration of an emergency as specified in § **247-28** above shall be conveyed to the public by radio and television announcements, which shall constitute notice to the general public of such emergency.

§ 247-31. Commencement of snow emergency; duration; continuation.

- A. A snow emergency shall commence at either 8:00 a.m. or 8:00 p.m.
- B. Such snow emergency shall be in existence for a forty-eight-hour period.
- C. If conditions warrant, the Town Supervisor, upon the advice of the Chief of Police and Highway Superintendent, is authorized to continue the snow emergency for an additional forty-eight-hour period. Continuation of such snow emergency shall be conveyed to the public by radio and television announcements.

§ 247-32. Restricted vehicular parking during snow emergency.

During a declared snow emergency, the following parking restrictions shall apply:

- A. After 48 hours have elapsed from the commencement of the snow emergency, the snow emergency will be officially declared ended, unless such emergency is continued as specified in § **247-31(C)** of this article.
- B. The Town may restrict parking in designated areas for additional snow removal. Temporary appropriate signage will be posted in such areas which shall constitute public notification.
- C. During a declared snow emergency, all ordinary parking regulations will be suspended excepting those parking regulations relative to fire hydrants, fire zones, driveways and handicap zones.

§ 247-33. Snow emergency information.

Information relative to the existence of a snow emergency, when commenced, and regulations pertaining thereto can be obtained by contacting (518) 355-7722 or visiting www.rotterdamny.org.

§ 247-34. Removal of vehicles by Town; responsibility.

In addition to the penalty specified in § **247-35** of this article, any vehicle parked, stalled or otherwise unable to be moved during any snow emergency in violation of the provisions of this article or any rules and regulations promulgated hereto may be towed or caused to be removed under the direction of the

Police Department. The vehicle shall be towed at the vehicle owner's expense, and such towing charge shall be paid prior to the release of such vehicle.

§ 247-35. Penalties for offenses.

[Amended 12-11-2019 by L.L. No. 21-2019]

The penalty for this offense is specified in § **266-4** of this Code. The owner of any vehicle parked in violation of this article or any rules or regulations promulgated hereto shall be issued a parking ticket in accordance with § **247-35** of the Code of the Town of Rotterdam, and shall subject such vehicle owner to a fine of \$100.

Chapter 265. Property Maintenance

[HISTORY Adopted by the Town Board of the Town of Rotterdam 11-14-2001 by L.L. No. 14-2001.
Amendments noted where applicable.]

GENERAL REFERENCES

Unsafe buildings — See Ch. **90**.
Housing and buildings standards — See Ch. 154.
Solid waste — See Ch. **244**.
Subdivision of land — See Ch. **249**.
Swimming pools — See Ch. 252.
Vehicle and junk storage — See Ch. **264**.
Zoning — See Ch. **270**.

§ 265-1. Purpose.

It is the purpose of this chapter to ensure that property within the Town of Rotterdam is maintained in a safe and sanitary condition so as to not pose a threat to public health or property. It is also the intent of this chapter to promote and enhance properties within the Town of Rotterdam.

§ 265-2. Applicability.

The provisions of this chapter shall supplement all local laws, ordinances, codes or regulations existing in the Town of Rotterdam and other statutes and regulations of municipal authorities having jurisdiction applicable hereto. Where a provision of this chapter is found to be in conflict with any provision of an existing local law, ordinance or regulation, the provision or requirement of this chapter shall prevail.

§ 265-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUILDING

Any structure built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind and which is permanently affixed to the land.

JUNK

Discarded, broken or disabled material, including, but not limited to, furniture; appliances; toys; or other items that are not in functioning condition.

LITTER

Discarded waste materials, including, but not limited to, paper wrappings; packaging materials; discarded or used bottles; and discarded or used cans.

MOTOR VEHICLE

All vehicles propelled or drawn by power other than muscular power originally intended for use on public highways.

OWNER

Any person owning property, as shown on the real property records of Schenectady County or on the last assessment roll for taxes, and shall also mean any lessee, tenant or other person having control or possession of the property.

PROPERTY

A lot, plot or parcel of land, including any structures thereon.

STRUCTURE

A building or structure which is not currently inhabited or occupied and to which access to the interior thereof may be gained by reason of open, unlocked or broken windows or doors, or because of other physical deterioration or damage thereto.

TRASH

Waste food products and other household garbage.

VERMIN

Various small animals, such as rats, that may be destructive or injurious to health.

§ 265-4. Duty to maintain property.

No person owning, leasing, renting, occupying, being in possession of, or having charge of any property in the Town, including vacant lots, shall maintain or allow to be maintained on such property, except as may be permitted by any other Town ordinance, any of the following conditions:

- A. Junk, trash, litter, boxes, discarded lumber, salvage materials, or other similar materials in any front yard, side yard, rear yard or vacant lot;
- B. Attractive nuisances dangerous to children, including, but not limited to, abandoned, broken or neglected equipment, machinery, refrigerators and freezers, excavations, wells or shafts;
- C. Broken or discarded furniture, household equipment and furnishings in any front yard, side yard, rear yard or vacant lot;
- D. Shopping carts in any front yard, side yard, rear yard or vacant lot of any property;
- E. Graffiti or signs, not in compliance with the Town Zoning Code,^[1] on the exterior of any building, fence or other structure in any front yard, side yard or rear yard or vacant lot;
[1] *Editor's Note: See Ch. 270, Zoning.*
- F. Vehicle component parts or other articles of personal property which are discarded or left in a state of partial construction or repair in any front yard, side yard, rear yard or vacant lot;
- G. Any accumulation of weeds, brambles, berry vines, or other vegetation which is over-growing any structure or which exceeds an average height of 10 inches, except that which is kept in a neat and orderly manner for human consumption, or any accumulation of dead organic matter, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constituting fire, health or safety hazards; however, this does not apply to cultivated flowers or gardens. Properties in A-1 are excluded from this requirement; however, they must conform to all other pertinent sections of the Town Code.
- H. Dilapidation or state of filthiness or uncleanness of any dwelling or other structure which endangers health or life or which permits entrance by rats, mice or other rodents, or by which conditions it attracts rats and other vermin.
- I. The active selling of motor vehicles in a residential zone is limited to two motor vehicles within a given calendar year.

- J. ^[2]No inoperative or unlicensed motor vehicles shall be parked, kept or stored in open sight on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

[Added 2-13-2019 by L.L. No. 2-2019]

- (1) Exception. A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

- (2) Exception. Properties located within Schenectady County Agricultural District may have one unlicensed motor vehicle that is utilized in an agricultural operation.

^[2] *Editor's Note: Former Subsection J, regarding outside storage of unregistered motor vehicles, was repealed 1-22-2020 by L.L. No. 1-2020. This local law also provided for the redesignation of former Subsection K as Subsection J.*

§ 265-5. Residential buildings and structures.

- A. Exterior walls, roofs and porches or appurtenances thereto shall be maintained in a manner so as to prevent the collapse of the same or injury to the occupants of the building or to the public.
- B. The foundation walls of every building shall be maintained in good repair and shall be structurally sound.
- C. Exterior walls, roofs and other parts of buildings shall be free from loose and unsecured objects and material and improperly secured objects and materials. Such objects or materials shall be removed, repaired or replaced.

- D. The owner of vacated buildings shall take such steps and perform such acts as may be required from time to time to ensure that the building and its adjoining yards remain safe and secure and do not present a hazard to adjoining property or to the public. All openings shall be covered with painted, exterior-grade plywood closures and securely fastened to prevent trespassing. See Chapter 93.^[1]

^[1] *Editor's Note: Chapter 93, Vacant Buildings, was deleted 7-9-2003 by L.L. No. 9-2003. See now Ch. 90, Unsafe Buildings.*

- E. Buildings and structures shall be maintained in such a condition that they shall not become unoccupied hazards as defined per Chapter 90 of the Code of the Town of Rotterdam. All graffiti or defacing shall be removed and the surface finish restored within five days' written notice of the Building Inspector/Code Enforcement Officer.
- F. All signage and lighting systems shall be maintained in a completely operable, clean and safe condition.
- G. All swimming pools shall be maintained and operated in a clean, safe and sanitary manner at all times and in compliance with the New York State Uniform Fire Prevention and Building Code. Swimming pool recirculation and disinfection equipment shall be operated to maintain water quality. Swimming pool equipment and appurtenances shall be operated and maintained in accordance with approved plans and specifications.
- H. All decorative pools, fountains, architectural garden features, and similar items shall be maintained free of litter and operated as intended. Should these devices be abandoned or should they deteriorate because of lack of adequate maintenance, the owner shall either repair, remove or replace these items within five days of written notice.
- I. Grass lawns on any lot improved with structures shall be maintained free of unrestrained growth and in compliance with the New York State Uniform Fire Prevention and Building Code. Nothing in

this chapter shall be construed to prohibit gardens, woods, generally recognized groundcovers and lawn grasses, or properly maintained compost piles.

- J. Placement of animal feed on the premises for the purposes of feeding nondomesticated animals shall be carried out in a manner that avoids a noxious impact on the premises or the neighborhood and that avoids detriment to public health or safety.
- K. The maintenance of fences on properties shall be the responsibility of the owner of the fence.

§ 265-6. Commercial/industrial buildings and property.

- A. Commercial buildings and properties shall at all times be maintained in compliance with the provisions of this chapter regarding open spaces, buildings or structures and littering.
- B. No outside storage or accumulation of garbage, crates, pallets, rubbish, refuse or debris shall be permitted at any time, and all such garbage, crates, pallets, rubbish, refuse or debris shall be kept inside the building or buildings on the premises, or in a screened enclosure, and shall be collected and removed from the premises on no less than a weekly basis unless prior approval is granted by the Planning Commission. All property owners have until June 1, 2002, to comply with this section and will be subject to site plan review. Fees for site plan review on existing business property will be waived until June 1, 2002, if the intention is to come into compliance with this section.
- C. No shopping baskets, carts or wagons shall be left unattended or standing in open areas and shall be collected at the close of business each day by the occupant of such unit and removed to the interior of the building or buildings, or to a designated storage area which does not hinder pedestrian or vehicular movement. In regards to businesses which operate 24 hours per day, unattended shopping baskets, carts or wagons shall be collected, in the manner described above, a minimum of two times during each twenty-four-hour period.
- D. The maintenance of all fences and planting areas installed on the premises shall be the responsibility of the owner of the property. Such maintenance shall include, but not be limited to, the removal and/or replacement of trees and shrubs which may die and/or otherwise be destroyed and the removal and/or replacement of fences which may fall into disrepair. Additionally, lawns and those grassy areas which are viewed by customers and passing motorists shall be maintained in a neat manner and cut at a height not to exceed four inches.
- E. The active sale of any motor vehicle, unless specifically allowed by Town Zoning Ordinance,^[1] is limited to two motor vehicles within a given calendar year.
[1] Editor's Note: See Ch. 270, Zoning.
- F. All signage and lighting systems shall be maintained in a completely operable, clean and safe condition.

§ 265-7. Open areas and parking spaces.

- A. Surface and subsurface water (with the exception of regulated freshwater wetlands or other bodies of water protected by either local, state or federal law) shall be appropriately managed to protect buildings and structures. Gutters, culverts, catch basins, drain inlets, stormwater sewers or other appropriate drainage systems shall be utilized where necessary. No roof, surface or sanitary drainage feature shall create a structural, safety or health hazard by reason of construction, maintenance or manner of discharge.
- B. Fences and other minor construction shall be maintained in a safe and usable manner.
- C. Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under all weather conditions. Any holes or other hazards that may exist shall be filled, and necessary repairs or replacements carried out.

- D. Yards and vacant lots shall be kept clean and free of physical hazards, rodent harborage and infestation. They shall be maintained in a manner which will prevent dust, sand, litter and other objects, which are a danger to public health or safety, from being blown about the neighborhood. Open wells, cesspools and cisterns shall be securely closed or barricaded from access to the public.
- E. Heavy undergrowth and accumulation of plant growth, which is noxious or detrimental to health, shall be eliminated.
- F. Yards and vacant lots shall be maintained free of accumulations of animal excrement which create a noxious impact on the premises or the neighborhood.

§ 265-8. Rodent harborage and infestation.

- A. All buildings, structures and properties shall be maintained free of insect, vermin and rodent harborage and infestation. Methods used for exterminating insects, vermin and rodents shall comply with generally accepted practice.
- B. Where the potential for rodent or vermin infestation exists, windows and other openings in basements and cellars shall be appropriately screened with wire mesh or other suitable materials.

§ 265-9. Littering; appliances; receptacles.

- A. All properties, whether improved or vacant, shall be maintained free of litter; provided, however, that this chapter shall not prohibit the storage of litter in authorized private receptacles for collection.
- B. Adequate sanitary facilities and methods shall be used for the collection, storage, handling and disposal of garbage and refuse in accordance with the provisions of applicable codes.^[1]
[1] Editor's Note: See Ch. 244, Solid Waste.
- C. No appliance may be discarded, abandoned or stored outdoors in any manner without first completely removing any locking devices and all doors.
- D. Dumpsters and similar large receptacles shall be screened from public streets, rights-of-way, and areas where pedestrians frequently travel. Said screening shall consist of a solid row of evergreens, or solid fencing to hide the dumpster/receptacle from public view.
- E. Shopping centers, supermarkets and similar business units shall provide permanent and sanitary litter receptacles within the interior of the premises for public use in sufficient quantity to prevent a person from walking in excess of 100 feet to use any such receptacle. Receptacles shall be of sufficient size to accommodate small items of patron's trash (i.e., shopping lists, tissues, gum wrappers, etc.).

§ 265-10. Maintenance of construction sites.

During the development, improvement or construction of any site for any purpose, the owner and applicant, as identified on the building permit application, shall take appropriate measures to ensure the following:

- A. Dust, blowing sand, dirt, and sediment shall be controlled so as not to pose a nuisance, health, or safety risk to motorists or neighboring property owners.
- B. Erosion and siltation shall be confined to the site being developed. Neighboring properties and roadways shall not be impacted by erosion, blowing sand, dirt, or siltation as a result of construction activities.

- C. Construction debris/litter shall be confined on the site so as not to impact neighboring properties and roadways.

§ 265-11. Responsibilities of owners.

- A. Owners, operators and tenants shall be responsible for compliance with the provisions of this chapter and shall remain responsible therefor, regardless of any agreement purporting to delegate the responsibilities set forth herein, with the exception of those responsibilities charged to occupants as designated in § 265-12.
- B. Owners and operators of buildings shall be responsible for the proper installation, maintenance, condition and operation of service facilities. Owners and operators shall furnish adequate heat, hot water, and air conditioning when contractually responsible to do so.

§ 265-12. Responsibilities of occupants.

An occupant of the premises shall be responsible for compliance with this chapter in regard to the following:

- A. Maintenance of that part of the premises which is occupied or controlled in a clean, sanitary and safe condition.
- B. Keeping exits from the building or apartment clear and unencumbered from their possessions.
- C. Daily disposal of garbage and refuse into provided facilities in a clean and sanitary manner.
- D. Providing for safe and sanitary deposition and storage of newspapers, glass, plastic products, yard clippings, and any other item required to be recycled in accordance with other Town laws, ordinances, codes or rules.^[1]
[1] Editor's Note: See Ch. 244, Art. II, Solid Waste Recycling.
- E. Keeping domestic animals and pets in an appropriate manner and under control.

§ 265-13. Enforcement and compliance.

- A. This chapter may be enforced by the Building Inspector/Code Enforcement Officer of the Town of Rotterdam and by any police officer of the Town of Rotterdam Police Department or a duly appointed representative by the Rotterdam Town Board. The Code Enforcement Officer or the duly authorized designee shall have authority to enforce the provisions of this chapter and to inspect premises within the Town as necessary for said enforcement.
[Amended 10-24-2012 by L.L. No. 5-2012]
- B. Any property found to be maintained in violation of this chapter is hereby declared to be a public nuisance and shall be abated by rehabilitation, removal, trimming, demolition or repair.
- C. The property owner shall have the ultimate responsibility for compliance with all provisions of this chapter.

§ 265-14. Notice.

- A. After the enforcement officer has determined that there is a specific violation of this chapter, a written notice will be sent to the occupant or owner of the property directing compliance with this chapter within five days after receipt of such notice. The notice shall be sent by certified mail, return receipt requested. Possession by the enforcement officer of the United States postal receipt indicating delivery of the notice to the addressee, whether the receipt is signed by the addressee or

by a third party, shall constitute conclusive proof of the receipt by the addressee of said notice. The five-day period shall commence on the date of the delivery of the notice as indicated on the postal receipt. The notice may also be personally served on the addressee, in which event the respective five-day period shall commence on the date of the personal service of the notice.

- B. If the notice cannot be either personally served on the record owner or be delivered by certified mail because the record owner cannot, with due diligence, be ascertained, or is not locatable, then the notice may be served by publication. The notice shall be published in the official newspaper of the Town once in each of two successive weeks. If there is a building situated on the property, the notice shall also be posted on the front door of the structure. The five-day period shall commence on the sixth business day following the date of the second publication of the notice.

§ 265-15. Action in cases of noncompliance.

- A. The notice referred to in § **265-14**, served upon the owner of the subject property, shall advise the owner that if the violation(s) is not corrected within said five-day period, the Town will proceed with the removal and disposition of said violation(s) following said notice period and shall cause the costs of such removal and disposition to be charged against the owner and the subject property. The notice shall also advise the owner of the subject property that the owner may be personally liable for such costs in an action by the Town.
- B. The notice, when it includes provisions pursuant to Subsection **A**, shall also advise the owner of the subject property that the owner shall be entitled to a hearing before a review board comprised of three members from the Town, being the Zoning Officer, the Chairman of the Planning Commission and the Chairman of the Zoning Board of Appeals, on any matter the owner wishes to address relating to the existence of the violations of this chapter and the removal thereof from the subject property. The request for a hearing before the review board must be made in writing by the owner of the subject property prior to the expiration of the five-day notice period. The request must be in writing, directed to the Town Building Inspector/Code Enforcement Officer. If a hearing is not requested, the Town shall be entitled to go upon the property upon the expiration of the notice period and, utilizing either Town personnel or independent contractors, correct the violation. If a hearing is requested by the owner of the subject property, it shall be held within 10 days of the date on which the request is received by the Town. At the hearing, the owner shall be advised of the amount of money which it is estimated will be expended by the Town to correct the violation. The owner of the subject property will be responsible for the payment of that amount and that said amount will be assessed as a lien against the property. At the conclusion of the hearing, the review board shall determine if corrective measures by the Town should proceed at the expiration of the respective notice period, and the cost thereof shall be collected from the owner of the subject property or charged against the subject property as hereinbefore mentioned.^[1]

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

- C. The owner shall have five additional days to correct the violation beyond the original notice period, in the event that a hearing is held at the request of the owner of the subject property and the owner receives the written decision of the review board. If the owner of the subject property defaults in the removal of the violation, the Town shall be entitled to go upon the subject property and, utilizing either Town personnel or independent contractors, to correct the violation.
- D. The determination of the review board of the Town shall be subject to review in an Article 78 proceeding.
- E. All relative costs to correct the violation by the Town may be collected from the owner of the subject property in a civil action therefor by the Town. In addition thereto, or in lieu thereof, such costs may be assessed as a lien against the subject property of the owner and enforced in accordance with the procedure prescribed in Article 3 of the Lien Law for the enforcement of mechanics' liens on real property.
- F. If any person shall fail to maintain real property in accordance with Chapter **265** above, the Code Enforcement Officer may authorize the work to be performed, the cost of which shall be borne out

of the Town's general fund.

§ 265-16. Penalties for offenses.

[Amended 6-12-2013 by L.L. No. 7-2013]

- A. Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall, upon conviction thereof, be punished by a fine of no less than \$500 nor more than \$1,000 or imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$1,000 nor more than \$1,500 or imprisonment for a period not to exceed 15 days, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$1,500 nor more than \$2,000 or imprisonment for a period not to exceed 15 days, or both. Each day of continued violation shall constitute a separate, additional offense.
- B. The cost of cleanup of the property shall be assessed as a lien against the property taxes.
- C. Any person issued a notice of violation pursuant to any provision of this chapter shall be subject to an administrative fee of \$100 for each notice. Such administrative fee shall be charged against the land upon which the notice of violation was issued as a municipal lien or such administrative fee shall be added to the tax rolls as an assessment or levied as a special tax against said property or recovered in a civil suit against the person(s) to which the notice of violation was issued.

[Amended 8-14-2024 by L.L. No. 15-2024]

Chapter 266. Vehicles and Traffic

[HISTORY: Adopted by the Town Board of the Town of Rotterdam 3-12-1986 by L.L. No. 4-1986.
Amendments noted where applicable.]

GENERAL REFERENCES

Automobile junkyards — See Ch. **173**.

Noise — See Ch. **188**.

Snowmobiles — See Ch. **240**.

Taxicabs — See Ch. **257**.

Article I. General Provisions

§ 266-1. Definitions; interpretation.

- A. The words and phrases used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York.
- B. Interpretation.
 - (1) Official time standard. Whenever certain hours are named herein or on traffic control devices, they shall mean the time standard which is in current use in this state.
 - (2) Measurements. Any linear measurements specified for various orders, rules and/or regulations contained in or adopted and/or issued pursuant to this chapter shall be deemed to be approximate, and such measurements, and the order, rule and/or regulation to which they pertain, shall not be affected or altered in any way by the widening of a street, by the construction of curbs, gutters or sidewalks or by any other action which might tend to obliterate the point from which such measurements were originally made. Unless otherwise indicated, measurements shall be made from the nearest curbline of the street(s) referred to in a location description or, if there is no curbline, from the nearest pavement edge.

§ 266-2. Authority to install traffic control devices.

The Department of Public Works shall install and maintain traffic control devices when and as required under the provisions of this chapter to make effective the provisions of this chapter and may install and maintain such additional traffic control devices as the Town Board 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 §§ 1682 and 1684 of that law.

§ 266-3. Highway markings.

The system of traffic markings upon the New York State highways are hereby made applicable to the Town roads in the Town of Rotterdam. Said markings, when placed upon Town roads, shall have the same meaning and effect as similar markings upon state roads in this town, and violations of such

markings upon said Town roads shall be subject to the same penalties as violations of such markings on state roads.

§ 266-4. Penalties for offenses.

[Amended 2-22-1995 by L.L. No. 1-1995; 7-9-2003 by L.L. No. 10-2003; 12-11-2019 by L.L. No. 21-2019]

Fines for violations of this chapter shall be assessed according to the following schedule:

Violation	Fine
Abandoned vehicle	\$100
Angle parking	\$50
Blocking driveway	\$50
Blocking fire hydrant	\$100
Blocking traffic	\$50
Crosswalk parking	\$50
Fire Department entrance	\$100
Fire lane	\$100
Handicapped	\$150
Interstate road	\$50
Median parking	\$50
No-parking zone	\$50
Sidewalk parking	\$50
Snow emergency	\$100
Traffic control device — 30 feet	\$50
Wrong direction	\$75
Other	\$50

§ 266-5. Repealer.

All prior local laws, ordinances, orders, rules and regulations, or parts of such, of this Town regulating traffic and parking are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any local law, ordinance, order, rule and/or regulation hereby repealed prior to the taking effect of this chapter.

§ 266-6. Severability.

If any article, section, subsection, paragraph, sentence, clause or provision of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the article, section, subsection, paragraph, sentence, clause or provision thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 266-7. When effective.

- A. Except those parts, if any, which are subject to the approval under § 1684 of the Vehicle and Traffic Law of the State of New York, this chapter and any orders, rules and/or regulations adopted and/or issued hereunder shall take effect as provided by law.
- B. Any part or parts of this chapter and any orders, rules and/or regulations adopted and/or issued hereunder which are subject to approval under § 1684 of the Vehicle and Traffic 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.

Article II. Traffic Regulations

§ 266-8. Traffic control signals.

Traffic control signals shall be installed, maintained and operated at the intersections and locations described in Schedule I (§ **266-41**).

§ 266-9. One-way streets.

The streets or parts of streets described in Schedule II (§ **266-42**) are hereby designated as one-way streets during the periods indicated, and vehicles shall proceed along those streets or parts of streets only in the direction indicated during the periods indicated.

§ 266-10. Prohibited turns at intersections.

Turns of the kind designated (left, right, all) are prohibited at any of the locations described in Schedule III (§ **266-43**).

§ 266-11. U-turns.

The turning of vehicles so as to proceed in the opposite direction (otherwise known as a "U-turn") is hereby prohibited on any of the streets or parts of streets described in Schedule IV (§ **266-44**).

§ 266-12. Prohibited turns on red signal.

In accordance with the provisions of § 1111(d)(2) of the Vehicle and Traffic Law, a right turn on a steady red signal is prohibited at the locations designated in Schedule V (§ **266-45**).

§ 266-13. Stop intersections.

The intersections described in Schedule VI (§ **266-46**) are hereby designated as stop intersections, and stop signs shall be erected as indicated.

§ 266-14. Yield intersections.

The intersections described in Schedule VII (§ **266-47**) are hereby designated as yield intersections, and yield signs shall be erected as indicated.

§ 266-15. Speed limits.

The maximum speed at which vehicles may proceed on or along any streets or highways within the Town is hereby established at 30 miles per hour, except that the speed limit for vehicles proceeding on or along those streets or parts of streets described in Schedule VIII (§ **266-48**) shall be as indicated in said schedule.

§ 266-16. School speed zones.

The speed limit for vehicles proceeding on or along those streets or parts of streets designated as school speed zones, described in Schedule IX (§ **266-49**), shall be as indicated in said schedule. The school speed limits shall be effective only during school days between the hours of 7:00 a.m. and 6:00 p.m.

§ 266-17. Exclusion of certain vehicles; route system for certain vehicles.

A. Exclusion of certain vehicles.

- (1) All vehicles in excess of the indicated maximum gross weights are hereby excluded from the streets and highways, or parts thereof, described in Schedule X (§ **266-50**).
- (2) All commercial vehicles in excess of four tons are hereby excluded from the streets and highways or parts thereof described in Schedule XXIII (§ **266-63**).
[Added 7-10-2002 by L.L. No. 14-2002]
- (3) The regulations established in this section shall not be construed to prevent the delivery or pickup of merchandise or other property or the operation of picking up and discharging school children on their particular street by school buses along the highways from which such vehicles and combinations are otherwise excluded.

B. Route system for certain vehicles.

- (1) A route system, upon which all vehicles having a total gross weight in excess of eight tons are permitted to travel and operate, shall consist of the highways designated in Schedule XI (§ **266-51A**).
- (2) A route system, upon which all vehicles in excess of five tons are permitted to travel and operate, shall consist of the highways designated in Schedule XI (§ **266-51B**).

Article III. Parking, Standing and Stopping

§ 266-18. Applicability.

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.

§ 266-19. Manner of parking.

- A. Wherever a space shall be marked off on any street for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.
- B. Except where angle parking is authorized, every vehicle stopped, standing or parked upon a highway where there are no adjacent curbs shall be so stopped, standing or parked parallel with the edge of the roadway headed in the direction of lawful traffic.

§ 266-20. No parking at any time.

The parking of vehicles is prohibited at all times in those streets or parts of streets described in Schedule XII (§ **266-52**).

§ 266-21. No parking certain hours.

The parking of vehicles is hereby prohibited in the locations described in Schedule XIII (§ **266-53**) during the hours indicated.

§ 266-22. Limited time parking.

The parking of vehicles is hereby prohibited in the locations described in Schedule XIV (§ **266-54**) for a longer period of time than that designated, during the hours indicated.

§ 266-23. Overnight parking.

Overnight parking (between the hours of 10:00 p.m. and 7:00 a.m.) shall be prohibited in those areas designated in Schedule XV (§ **266-55**).

§ 266-24. Standing prohibited.

The standing of vehicles is hereby prohibited in the locations described in Schedule XVI (§ **266-56**) during the hours indicated.

§ 266-25. Stopping prohibited.

The stopping of vehicles is hereby prohibited in the locations described in Schedule XVII (§ **266-57**) during the hours indicated.

§ 266-25.1. Parking restrictions on certain lots.

[Added 12-22-1986 by L.L. No. 26-1986]

Pursuant to Article 41, § 1660-a, of the Vehicle and Traffic Law of the State of New York and written request of MYMAR Associates, owner, the Town Board of the Town of Rotterdam hereby designates the prohibiting, regulating and restraining the stopping, standing or parking of trucks, car carriers, tractors, trailers, tractor/trailers or similar vehicles during the day or night (24 hours) on the entire premises of the former A & P Supermarket Building located at the intersection of Curry Road (Route No. 7) and Hamburg Street (Route No. 146), excluding customers and/or authorized delivery vehicles, and the installation of no-parking or other appropriate signs are hereby authorized for prohibiting, regulating and restraining the stopping, standing or parking of trucks, car carriers, tractors, trailers, tractor/trailers or similar vehicles upon said premises, and the Rotterdam Police Department shall be authorized to enforce this section.

§ 266-26. Angle parking.

[Amended 4-27-2016 by L.L. No. 4-2016]

Angled parking of a vehicle upon any of the streets or parts thereof described in Schedule XVIII (§ **266-58**) shall only be at the angle designated, only within the painted white stall lines and shall not obstruct the view of motorists.

§ 266-27. Parking of certain vehicles.

A. Off-street parking.

- (1) Pursuant to Article 41, § 1660-a, of the Vehicle and Traffic Law of the State of New York and at the written request of Triester International who is the owner of the Curry Road Shopping Center, the Town Board hereby designates the prohibiting of the parking of tractor-trailers, day or night, on the entire premises of the Curry Road Shopping Center located on Curry Road, excluding customers and authorized vehicles for deliveries at the rear of the center stores. Installation of no-parking or other appropriate signs are hereby authorized for the prohibiting, regulating and restraining of the stopping, standing or parking of tractor-trailers in said shopping center, and the Rotterdam Police Department shall be authorized to enforce this section.
- (2) Customers and authorized vehicles for delivery at the rear of the center stores are excluded from complying with this section.

B. Parking of commercial vehicles.

[Amended 12-22-1999 by L.L. No. 25-1999]

- (1) Legislative intent. The Town Board of the Town of Rotterdam finds that the parking of commercial vehicles weighing in excess of three tons, unladen weight, on the public highways in residential areas of the Town constitutes a hazard to the use of such highways by vehicular and pedestrian traffic and is inharmonious with the character of the neighborhood and generally is offensive to the aesthetics thereof. The purpose of this subsection is to prohibit such vehicles from parking on public highways, in designated zoning districts, in the interest of safety and welfare.
- (2) Parking prohibited. No person, firm, corporation or other legal entity shall cause, allow, permit or suffer any commercial vehicle (excluding mobile homes) weighing in excess of three tons, unladen weight, registered in their name or operated by them or their agent to be parked in any manner or place upon a public street or in the street right-of-way in an Agricultural, One-Family Residential, Two-Family Residential or Multiple-Family District, except if such vehicle is actively assisting in an emergency, such as a fire or traffic accident, or the vehicle is in the process of being loaded or unloaded.

§ 266-28. Bus stops.

- A. The locations described in Schedule XIX (§ **266-59**) are hereby designated as bus stops, and the parking or standing of vehicles other than buses is hereby prohibited in such locations.
- B. The locations described in Schedule XX (§ **266-60**) are hereby designated as school bus zones, and the stopping, standing or parking of vehicles other than school buses is hereby prohibited during school hours.

§ 266-29. Taxi stands.

The locations described in Schedule XXI (§ **266-61**) are hereby designated as taxi stands, and the standing or parking of vehicles other than taxis is hereby prohibited in such locations. Taxis using such stands shall not be left unattended and shall be subject to all other vehicle and traffic regulations of the town.

§ 266-30. Fire lanes.

The locations described in Schedule XXII (§ **266-62**) are hereby designated as fire lanes, and the parking of vehicles is hereby prohibited in such locations.

§ 266-30.1. Restrictions on certain bridges.

[Added 9-14-1988 by L.L. No. 8-1988]

A. Bridge which spans the Poentic Kill [Bridge Number (BIN) 2-20302].

- (1) Prohibiting the operation of all vehicles weighing in excess of three tons, registered maximum gross weight, on a bridge which spans across the Poentic Kill located on Old Mariaville Road and being the second bridge located in a northerly direction and approximately 2,500 feet from the southerly intersection of Mariaville Road and Old Mariaville Road as identified by the New York State Department of Transportation as Bridge Number (BIN) 2-20302.
- (2) A one-way single lane zone shall be established upon said bridge, and signs therefor shall be installed regulating vehicular traffic moving in either direction and designating that said traffic shall travel in only one direction at a time.
- (3) Stop zones shall be established and stop signs shall be installed at the northerly and southerly approaches and 20 feet distant from said bridge.
- (4) Emergency vehicles are excluded from complying with this section prohibiting the operation of all vehicles weighing in excess of three tons upon said bridge.
- (5) Signs are hereby authorized to be erected at the approaches and upon said bridge, and said signs shall conform to the Manual of Highway Signs published by the New York State Department of Transportation.

Article IV. Handicapped Parking

§ 266-31. Statutory authority.

Pursuant to Chapter 838 of the Laws of 1977 of the State of New York,^[1] the Town Board of the Town of Rotterdam hereby establishes and adopts guidelines for determining eligibility for handicapped parking permits and establishes a Review Board of Appeals to hear and determine any appeals from the denial, suspension, refusal or revocation for handicapped parking permits issued by or applied for to the Town Clerk of the Town of Rotterdam, previously designated and authorized as the issuing agent for such permits.

[1] *Editor's Note: See Vehicle and Traffic Law § 1203-a.*

§ 266-32. Guidelines established; source.

The guidelines for handicapped parking permits and the Review Board of Appeals to hear and determine appeals upon denial of an application for a permit or upon a suspension or revocation of a permit are as follows and are as prepared by the Office of Advocate for the Disabled of the State of New York.

§ 266-33. Review Board of Appeals.

The Review Board of Appeals is hereby established to provide a due process procedure in the event of a denial, suspension or revocation of a handicapped parking permit, and said Review Board shall consist of the following persons:

- A. The Health Officer of the Town of Rotterdam.
- B. The Chairman of the Health Committee of the Town of Rotterdam.
- C. One other designated person residing in the Town of Rotterdam to be appointed by the Town Board and to serve at the pleasure of the Town Board of the Town of Rotterdam.

§ 266-34. Guidelines enumerated.

Guidelines, notice and application for handicapped parking permits are attached hereto as follows:

- A. Definitions. As used herein, the following terms shall have the meanings indicated:

HANDICAPPED PERSON

For the purpose of § 1203-a of the Vehicle and Traffic Law (Chapter 838 of the Laws of 1977):

- (1) Any person who has any one or more of the following impairments, disabilities or conditions which are permanent in nature:
 - (a) Limited or no use of one or both lower limbs.
 - (b) A neuromuscular dysfunction which severely limits mobility.
 - (c) A pulmonary or cardiovascular condition which limits mobility or severely limits the individual's activities in the open air.
- (2) A person whose physical or mental impairment or condition is other than those specified above but is of such nature as to impose unusual hardships in utilization of public transportation facilities, and such condition is certified by a physician duly licensed to practice medicine in this state as constituting an equal degree of disability (specifying the particular condition) so as to prevent such person from getting around without great difficulty.
- (3) A child with any one or more of the impairments or conditions listed above.

- B. Notice; conditions of application.

- (1) There shall be a suspension, revocation or refusal to issue or renew any permit if the issuing agent determines that any applicant or parent or guardian of any applicant:
 - (a) Has made a material false statement in the application.
 - (b) Has used or permitted the use of the permit contrary to conditions set forth in the permit.
 - (c) Has failed to comply with or observe any of the conditions of the application and/or the permit.
- (2) The applicant or parent or guardian of such applicant shall notify the issuing agent of any change of address or disability within 10 days after such change, and the issuing agent shall cancel such permit upon failure to give such notice.
- (3) Upon denial of an application for a permit or upon a suspension or revocation of a permit, the issuing agent shall grant a hearing to an applicant therefor within 10 days after written request is received for such hearing. The applicant may be heard in person or by counsel. The hearing on said objections or charges shall be at such time and place as the issuing agent may designate. Notice requesting such hearing must be filed with the issuing agent no later than 30 days following notification of disapproval, termination or suspension.

- (4) Within 21 days after receipt of a completed application, the applicant will be notified whether the application has been approved or disapproved. If disapproved, a statement setting forth the reasons for disapproval will be provided.
- (5) Applications must be fully completed and properly executed. All questions must be answered and medical certification must accompany the application. Incomplete applications or failure to attach the medical certification will result in disapproval.
- (6) Applications and other notices shall be mailed or delivered personally to the issuing agent as follows:

Issuing Agent: Town Clerk
Town of Rotterdam Town Hall
1100 Vinewood Avenue
Rotterdam, New York 12306

- C. The application form for handicapped parking permits is on file in the office of the Town Clerk.

§ 266-35. Unauthorized parking.

[Added 2-22-1995 by L.L. No. 1-1995; amended 2-26-1997 by L.L. No. 4-1997]

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

ACCESSIBLE ROUTE

A clearly marked path a minimum of 36 inches in width connecting a handicap parking space to an accessible entrance.

HANDICAP PARKING SPACE

A parking space for persons with disabilities clearly marked on pavement and identified with a permanent sign showing the international symbol of accessibility which complies with ANSI A117.1. Dimensions for handicap parking spaces shall be a minimum of 96 inches in width and have an adjacent access aisle a minimum of 60 inches in width. Van-accessible parking spaces shall have an access aisle a minimum of 96 inches in width.

- B. Unauthorized parking prohibited. The parking or standing of a motor vehicle clearly marked for use by the handicapped on any lands and premises in the Town of Rotterdam is prohibited except by a person to whom there has been issued and who holds a valid special parking permit issued pursuant to the State of New York Vehicle and Traffic Law or issued pursuant to the Code of the Town of Rotterdam by the Rotterdam Town Clerk, who is the designated issuing agent for the Town of Rotterdam. The parking or standing of a motor vehicle in any adjoining handicapped access aisle or access route to a handicapped parking space on any lands in the Town of Rotterdam is prohibited by all vehicles, including those vehicles used by a handicapped person to whom a valid special parking permit has been issued by the Rotterdam Town Clerk.
- C. All permanent handicapped parking signs that have been erected on lands located in the Town of Rotterdam pursuant to the requirements of the Americans with Disabilities Act (ADA) signed into law on July 26, 1990, and any amendments hereto, which permanent signs have been knocked down, removed or destroyed, must, upon written notice by the Town of Rotterdam, be re-erected in their proper place within 10 days from the receipt of said notice by the property owner or lessee responsible for said permanent handicapped signs. Pavement markings delineating handicapped parking spaces and accessible routes as defined above that are missing, illegible, indistinguishable, or not in conformity with the New York State Building Code must, upon written notice from the Town of Rotterdam, be repainted, replaced, or repaired within 30 days from the receipt of said notice.

[Amended 9-10-2003 by L.L. No. 18-2003]

- D. Penalties for offenses. Any violation of the provisions of § **266-35B**, Unauthorized parking prohibited, shall subject such violator to a civil penalty of \$125 for each violation. Any violation of the provisions of § **266-35C** (handicapped parking sign) shall subject such violator to a penalty of \$125.
[Amended 9-10-2003 by L.L. No. 18-2003]
- E. Towing of violating vehicle. In addition to the penalties provided in § **266-35D** of this chapter, whenever a motor vehicle is parked or left unattended in a prohibited area as defined in § **266-35A** of this chapter, such motor vehicle may be removed and stored by the Town of Rotterdam or any officer, employee or agent thereof. The owner of such motor vehicle shall be liable to the Town of Rotterdam or its officer, employee or agent for the reasonable costs of such removal and storage not exceeding the sum of \$200, payment of which is required prior to the release of such motor vehicle.
- F. Provisions of this article shall be enforced by the Building Inspector Code Enforcement Officer.
[Added 9-10-2003 by L.L. No. 18-2003]

Article V. Pedestrian Crossing Zones

§ 266-36. Crossing zones.

Crossing zones shall be established in those areas designated in Schedule XXIV (§ **266-64**).

Article VI. Removal and Storage of Vehicles

§ 266-37. Definitions.

As used in this article, the following terms shall have the meanings indicated:

SNOW EMERGENCY

The time period during or after any three-inch snowfall and prior to the plowing of a street by or at the direction of the Highway Department of the Town of Rotterdam.

VEHICLE

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

§ 266-38. Impounding of vehicles.

Any vehicle parked or abandoned on any highway within the Town of Rotterdam during a snow storm, flood, fire or other public emergency, or found unattended where it constitutes an obstruction to traffic, or any place where stopping, standing or parking is prohibited, may be removed by the Police Department or by the Town Highway Department.

§ 266-39. Storage and charges.

After removal of any vehicle, as provided in this article, the Police Department or the Town Highway Department, whichever authority may have effectuated said removal, may provide for the storage of such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem same upon payment of all expenses and charges actually and necessarily incurred for such removal and storage.

§ 266-40. Notice of removal.

The Highway Department shall, without delay, report the removal and the disposition of any vehicle removed by the Department as provided in this article, to the Police Department, and it shall be the duty of said Police Department to ascertain to the extent possible the owner or person in charge of any vehicle removed and stored pursuant to this article and to notify said person of the removal and disposition of such vehicle and the amount which will be required to redeem the same.

Article VII. Schedules

§ 266-41. Schedule I: Traffic Control Signals.

In accordance with the provisions of § **266-8**, traffic control signals shall be installed, maintained and operated at the following intersections and locations:

Intersection (Location)

(Reserved)

§ 266-42. Schedule II: One-Way Streets.

In accordance with the provisions of § **266-9**, the following described streets or parts of streets are designated as one-way streets in the direction indicated:

Name of Street	Direction	Hours	Limits
Bernard Street [Added 8-13-1997 by L.L. No. 11-1997]	West	—	From North Wescott Road to its inter-section with Bernard Street Extension
Earl Street [Amended 8-27-1980 by L.L. No. 10-1986; 4-27- 2016 by L.L. No. 4- 2016]	West	—	Vischer Avenue to Draper Avenue
Hamburg Street	North	—	Route 146 to Chrisler Avenue
Hudson Street [Amended 8-10-1988 by L.L. No. 4-1988]	East	—	Cramer Avenue to Draper Avenue
Kent Street [Added 3-24-1999 by L.L. No. 4-1999; re- pealed 6-9-1999 by L.L. No. 10-1999]			
Laura Street [Added 4-23-2014 by L.L. No. 6-2014; re- pealed 3-27-2024 by L.L. No. 4-2024]			
Oak Street	East	Sundays, 7:00 a.m. to 5:00 p.m.	Guilderland Avenue to Floral Avenue
Stanton Street	East	—	Draper Avenue to Vischer Avenue

Name of Street	Direction	Hours	Limits
[Amended 8-27-1986 by L.L. No. 16-1986; 4-27-2016 by L.L. No. 4-2016]			

§ 266-43. Schedule III: Prohibited Turns at Intersections.

In accordance with the provisions of § **266-10**, turns of the kind designated below are prohibited at any of the following locations:

Name of Street	Direction	Prohibited	Hours	Location
Hamburg Street	North	Left	—	Lower level of Hamburg Street and Route 146
Route 146	North	Right	—	Route 146 and lower level of Hamburg Street

§ 266-44. Schedule IV: U-Turns.

In accordance with the provision of § **266-11**, U-turns are prohibited at any of the following locations:

Name of Street	Location
	(Reserved)

§ 266-45. Schedule V: Prohibited Turns on Red Signal.

In accordance with the provisions of § **266-12**, a right turn at a steady red signal is prohibited at any of the following locations:

Sign Facing Traffic on	Direction of Travel	At Intersection of
	(Reserved)	

§ 266-46. Schedule VI: Stop Intersections.

In accordance with the provisions of § **266-13**, the following described intersections are designated as stop intersections:

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Adams Street*	Both	Bee Street
Alexander Drive	Both	Wollner Lane
Alheim Drive	West	O'Brien Avenue
[Added 5-13-1992 by L.L. No. 10-1992]		
Alheim Drive*	Both	Outer Drive
[Amended 3-8-1989 by L.L. No. 3-1989]		
Amsterdam Avenue	Both	Deforest Street
Amsterdam Avenue	Both	Marlette Street

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Amsterdam Avenue [Added 5-28-1997 by L.L. No. 9-1997]	Both	Vandervere Street
Angelina Road [Added 10-22-2003 by L.L. No. 19-2003]	Northeast	Peter Road
Angelina Road [Added 5-14-2008 by L.L. No. 5-2008]	West	St. Jude Drive
Angers Avenue [Added 6-8-1988 by L.L. No. 3-1988]	North	Wedgewood Avenue
Arbor Avenue	Both	Tulip Street
Argo Boulevard [Added 5-10-1989 by L.L. No. 11-1989]	West	Clement Road
Arlene Street [Added 12-13-1995 by L.L. No. 6-1995]	West	Roberta Road
Aster Street [Added 1-27-1993 by L.L. No. 2-1993]	East	Fern Avenue
Augustine Avenue [Added 8-26-1992 by L.L. No. 25-1992]	Both	Cleveland Avenue
Augustine Avenue* [Amended 10-14-1998 by L.L. No. 15-1998]	Both	Irene Street
Autumn Run [Added 9-13-1995 by L.L. No. 4-1995]	South	Country Walk Road
Autumn Run [Added 10-22-2003 by L.L. No. 19-2003]	Both	Deer Path
Barber Drive [Added 6-27-1990 by L.L. No. 14-1990]	West	Fayette Drive
Barton Avenue* [Amended 5-11-1994 by L.L. No. 6-1994]	Both	Cleveland Avenue
Barton Avenue	Both	Irene Street
Barton Avenue* [Added 9-11-1991 by L.L. No. 13-1991]	Both	Laura Street
Bayberry Road	Both	Merritt Drive
Bayberry Road* [Amended 2-23-2022 by L.L. No. 3-2022]	Both	Puritan Drive
Bayberry Road [Added 9-13-2000 by L.L. No. 15-2000]	South	Crestwood Drive
Becker's Crossing [Added 9-13-1995 by L.L. No. 4-1995]	North	Country Walk Road
Bee Street*	Both	Adams Street
Bee Street [Added 9-10-1997 by L.L. No. 13-1997]	North	Draper Avenue
Bernard Street*	Both	Paul Avenue
Bernard Street*	Both	Trinity Avenue
Bernard Street [Added 8-9-1989 by L.L. No. 15-1989]	Both	Vincent Avenue
Bernard Street [Added 3-8-1989 by L.L. No. 3-1989]	Both	Vinewood Avenue
Bernard Street	Both	Wallace Street

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
[Added 3-8-1989 by L.L. No. 3-1989]		
Bernard Street		
[Repealed 8-13-1997 by L.L. No. 11-1997]		
Bernard Street	East	Sunrise Boulevard
Bernard Street	West	Wallace Avenue
Bernice Street*	Both	Careleon Road
[Added 12-8-1993 by L.L. No. 25-1993]		
Bernice Street*	Both	Chepstow Road
[Added 9-13-2000 by L.L. No. 11-2000]		
Bernice Street*	Both	Wavell Road
[Added 8-12-1992 by L.L. No. 21-1992]		
Bernice Street	South	Clement Road
[Added 2-25-1987 by L.L. No. 2-1987]		
Bertone Drive	North	Miles Standish Road
[Added 9-10-2008 by L.L. No. 9-2008]		
Bertone Drive	South	Brentwood Lane
[Added 9-10-2008 by L.L. No. 9-2008]		
Bill Road	West	Devendorf Road
Bluff Road	Northeast	Valleyview Avenue
[Added 11-24-1999 by L.L. No. 19-1999]		
Bluff Road	South	Gordon Road
Bonnyview Road	West	Scotch Ridge Road
Brentwood Lane	East	Memory Lane
[Added 11-14-1990 by L.L. No. 23-1990]		
Bruce Lane	South	Clement Road
[Added 3-11-1992 by L.L. No. 6-1992]		
Bruce Lane	South	Palazini Drive
Bruce Lane	West	Patton Drive
[Added 8-12-1987 by L.L. No. 9-1987]		
Bruno Street	East	Broadway
Bryant Avenue	South	Highbridge Road
Burdeck Street	Both	Princetown Road
Burdeck Street	Both	Schermerhorn Road
Burnett Street	North	Princetown Road
Butler Street	Both	Clement Road
Butler Street*	Both	Peyton Road
[Amended 9-13-1995 by L.L. No. 4-1995]		
Butler Street*	Both	Wavell Road
[Amended 9-13-1995 by L.L. No. 4-1995]		
Butler Street	North	Wavell Road (westerly intersection)
Cady Avenue	Both	Van Cortland Street
Caldicott Road*	Both	Clement Road
[Added 5-23-1990 by L.L. No. 10-1990]		
Caldicott Road*	Both	Ireland Road
[Added 7-13-2005 by L.L. No. 14-2005]		

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Caldicott Road* [Added 5-11-1994 by L.L. No. 7-1994]	Both	Peyton Road
Caldicott Road	North	Wavell Road
Campbell Road	North	Highbridge Road
Cardiff Road* [Added 4-22-1992 by L.L. No. 7-1992]	Both	Peyton Road
Cardiff Road [Added 2-25-1987 by L.L. No. 2-1987]	North	Clement Road
Careleon Road* [Amended 12-8-1993 by L.L. No. 25-1993]	Both	Bernice Street
Careleon Road [Added 2-28-1990 by L.L. No. 7-1990]	Both	Clement Road
Careleon Road* [Added 2-28-1990 by L.L. No. 7-1990]	Both	Peyton Road
Careleon Road* [Amended 10-11-2000 by L.L. No. 19-2000]	West	Patton Drive
Carlton Street [Added 9-10-2003 by L.L. No. 16-2003]	Both	Fordham Avenue
Caroline Avenue* [Amended 1-28-1988 by L.L. No. 2-1988]	Both	Marengo Street
Caroline Avenue [Added 4-9-2003 by L.L. No. 7-2003]	Northeast	Edgewood Avenue
Caroline Drive [Added 10-9-1991 by L.L. No. 14-1991]	East	Wendy Court
Cassella Road [Added 10-22-2003 by L.L. No. 19-2003]	North	Peter Road
Chapel Street	West	Chrisler Avenue
Chepstow Road* [Amended 9-13-2000 by L.L. No. 11-2000]	Both	Bernice Street
Chepstow Road* [Added 5-23-1990 by L.L. No. 10-1990]	Both	Clement Road
Chepstow Road [Added 8-26-1992 by L.L. No. 23-1992]	Both	Peyton Road
Chepstow Road	West	Patton Drive
Cindy Crest Drive [Added 2-27-2013 by L.L. No. 4-2013]	East	Brian Crest Court
Claremont Street* [Added 10-28-1987 by L.L. No. 11-1987]	Both	Mercer Avenue
Clement Road	Both	Bernice Street
Clement Road* [Added 5-28-1986 by L.L. No. 10-1986]	Both	Caldicott Road
Clement Road	Both	Cardiff Road
Clement Road*	Both	Careleon Road
Clement Road*	Both	Chepstow Road
Clement Road	North	Edith Lane

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Clement Road [Added 8-26-1992 by L.L. No. 24-1992]	North	Wavell Road
Clement Road	South	Argo Boulevard
Clement Road [Added 2-9-2005 by L.L. No. 3-2005]	Southwest	Bruce Lane
Cleveland Avenue* [Added 5-11-1994 by L.L. No. 6-1994]	Both	Barton Avenue
Cleveland Avenue* [Amended 4-27-1994 by L.L. No. 4-1994]	Both	Van Dyke Avenue
Clyde Avenue	Both	Marengo Street
Clyde Avenue (three-way stop) [Added 4-9-2003 by L.L. No. 7-2003]	Northeast	Edgewood Avenue
Colonial Drive [Added 11-13-2013 by L.L. No. 12-2013]	South	Miles Standish Road
Colonial Drive [Added 9-13-2000 by L.L. No. 12-2000]	North	Priscilla Lane
Community Road	East	Highbridge Road
Community Road	West	Devendorf Road
Continental Road	East	Mayflower Drive
Continental Road	East	Merritt Drive
Continental Road	West	Merritt Drive
Continental Road [Added 10-12-2005 by L.L. No. 19-2005]	West	Mullen Drive
Country Brook Court	Both	Route 406 known as "Gifford Church Road"
Country Walk Road [Added 5-13-1992 by L.L. No. 9-1992]	West	Fuez Road
Country Walk Road [Added 10-22-2003 by L.L. No. 19-2003]	North	Autumn Run
Country Walk Road [Added 10-22-2003 by L.L. No. 19-2003]	Both	Deer Path
Cox Avenue	North	Melrose Street
Cramer Avenue	Both	Plunkett Avenue
Cramer Avenue	South	Denver Avenue
Crawford Road	Both	Gregg Road
Crawford Road	Both	Pattersonville Rynex Corners Road
Crestwood Drive	Both	Merritt Drive
Crestwood Drive* [Amended 4-9-2003 by L.L. No. 7-2003]	Both	Puritan Drive
Crestwood Drive [Added 9-13-2000 by L.L. No. 16-2000]	West	Memory Lane
Crystal Avenue [Added 9-13-1995 by L.L. No. 4-1995]	Both	Ferguson Street
Currybush Road	Both	Putnam Road
Dawn Drive	Northeast	Horizon Boulevard

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
[Added 6-26-1991 by L.L. No. 5-1991]		
Day Road	Northeast	Peter Road
[Added 10-22-2003 by L.L. No. 19-2003]		
Day Spring Court		Puritan Drive and Stacey Crest Drive
[Added 10-13-2010 by L.L. No. 11-2010]		
Debbie Drive	East	Wendy Court
[Added 10-9-1991 by L.L. No. 14-1991]		
Debbie Drive	West	Donald Drive
[Added 6-26-1991 by L.L. No. 5-1991]		
Deer Path	North	Autumn Run
[Added 12-8-1993 by L.L. No. 27-1993]		
Deer Path	South	Autumn Run
[Added 10-13-1993 by L.L. No. 20-1993]		
Deer Path	South	Country Walk Road
[Added 8-25-1993 by L.L. No. 15-1993]		
Deforest Street	Both	Amsterdam Avenue
Deforest Street*	Both	Elizabeth Street
Deforest Street*	Both	Ferguson Street
Deforest Street	Both	Fiero Avenue
Deforest Street	Both	Greenpoint Avenue
Deforest Street*	Both	O'Brien Avenue
Deforest Street	Both	Rensselaer Avenue
Deforest Street*	Both	Stuart Street
Deforest Street*	Both	Tower Street
[Amended 11-24-1986 by L.L. No. 23-1986]		
Deforest Street	East	Patton Drive
[Added 8-12-1987 by L.L. No. 9-1987]		
Delaware Avenue	Both	Caroline Avenue
Delaware Avenue	Both	Clyde Avenue
Delaware Avenue	Both	Edgewood Avenue
[Added 4-24-2024 by L.L. No. 7-2024]		
Delaware Avenue	Both	Granville Avenue
[Added 9-14-1988 by L.L. No. 7-1988]		
Delaware Avenue	Both	Wellington Avenue
[Added 11-22-1989 by L.L. No. 19-1989]		
Denver Avenue	Both	Plunkett Avenue
Denver Avenue	North	Draper Avenue
[Added 8-8-1990 by L.L. No. 16-1990]		
Devendorf Road*	Both	Peter Road
Devendorf Road	North	Highbridge Road
Dolan Drive, that portion which runs parallel to the Niagara Mohawk Power Corporation right-of-way	Both	Dolan Drive, that portion which runs northeast and southwest
Donald Drive	Northeast	Debbie Drive
[Added 6-26-1991 by L.L. No. 5-1991]		
Dorsett Street	North	Norfolk Avenue

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Dorsett Street	South	Wedgewood Avenue
Dover Drive [Added 7-24-1991 by L.L. No. 8-1991]	Both	Norfolk Avenue
Dover Drive	East	Suffolk Avenue
Dube Street [Added 4-9-2003 by L.L. No. 7-2003]	West	Outer Drive
Duff Bambury Court [Added 6-26-2013 by L.L. No. 9-2013]	Both	Al Constantino Drive
Earl Street [Repealed 9-24-1986 by L.L. No. 20-1986]		
Earl Street [Added 9-24-1986 by L.L. No. 20-1986; amended 4-27-2016 by L.L. No. 4-2016]	West	Draper Avenue
Echo Drive [Added 10-12-1988 by L.L. No. 10-1988]	West	South Wescott Road
Edgewood Avenue (three-way stop) [Added 4-9-2003 by L.L. No. 7-2003]	Both	Clyde Avenue
Edgewood Avenue* [Amended 9-12-1990 by L.L. No. 17-1990]	Both	Melrose Street
Edgewood Avenue*	Both	Myrtle Avenue
Edgewood Avenue* [Amended 10-28-2020 by L.L. No. 13-2020]	Both	Summer Street
Edith Lane [Added 5-10-1989 by L.L. No. 11-1989]	East	Clement Road
Edith Lane	North	Patton Drive
Elizabeth Street* [Added 1-24-1990 by L.L. No. 3-1990]	Both	DeForest Street
Elizabeth Street	Both	Vandervere Street
Elmlawn Avenue [Added 11-8-1989 by L.L. No. 18-1989]	East	Parklawn Avenue
Evergreen Avenue*	Both	Aster Street
Evergreen Avenue [Added 8-25-1993 by L.L. No. 17-1993]	Both	Lilac Street
Evergreen Avenue	Both	Tulip Street
Evergreen Avenue [Added 7-23-2014 by L.L. No. 8-2014]	Both	Palma Avenue
Evergreen Avenue	South	Pansy Street
Fabian Drive	Both	Garden Street
Fairlane Road [Added 9-10-2008 by L.L. No. 9-2008]	North	Hollywood Avenue
Fayette Drive	West	Fort Hunter Road
Ferguson Street*	Both	Deforest Street
Ferguson Street	Both	Marlette Street
Ferguson Street*	Both	Vandervere Street
Fern Avenue [Added 1-27-1993 by L.L. No. 2-1993]	Both	Aster Street

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Fern Avenue*	Both	Palma Avenue
Fern Avenue [Added 8-26-1992 by L.L. No. 26-1992]	Both	Tulip Street
Fern Avenue*	North	Lilac Street
Fern Avenue	South	Pansy Street
Fiero Avenue*	Both	Deforest Street
Fifth Street [Repealed 9-10-1986 by L.L. No. 19-1986]		
Fifth Street* [Added 9-10-1986 by L.L. No. 19-1986; amended 12-8-1993 by L.L. No. 26-1993]	Both	Second Avenue
Fifth Street [Added 9-10-1986 by L.L. No. 19-1986]	North	Fourth Avenue
First Avenue	Both	Fifth Street
First Avenue* [Added 9-10-1986 by L.L. No. 19-1986]	Both	Fourth Street
First Avenue [Added 5-13-1992 by L.L. No. 8-1992]	Both	Second Street
First Avenue* [Added 9-10-1986 by L.L. No. 19-1986]	Both	Third Street
Floral Avenue	Both	Aster Street
Floral Avenue	Both	Lilac Street
Floral Avenue	Both	Oak Street
Floral Avenue	Both	Willow Street
Floral Avenue [Added 9-10-2008 by L.L. No. 9-2008]	South	Miles Standish Road
Flower Road	West	Crane Street
Floyd Street	Both	Palma Avenue
Floyd Street	Both	Paul Avenue
Floyd Street*	Both	Trinity Avenue
Ford Avenue [Added 7-14-2016 by L.L. No. 6-2016]	Both	Melrose Street
Ford Avenue	North	Marengo Street
Ford Avenue* [Added 4-9-2003 by L.L. No. 7-2003]	Northeast	Edgewood Avenue
Ford Avenue	South	Maida Lane
Ford Avenue	South	Princetown Road
Fordham Avenue* [Added 7-22-1992 by L.L. No. 17-1992]	Both	Dodge Street
Fordham Avenue*	Both	Westside Avenue
Fordham Avenue	Both	Woodlawn Street
Ford Street* [Amended 10-6-1986 by L.L. No. 21-1986]	Both	Rotterdam Street
Ford Street	North	Princetown Road
Fourth Avenue	Both	Fourth Street

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
[Added 9-10-1986 by L.L. No. 19-1986]		
Fourth Avenue	South	Sixth Street
[Added 8-12-1992 by L.L. No. 20-1992]		
Fourth Street*	Both	First Avenue
Fourth Street	Both	Second Avenue
[Added 6-11-1997 by L.L. No. 10-1997]		
Fourth Street*	Both	Third Avenue
[Added 9-10-1986 by L.L. No. 19-1986]		
Fourth Street	North	Fourth Avenue
[Added 2-25-1987 by L.L. No. 2-1987]		
Franklin Street	Both	Roosevelt Street
Fred Road	Southwest	Peter Road
[Added 10-22-2003 by L.L. No. 19-2003]		
Garden Street	Both	Fabian Drive
Garden Street	Southeast	Dahlia Street
[Added 6-23-1993 by L.L. No. 11-1993]		
Gates Drive	East	Gates Drive
[Added 5-26-1993 by L.L. No. 10-1993]		
George Endries Drive	South	Fourth Avenue
[Added 2-25-1987 by L.L. No. 2-1987]		
Gladstone Street	East	McKinley Avenue
[Added 10-14-1987 by L.L. No. 10-1987]		
Glenmist Court	Southwest	Horizon Boulevard
[Added 6-26-1991 by L.L. No. 5-1991]		
Glenville Street	Both	Kelly Street
Glenville Street*	Both	Turnbull Street
[Added 11-14-2001 by L.L. No. 13-2001]		
Gordon Road	Both	Putnam Road
Granville Avenue	Both	Marengo Street
[Added 9-14-1988 by L.L. No. 7-1988]		
Granville Avenue	North	Edgewood Avenue
[Added 8-10-1988 by L.L. No. 4-1988]		
Granville Avenue	South	Kenmore Avenue
[Added 8-10-1988 by L.L. No. 4-1988]		
Gray Street*	Both	Thew Street
[Added 11-15-1998 by L.L. No. 16-1998]		
Greenlawn Avenue	Southwest	Barton Avenue
[Added 8-9-1989 by L.L. No. 14-1989]		
Greenlawn Avenue	East	Oaklawn Avenue
[Added 9-26-2012 by L.L. No. 4-2012]		
Greenpoint Avenue*	Both	Deforest Street
Greenpoint Avenue	Both	Marlette Street
Greenpoint Avenue*	Both	Vandervere Street
Gregg Road (Upper)	West	Rynex Comers Road
Groveland Avenue	South and north	Viewland Avenue
[Added 11-24-1999 by L.L. No. 23-1999]		

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Harlem Street	North	Westside Avenue
Harlem Street [Added 9-8-1999 by L.L. No. 12-1999]	Southeast	Consaulus Avenue
Harold Street*	Both	Roosevelt Street
Hendricks Street [Amended 3-8-1989 by L.L. No. 3-1989]	Both	Vischer Avenue
Hendricks Street [Added 9-10-1997 by L.L. No. 13-1997]	South	Draper Avenue
Hewett Street [Added 9-10-2008 by L.L. No. 9-2008]	North	Shirlwood Drive
Highbridge Road	East	Kings Road
Highbridge Road	West	Campbell Road Extension
Highbridge Road	West	East Campbell Road
Horizon Boulevard [Added 2-9-2005 by L.L. No. 3-2005]	Both	Glenmist Court
Horvath Street [Added 2-11-1987 by L.L. No. 1-1987]	East	Inner Drive
Horvath Street [Added 9-26-2007 by L.L. No. 12-2007]	North and south	Inner Drive
Howell Street	Both	Miller Street
Howell Street* [Added 7-28-1993 by L.L. No. 13-1993]	Both	Stoodley Place
Hudson Street [Added 9-10-1997 by L.L. No. 13-1997]	North	Draper Avenue
Inner Drive [Amended 3-8-1989 by L.L. No. 3-1989]	West	Outer Drive
Ireland Drive	Both	Caldicott Road
Ireland Road [Added 9-13-1995 by L.L. No. 4-1995]	North	Butler Street
Ireland Road* [Added 7-13-2005 by L.L. No. 14-2005]	Both	Caldicott Road
Irene Street* [Added 10-14-1998 by L.L. No. 15-1998]	Both	Augustine Avenue
Irene Street	Both	Van Dyke Avenue
Irene Street [Added 8-9-1989 by L.L. No. 14-1989]	Northeast	Barton Avenue
Isabella Street [Added 9-8-1999 by L.L. No. 11-1999]	East	Scrafford Lane
Jerry Avenue	East	Campbell Road Extension
Jerry Avenue [Added 7-28-1993 by L.L. No. 14-1993]	Southwest	Eugene Drive
John Alden Lane	East	Helderberg Avenue
Juracka Parkway* [Amended 9-27-2006 by L.L. No. 12-2006]	Both	Miles Standish Road
Juracka Parkway [Added 10-13-1999 by L.L. No. 15-1999]	North	Continental Road

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Kelly Lane [Added 10-26-2022 by L.L. No. 7-2022]	South	Mary Lane
Kelly Street [Added 11-8-1989 by L.L. No. 18-1989]	Both	Glenville Street
Kelly Street*	Both	Rotterdam Street
Kelly Street	North	Princetown Road
Kenmore Avenue	Both	Cox Avenue
Kenmore Avenue [Added 4-24-2024 by L.L. No. 7-2024]	Both	Edgewood Avenue
Kent Street [Added 11-23-1988 by L.L. No. 11-1988]	East	Adams Street
Kent Street [Repealed 3-24-1999 by L.L. No. 4-1999]		
Kent Street [Added 6-9-1999 by L.L. No. 10-1999]	North	Draper Avenue
Knox Drive	East	Eugene Drive
Laura Street	Both	Augustine Avenue
Laura Street* [Added 9-11-1991 by L.L. No. 13-1991]	Both	Barton Avenue
Laura Street* [Added 6-8-1994 by L.L. No. 10-1994]	Both	Van Dyke Avenue
Lawn Avenue	Both	Aster Street
Lawn Avenue*	Both	Tulip Street
Lawn Avenue	North	Lilac Street
Lawn Avenue	South	Pansy Street
Lawndale Avenue* [Amended 1-10-1996 by L.L. No. 1-1996]	Both	Sunrise Boulevard
Leonard Street	East	Spruce Street
Lilac Street* [Amended 8-25-1993 by L.L. No. 17-1993]	Both	Evergreen Avenue
Lilac Street*	Both	Fern Avenue
Lilac Street*	Both	Remsen Street
Lilac Street [Added 10-11-2000 by L.L. No. 18-2000]	East	Beverly Street
Lilac Street*	West	Palma Avenue
Long Avenue [Added 6-8-1988 by L.L. No. 3-1988]	North	Central Avenue
Long Avenue [Added 8-12-1992 by L.L. No. 22-1992]	South	Shereen Court
Long Meadow Lane [Added 12-8-1993 by L.L. No. 27-1993]	North	Autumn Run
Long Meadow Lane [Added 10-13-1993 by L.L. No. 20-1993]	South	Autumn Run
Lorraine Avenue	North	Wedgewood Avenue
Lucy Road [Added 10-22-2003 by L.L. No. 19-2003]	Northeast	Peter Road

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Lucy Road [Added 5-14-2008 by L.L. No. 5-2008]	West	St. Jude Drive
Maida Lane [Added 4-9-2003 by L.L. No. 7-2003]	Northeast	Edgewood Avenue
Mall Exit Road* [Added 10-11-2000 by L.L. No. 19-2000]	East	Patton Drive
Manas Drive [Added 10-12-1988 by L.L. No. 10-1988]	Northwest	Van Wormer Road
Manor Court [Added 9-26-2007 by L.L. No. 13-2007]	East	Garrison Avenue
Marengo Street	Both	Amsterdam Avenue
Marengo Street* [Added 1-28-1988 by L.L. No. 2-1988]	Both	Caroline Avenue
Marengo Street [Added 4-24-2024 by L.L. No. 7-2024]	Both	Edgewood Avenue
Marengo Street	Both	Elizabeth Street
Marengo Street	Both	Ferguson Street
Marengo Street* [Added 9-14-1988 by L.L. No. 7-1988]	Both	Granville Avenue
Marengo Street	Both	Greenpoint Avenue
Marengo Street*	Both	Myrtle Avenue
Marengo Street	Both	Rensselaer Avenue
Marengo Street	Both	Wellington Avenue
Marengo Street* [Amended 7-8-1992 by L.L. No. 12-1992]	Both	Woodbridge Avenue
Martin Street [Added 8-13-1997 by L.L. No. 12-1997]	South	Roosevelt Street
May Avenue [Added 8-12-1987 by L.L. No. 9-1987]	Both	East Campbell Road
May Avenue [Added 9-10-2003 by L.L. No. 16-2003]	Northwest	McKinley Avenue
Mayflower Drive [Added 5-22-1991 by L.L. No. 3-1991]	Both	Miles Standish Road
Mayflower Drive* [Added 7-8-1992 by L.L. No. 13-1992]	Both	Priscilla Lane
McKinley Avenue [Added 6-8-1994 by L.L. No. 11-1994]	North	George Endries Drive
Meghan Boulevard [Added 9-8-2004 by L.L. No. 9-2004]	South	Country Walk Boulevard
Melrose Street	Both	Broadway
Melrose Street	Both	Caroline Avenue
Melrose Street	Both	Clyde Avenue
Melrose Street* [Added 8-10-1988 by L.L. No. 4-1988; amended 9-12-1990 by L.L. No. 17-1990]	Both	Edgewood Avenue

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Melrose Street	Both	Granville Avenue
Melrose Street*	Both	Woodbridge Avenue
Melrose Street [Added 7-14-2016 by L.L. No. 6-2016]	West	Ford Avenue
Memory Lane [Added 10-24-2007 by L.L. No. 16-2007]	North	Bertone Drive
Memory Lane [Added 9-13-2000 by L.L. No. 17-2000]	South	Cindy Crest
Mercer Avenue* [Added 10-28-1987 by L.L. No. 11-1987]	Both	Claremont Street
Mercer Avenue	South	Highbridge Road
Merritt Drive [Added 12-13-2000 by L.L. No. 22-2000]	South	Crestwood Drive
Miles Standish Road* [Added 9-27-2006 by L.L. No. 12-2006]	Both	Juracka Parkway
Miles Standish Road	Both	Merritt Drive
Miles Standish Road	Both	Puritan Drive
Miles Standish Road [Added 9-26-2018 by L.L. No. 8-2018]	East	Santa Lane
Miles Standish Road	West	Helderberg Avenue
Miles Standish Road [Added 9-26-2018 by L.L. No. 8-2018]	West	Silversmith Lane
Miller Avenue* [Amended 10-12-2005 by L.L. No. 20-2005]	Both	Howell Street
Miller Avenue [Added 10-12-2005 by L.L. No. 20-2005]	East	Campbell Road
Miller Avenue [Added 10-10-2007 by L.L. No. 14-2007]	Southeast	Stoodley Place
Mohawk Drive	North	Alexander Drive
Morton Street [Added 9-10-1997 by L.L. No. 13-1997]	South	Draper Avenue
Mt. Stuart Road [Added 3-24-1993 by L.L. No. 6-1993]	Both	Chism Street
Mullen Drive [Added 10-12-2005 by L.L. No. 18-2005]	South	Miles Standish Road
Myrtle Avenue	Both	Delaware Avenue
Myrtle Avenue	Both	Edgewood Avenue
Myrtle Avenue*	Both	Marengo Street
Myrtle Avenue	Both	Melrose Street
Myrtle Avenue	South	Princetown Road
Nahant Street [Added 10-11-2000 by L.L. No. 18-2000]	East	Beverly Street
Netherlands Boulevard [Added 2-26-1992 by L.L. No. 4-1992]	East	Helderberg Avenue
Nicky Drive [Added 9-13-1995 by L.L. No. 4-1995]	West	Fordham Avenue

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Norfolk Avenue	Both	Dover Drive
North Crest Court [Added 10-22-2003 by L.L. No. 20-2003]	South	Vista Boulevard
Notre Dame Street [Added 3-22-1989 by L.L. No. 5-1989]	Both	Westside Avenue
Oakdale Avenue [Added 5-13-1998 by L.L. No. 6-1998]	North	Lawndale Avenue
Oaklawn Avenue*	Both	Roselawn Avenue
O'Brien Avenue* [Added 10-12-1988 by L.L. No. 10-1988]	Both	Deforest Street
O'Brien Avenue [Added 10-28-1987 by L.L. No. 11-1987]	East	Rabbetoy Street
Old Duanesburg Road	East	Burdeck Street
Old Fort Avenue [Added 10-6-1986 by L.L. No. 22-1986]	—	Kellar Avenue
Old Mariaville Road	Both	North Thompson Street
Old Mariaville Road [Added 3-26-1986 by L.L. No. 5-1986]	Both	Putnam Road
Outer Drive* [Added 3-8-1989 by L.L. No. 3-1989]	Both	Alheim Drive
Outer Drive	North	Deforest Street
Owen Road [Added 6-27-1990 by L.L. No. 14-1990]	West	Fayette Drive
Owen Road	West	Fort Hunter Road
Palazini Drive [Added 11-13-2002 by L.L. No. 19-2002]	West	Spry Lane
Palma Avenue [Added 5-11-1994 by L.L. No. 8-1994]	North	Bernard Street
Palma Avenue*	South	Fern Avenue, Remsen Street, Lilac Street
Palm Avenue [Added 4-26-1989 by L.L. No. 7-1989]	Both	Tulip Street
Palmer Avenue	South	Highbridge Road
Pansy Street	Both	Lawn Avenue
Parker Street [Added 5-14-1986 by L.L. No. 7-1986]	Both	Fordham Avenue
Parklawn Avenue* [Added 11-8-1989 by L.L. No. 18-1989]	Both	Roselawn Avenue
Patricia Lane [Added 9-13-1995 by L.L. No. 4-1995]	North	Argo Boulevard
Patton Drive* [Added 10-11-2000 by L.L. No. 19-2000]	Both	Careleon Road and Mall Exit Road
Patton Drive	Both	Deforest Street
Paul Avenue*	Both	Bernard Street
Paul Avenue	Both	Floyd Street
Paul Avenue*	Both	Scott Street

Stop Sign on**Direction of Travel****At Intersection of*****Four-way stop**

[Added 10-22-2003 by L.L. No. 19-2003]

Paul Avenue

South

Remsen Street

Pauline Avenue

Both

Cleveland Avenue

[Added 5-11-1994 by L.L. No. 6-1994]

Pauline Avenue

Both

Irene Street

Pauline Avenue

Both

Laura Street

Peter Road*

Both

Devendorf Road

Peter Road

East

Highbridge Road

Peter Road

West

Kings Road

Peyton Road*

Both

Caldicott Road

[Added 7-28-1993 by L.L. No. 12-1993;
amended 5-11-1994 by L.L. No. 7-1994]

Peyton Road*

Both

Cardiff Road

[Amended 3-8-1989 by L.L. No. 3-1989]

Peyton Road*

Both

Careleon Road

[Added 2-28-1990 by L.L. No. 7-1990]

Peyton Road

Both

Chepstow Road

[Added 11-14-1990 by L.L. No. 22-1990]

Peyton Road*

North

Butler Street

[Added 9-13-1995 by L.L. No. 4-1995]

Phillips Road

South

Princetown Road

Pinelawn Avenue

South

Roselawn Avenue

[Amended 3-8-1989 by L.L. No. 3-1989]

Plunkett Avenue

Both

Cramer Avenue

Plunkett Avenue

North

Draper Avenue

Polsin Drive*

Both

Sherman Street

[Added 12-13-2000 by L.L. No. 21-2000]

Polsin Drive

South

Highbridge Road

Princetown Road

Both

Burdeck Street

Princetown Road

East

Thompson Street

Princetown Road

West

Putnam Road

Priscilla Lane

Both

Juracka Parkway

Priscilla Lane*

Both

Mayflower Drive

[Amended 7-8-1992 by L.L. No. 13-1992]

Priscilla Lane

Both

Puritan Drive

Priscilla Lane

West

Helderberg Avenue

[Amended 3-8-1989 by L.L. No. 3-1989]

Priscilla Lane

West

Merritt Drive

[Added 11-24-1999 by L.L. No. 21-1999]

Puritan Drive*

Both

Bayberry Road

[Added 2-23-2022 by L.L. No. 3-2022]

Puritan Drive*

Both

Crestwood Drive

[Added 4-9-2003 by L.L. No. 7-2003]

Puritan Drive*

Both

Miles Standish Road

[Added 9-8-1993 by L.L. No. 19-1993]

Puritan Drive

South

Continental Road

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
[Amended 3-8-1989 by L.L. No. 3-1989]		
Putnam Road	East	Campbell Road
Rabbetoy Street	Both	Amsterdam Avenue
Rabbetoy Street	Both	Fiero Avenue
Rabbetoy Street	Both	Rensselaer Avenue
Rabbetoy Street	East	Greenpoint Avenue
[Added 3-8-1989 by L.L. No. 4-1989]		
Rabbetoy Street	West	O'Brien Avenue
Remsen Street*	East	Fern Avenue, Palma Avenue and Lilac Street
Remsen Street	West	North Westcott Road
Rensselaer Avenue	Both	Deforest Street
[Added 12-27-1989 by L.L. No. 22-1989]		
Rensselaer Avenue	Both	Marlette Street
Revere Street	East	Beverly Street
[Added 10-11-2000 by L.L. No. 18-2000]		
Riggi Avenue*	Both	Stoodley Place
[Added 7-28-1993 by L.L. No. 13-1993]		
Risoli Lane	North	Mary Lane
Roadway behind Tops Diner	East	Wallace Avenue
[Added 12-8-1993 by L.L. No. 28-1993]		
Roberta Road	North	Argo Boulevard
[Added 9-13-1995 by L.L. No. 4-1995]		
Roberta Road	West	Outer Drive
Robinwood Avenue	Both	Wildwood Avenue
[Added 10-24-1990 by L.L. No. 20-1990]		
Rocco Street	North	Alheim Drive
[Added 12-23-1987 by L.L. No. 14-1987]		
Roosevelt Street*	Both	Harold Street
Roosevelt Street*	Both	Taylor Street
Roosevelt Street	East	Franklin Street
Roselawn Avenue*	Both	Oaklawn Avenue
Roselawn Avenue*	Both	Parklawn Avenue
Roselawn Avenue*	Both	Westside Avenue
Roselawn Avenue	East	Cedarlawn Avenue
Rotterdam Street*	Both	Ford Street
[Added 10-6-1986 by L.L. No. 21-1986]		
Rotterdam Street*	Both	Kelly Street
[Added 11-8-1989 by L.L. No. 18-1989]		
Rotterdam Street*	Both	Turnbull Street
[Added 4-11-1990 by L.L. No. 8-1990]		
Rotterdam Street	East	Burnett Street
[Added 10-14-1987 by L.L. No. 10-1987]		
St. Anna Drive	West	St. Jude Drive
[Added 5-14-2008 by L.L. No. 5-2008]		

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
St. Lucille Lane [Added 9-13-2000 by L.L. No. 13-2000]	Southwest	Kirvin Lane
Santa Lane [Added 9-10-2008 by L.L. No. 9-2008; and 9-13-2017 by L.L. No. 2-2017]	North	Miles Standish Road
Santa Lane	South	Merritt Drive
Schermerhorn Road	Both	Putnam Road
Schermerhorn Road	South	Campbell Road
Scott Street	Both	Palma Avenue
Scott Street* [Amended 10-22-2003 by L.L. No. 19-2003]	Both	Paul Avenue
Scott Street	Both	Trinity Avenue
Scott Street	West	North Westcott Road
Sean Drive [Added 1-27-1993 by L.L. No. 3-1993]	North	Tower Avenue
Second Avenue [Added 12-8-1993 by L.L. No. 26-1993]	Both	Fifth Street
Second Avenue [Added 7-24-1991 by L.L. No. 7-1991]	Both	Third Street
Second Avenue [Added 6-11-1997 by L.L. No. 10-1997]	South	Fourth Street
Second Street [Added 9-10-1986 by L.L. No. 19-1986]	Both	First Avenue
Serafini Drive	Both	Anthony Drive
Serafini Drive	East	Forth Hunter Road
Shardon Court [Added 11-24-1999 by L.L. No. 20-1999]	Northeast	Country Walk Road
Shelly Court [Added 6-26-1991 by L.L. No. 5-1991]	Southwest	Debbie Drive
Sherman Street [Added 2-12-1992 by L.L. No. 3-1992]	Both	Mercer Avenue
Sherman Street* [Added 12-13-2000 by L.L. No. 21-2000]	Both	Polsin Drive
Sherman Street	South	Highbridge Road
Sherwood Road	North	Highbridge Road
Sherwood Road	South	Community Road
Shirlwood Drive	Both	Memory Lane
Shirlwood Drive [Added 12-13-2000 by L.L. No. 22-2000; amended 9-10-2008 by L.L. No. 9-2008]	East	Merritt Drive
Silversmith Lane [Added 9-10-2008 by L.L. No. 9-2008]	North	Continental Road
Silversmith Lane [Added 9-10-2008 by L.L. No. 9-2008]	South	Miles Standish Road
Simone Road	West	Schermerhorn Road
Sixth Street	Both	Third Avenue

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
[Added 8-12-1992 by L.L. No. 19-1992]		
Sixth Street	East	Fourth Avenue
[Added 8-12-1992 by L.L. No. 19-1992]		
Sixth Street	South	Campbell Road
[Added 9-10-1986 by L.L. No. 19-1986]		
Spring Blossom Lane	West	Deer Path
[Added 8-25-1993 by L.L. No. 16-1993]		
Springdale Way	Southwest	Horizon Boulevard
[Added 6-26-1991 by L.L. No. 5-1991]		
Springdale Way	North	Vista Boulevard
[Added 10-22-2003 by L.L. No. 20-2003]		
Spry Lane	Both	Patton Drive
Spry Lane	South	Outer Drive
Stacey Crest	South	Cindy Crest
[Added 9-13-2000 by L.L. No. 14-2000]		
Stank Road	East	Dunnsville Road
Stanton Street	East	Vischer Avenue
[Added 9-24-1986 by L.L. No. 20-1986; 4-27-2016 by L.L. No. 4-2016]		
Stanton Street		
[Repealed 9-24-1986 by L.L. No. 20-1986]		
Stoodley Place*	Both	Riggi Avenue and Howell Street
[Amended 7-28-1993 by L.L. No. 13-1993]		
Stoodley Place	South	Jerry Street
Stuart Street*	Both	Deforest Street
[Added 1-24-1990 by L.L. No. 3-1990]		
Summer Street	West	Woodbridge Avenue
[Added 4-9-2003 by L.L. No. 7-2003]		
Sunrise Boulevard*	Both	Lawndale Avenue
[Added 1-10-1996 by L.L. No. 1-1996]		
Sunrise Boulevard*	Both	Vinewood Avenue
Swampscott Street	Both	Willow Street
Taylor Street*	Both	Roosevelt Street
Theodore Road	Northeast	Peter Road
[Added 10-22-2003 by L.L. No. 19-2003]		
Thew Street*	Both	Gray Street/Barton Avenue
[Added 9-9-1998 by L.L. No. 13-1998; amended 11-15-1998 by L.L. No. 16-1998]		
Third Avenue	Both	Fifth Street
[Added 9-10-1986 by L.L. No. 19-1986]		
Third Avenue*	Both	Fourth Street
[Added 9-10-1986 by L.L. No. 19-1986]		
Third Avenue	Both	Second Avenue
[Added 11-27-1991 by L.L. No. 16-1991]		
Third Avenue	South	Sixth Street
Third Street*	Both	First Avenue
[Added 9-10-1986 by L.L. No. 19-1986]		

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
Tony Drive (both ends) [Added 9-8-2004 by L.L. No. 9-2004]	East	Meghan Boulevard
Tower Street [Added 11-24-1986 by L.L. No. 23-1986]	Both	Deforest Street
Tower Street	Both	VanderVere Street
Trinity Avenue*	Both	Bernard Street
Trinity Avenue*	Both	Floyd Street
Trinity Avenue	South	Remsen Street
Trinity Avenue [Added 4-11-2018 by L.L. No. 5-2018]	Both	Scott Street
Tulip Street*	Both	Lawn Avenue
Tulip Street	West	Fern Avenue
Turnbull Street*	Both	Glenville Street
Turnbull Street* [Added 4-11-1990 by L.L. No. 8-1990]	Both	Rotterdam Street
Turnbull Street	North	Princetown Road
Tuscany Manor [Added 4-23-2014 by L.L. No. 7-2014]	Both	Al Constantino Drive
Valentine Drive	West	Fort Hunter Road
Valleyview Avenue	West	Gordon Road
Van Cortland Street [Added 11-27-2002 by L.L. No. 21-2002]	Both	Cady Avenue
VanderVere Street [Added 11-27-1991 by L.L. No. 17-1991; re-pealed 5-28-1997 by L.L. No. 9-1997]		
VanderVere Street*	Both	Ferguson Street
VanderVere Street* [Added 10-24-2012 by L.L. No. 7-2012]	Both	Greenpoint Avenue
VanderVere Street [Added 11-27-1991 by L.L. No. 17-1991]	Both	Rensselaer Avenue
VanderVere Street* [Added 12-23-1987 by L.L. No. 13-1987]	Both	Tower Street
VanderVere Street [Added 11-27-1991 by L.L. No. 17-1991]	West	Fiero Avenue
Van Dyke Avenue [Amended 4-27-1994 by L.L. No. 4-1994]	Both	Cleveland Avenue
Van Dyke Avenue* [Amended 5-11-1994 by L.L. No. 6-1994]	Both	Laura Street
Viewland Avenue [Added 7-11-2001 by L.L. No. 7-2001]	East	Valleyview Avenue
Viewland Avenue	West	Gordon Road
Viewpointe Drive [Added 6-26-1991 by L.L. No. 5-1991]	South	Horizon Boulevard
Vinewood Avenue* [Added 9-12-2001 by L.L. No. 11-2001]	Both	Sunrise Boulevard
Vista Boulevard	West	Dunnsville Road

Stop Sign on	Direction of Travel	At Intersection of
*Four-way stop		
[Added 10-22-2003 by L.L. No. 20-2003]		
Vista Boulevard	Southeast	Viewpointe Drive
[Added 2-25-1998 by L.L. No. 3-1998]		
Wagner Street	North	Van Cortland Street
Wagner Street	South	Chapel Street
Wagner Street	West	Hudson Street
Walnut Avenue	Both	Aster Street
Walnut Avenue	Both	Lilac Street
Walnut Avenue	Both	Willow Street
Wavell Road*	South	Butler Street
[Added 9-13-1995 by L.L. No. 4-1995]		
Wavell Road	West	Patton Drive
Wedgewood Avenue	Both	Best Avenue
Wedgewood Heights	Both	Westside Avenue
[Added 3-22-1989 by L.L. No. 5-1989]		
Wellington Avenue	Both	Delaware Avenue
[Added 11-25-1987 by L.L. No. 12-1987]		
Wellington Avenue	Both	Melrose Street
Wemple Lane	North	Dunnsville Road
Wendy Court	East	Gates Drive
[Added 5-10-1989 by L.L. No. 10-1989]		
West Hill (entrance road)	South	Putnam Road
Westside Avenue*	Both	Fordham Avenue
Westside Avenue*	Both	Roselawn Avenue
[Added 11-8-1989 by L.L. No. 18-1989]		
White Birch Court	West	Helderberg Avenue
[Added 2-11-1987 by L.L. No. 1-1987]		
Wildwood Avenue	South	Robinwood Avenue
William Street	South	East Campbell Road
Willow Street	East	Beverly Street
[Added 10-11-2000 by L.L. No. 18-2000]		
Wollner Lane	South	Alexander Drive
Woodbridge Avenue*	Both	Marengo Street
[Added 7-8-1992 by L.L. No. 12-1992]		
Woodbridge Avenue*	Both	Melrose Street
[Added 11-27-1991 by L.L. No. 15-1991]		
Woodlawn Street	Both	Fordham Avenue
[Added 8-26-1992 by L.L. No. 27-1992]		

§ 266-47. Schedule VII: Yield Intersections.

In accordance with the provisions of § **266-14**, the following described intersections are designated as yield intersections:

Yield Sign on	Direction of Travel	At Intersection of
Alexander Drive [Added 5-22-1991 by L.L. No. 3-1991]	Both	Riverview Drive
Arlene Street [Repealed 12-13-1995 by L.L. No. 6-1995]		
Barber Drive [Repealed 6-27-1990 by L.L. No. 14-1990]		
Benjamin Place	Both	Antonia Drive
Bluff Road [Repealed 11-24-1999 by L.L. No. 19-1999]		
Claremont Avenue	Both	Mercer Avenue
Clement Road [Repealed 5-28-1986 by L.L. No. 10-1986]		
Continental Road [Repealed 10-12-2005 by L.L. No. 19-2005]		
Delaware Avenue [Repealed 9-14-1988 by L.L. No. 7-1988]		
Dudley Road	North	Devendorf Road
Eugene Drive [Added 3-25-1987 by L.L. No. 3-1987]	North	Campbell Road
Eugene Drive	North	Stoodley Place
Evergreen Avenue [Repealed 7-23-2014 by L.L. No. 8-2014]		
Fifth Street [Repealed 9-10-1986 by L.L. No. 19-1986]		
First Avenue [Repealed 9-10-1986 by L.L. No. 19-1986]		
Fourth Street [Repealed 9-10-1986 by L.L. No. 19-1986]		
Gina-Marie Court [Added 10-14-1987 by L.L. No. 10-1987]	South	George Endries
Jenie Court [Added 6-26-1991 by L.L. No. 5-1991]	Northeast	Donald Drive
Jerry Avenue [Repealed 7-28-1993 by L.L. No. 14-1993]		
Kenmore Avenue	West	Wellington Avenue
Lilac Street	East	Beverly Street
Lilac Street	East	Rosewood Avenue
Manas Drive [Repealed 10-12-1988 by L.L. No. 10-1988]		
Marie Lane [Added 12-23-1987 by L.L. No. 14-1987]	North	Alheim Drive
Marie Lane [Added 12-23-1987 by L.L. No. 14-1987]	South	Palazini Drive
Marlette Street	East	Fiero Avenue
May Avenue		

Yield Sign on	Direction of Travel	At Intersection of
[Added 10-14-1987 by L.L. No. 10-1987; repealed 9-10-2003 by L.L. No. 16-2003]		
McKinley Avenue [Added 10-14-1987 by L.L. No. 10-1997; repealed 6-8-1994 by L.L. No. 11-1994]		
Melrose Street [Repealed 7-14-2016 by L.L. No. 6-2016]		
Mullen Drive [Repealed 10-12-2005 by L.L. No. 18- 2005]		
Old Mariaville Road [Repealed 3-26-1986 by L.L. No. 5-1986]		
Owen Road [Repealed 6-27-1990 by L.L. No. 14-1990]		
Palmer Avenue	North	Polsin Drive
Peyton Road	Both	Caldicott Road
Peyton Road [Repealed 2-28-1990 by L.L. No. 7-1990]		
Peyton Road [Repealed 11-14-1990 by L.L. No. 22-1990]		
Rabbetoy Street [Repealed 3-8-1989 by L.L. No. 4-1989]		
Riggi Avenue	South	Eugene Drive
Rocco Street [Added 12-23-1987 by L.L. No. 14-1987]	South	Inner Drive
Rotterdam Street [Repealed 4-11-1990 by L.L. No. 8-1990]		
Second Street [Repealed 9-10-1986 by L.L. No. 19-1986]		
Sherman Street [Repealed 2-12-1992 by L.L. No. 3-1992]		
Sherman Street [Repealed 12-13-2000 by L.L. No. 21- 2000]		
Sterling Road	East	South Westcott Road
Summer Street [Repealed 4-9-2003 by L.L. No. 7-2003]		
Swampscott Street	Both	Lilac Street
Swampscott Street	North	Beverly Street
Timmy Court [Added 6-26-1991 by L.L. No. 5-1991]	West	Donald Drive
Tollgate Lane [Added 8-12-1992 by L.L. No. 18-1992]	North	Manas Drive
Van Cortland Street [Added 9-13-2000 by L.L. No. 10-2000]	West	—
Vandervere Street [Repealed 11-27-1991 by L.L. No. 17-1991]		
Wellington Avenue		

Yield Sign on	Direction of Travel	At Intersection of
[Repealed 11-25-1987 by L.L. No. 12-1987]		
Wellington Avenue	Both	Edgewood Avenue
[Added 5-22-1991 by L.L. No. 3-1991]		
Westside Avenue	West	Oaklawn Avenue

§ 266-48. Schedule VIII: Speed Limits.

In accordance with the provisions of § **266-15**, speed limits are established and indicated upon the following streets or parts of streets:

Name of Street	Speed Limit (mph)	Location
Alheim Drive [Added 2-11-1987 by L.L. No. 1-1987]	25	Entire length
Broadway	35	From Schenectady City line to Route No. 7 known as "Curry Road"
Burdeck Street	35	From Mariaville Road to Duanesburg Road
Burdeck Street	35	From Mariaville Road to Schermerhorn Road
Campbell Road	40	From its westerly intersection with Route 5-S to its termination at the point of intersection with Schermerhorn Road
Crawford Road	40	From the Town boundary line to Route 5-S
Chrisler Avenue	40	At the base of ramp leading into Interstate Highway 890
Currybush Road	40	From the Town boundary to Mariaville Road
Dube Street [Added 2-11-1987 by L.L. No. 1-1987]	25	Entire length
Getz Road [Added 2-11-1987 by L.L. No. 1-1987]	25	Entire length
Helderberg Avenue [Amended 6-10-1987 by L.L. No. 6-1987]	30	From the northerly boundary of the Thruway bridge to Countyline Road
Helderberg Avenue [Amended 6-10-1987 by L.L. No. 6-1987]	30	From the Schenectady City line to Route 7 known as "Curry Road"
Horvath Street [Added 2-11-1987 by L.L. No. 1-1987]	25	Entire length
Howe Avenue	25	From Denver Avenue to Broadway
Inner Drive [Added 2-11-1987 by L.L. No. 1-1987]	25	Entire length
Kellar Avenue	35	From Duanesburg Road to Old Mariaville Road
Marie Lane	25	Entire length

Name of Street	Speed Limit	
	(mph)	Location
[Added 2-11-1987 by L.L. No. 1-1987]		
Outer Drive	25	Entire length
[Added 2-11-1987 by L.L. No. 1-1987]		
Palazini Drive	25	Entire length
[Added 2-11-1987 by L.L. No. 1-1987]		
Pangburn Road	40	From the Town boundary line to Currybush Road
Princeton Road	35	From Thompson Street to Putnam Road
Putnam Road	35	From Route 159 south-westerly along Upper Putnam Road to its intersection with Route 159 at Rynex Corners Road
[Added 3-26-1986 by L.L. No. 5-1986]		
Putnam Road	35	From West Campbell Road to Route 159
Roberta Road	25	Entire length
[Added 2-11-1987 by L.L. No. 1-1987]		
Rocco Street	25	Entire length
[Added 2-11-1987 by L.L. No. 1-1987]		
Schermerhorn Road	40	From the point of termination of Campbell Road to the D & H Railroad Spur highway crossing
Scotch Ridge Road	40	From the Town boundary line to Pangburn Road
Thompson Street	35	From the D & H Railroad tracks to the intersection of Burdeck Street
Watt Street	30	From Henry Street to 500 feet beyond the intersection of Wallard Avenue

§ 266-49. Schedule IX: School Speed Zones.

In accordance with the provisions of § **266-16**, speed limits are established as indicated upon the following streets or parts of streets designated as school speed zones:

Name of Street	Speed Limit	
	(mph)	Location
Draper Avenue		
[Repealed 4-27-2016 by L.L. No. 4-2016]		
Earl Street		
[Repealed 4-27-2016 by L.L. No. 4-2016]		
Ford Avenue	15	For a distance of 300 feet both sides north and south within school boundaries
Hamburg Street	15	From William Street to Stoodley Place

Name of Street	Speed Limit	
	(mph)	Location
Helderberg Avenue [Added 2-14-2018 by L.L. No. 2-2018]	20	From a point located 150 feet north of the intersection of Helderberg Avenue and Crestwood Drive, to a point located 300 feet south of the intersection of Helderberg Avenue and Warrior Way
Howell Street	15	For a distance of 300 feet on Howell Street in both directions from Miller Avenue
Miller Avenue	15	Entire length from Stoodley Place to H.L. Bradt School
Stanton Street [Repealed 4-27-2016 by L.L. No. 4-2016]		
Stoodley Place	15	From Eugene Drive to approximately 300 feet north of Miller Avenue
Vischer Avenue [Repealed 4-27-2016 by L.L. No. 4-2016]		

§ 266-50. Schedule X: Exclusion of Certain Vehicles.

In accordance with the provisions of § **266-17**, all vehicles in excess of the indicated maximum gross weights are hereby excluded from the following:

Name of Street	Maximum Weight	
	(tons)	Location
Amsterdam Avenue [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Argo Boulevard [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Arlene Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Bayberry Road	8	Entire length
Bernice Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Butler Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Cady Avenue [Added 6-14-1989 by L.L. No. 13-1989]	8	From its terminus to a point 225 feet north of Chrisler Avenue
Caldicott Road [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Campbell Road Extension	8	From Highbridge Road south to its terminus
Cardiff Road [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Careleon Road [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Caroline Avenue	8	Entire length

Name of Street	Maximum Weight (tons)	Location
Chapel Street [Added 6-14-1989 by L.L. No. 13-1989]	8	From Hamburg Street to a point 270 feet north of Chrisler Avenue
Chepstow Road [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Cox Avenue	8	Entire length
Crestwood Drive	8	Entire length
Crystal Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
DeForest Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Devendorf Road	8	Entire length
Dolan Drive	8	Entire length
Draper Avenue	8	Entire length
East Campbell Road	8	Entire length
Edgewood Avenue	8	Entire length
Elizabeth Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Ferguson Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Fiero Avenue [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
First Avenue	8	Entire length
Ford Avenue	8	Entire length
Franklin Street ^[1] [Amended 2-26-1997 by L.L. No. 3-1997; 12-19-2001 by L.L. No. 17-2001]	2	Entire length
Greenpoint Avenue [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Harold Street ^[2] [Amended 2-26-1997 by L.L. No. 3-1997; 12-19-2001 by L.L. No. 17-2001]	2	Entire length
Highbridge Road	8	Entire length
Hollywood Avenue	8	Entire length
Houlton Avenue	5	Entire length
Howell Street	8	Entire length
Hudson Street [Added 6-14-1989 by L.L. No. 13-1989]	8	From its terminus to a point 200 feet north of Chrisler Avenue
Keator Drive	8	Entire length
Kings Road	8	Entire length
Knox Drive	8	Entire length
Lawndale Avenue [Added 7-10-1991 by L.L. No. 6-1991]	8	From the intersection of Sunrise Boulevard to the point of intersection with the B-1 Retail Business District, approximately 150 feet west of Guilderland Avenue

Name of Street	Maximum Weight (tons)	Location
Leonard Street [Added 7-23-1986 by L.L. No. 15-1986]	4	Entire length
Marion Avenue	4	From Chrisler Avenue to the city line
Marlette Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Martin Street [Added 2-26-1997 by L.L. No. 3-1997]	5	Entire length
Mary Lane	6	From Burdeck Street through its terminus at a cul-de-sac or turn-around in Glen Mary Manor
May Avenue	5	Between East Campbell Road and Hamburg Street
Melrose Street	8	Entire length
Miles Standish Road	8	Between Merritt Drive and Guilderland Avenue
Miles Standish Road	8	Between Merritt Drive and Helderburg Avenue
Myrtle Avenue	8	Entire length
Oakdale Avenue [Added 7-10-1991 by L.L. No. 6-1991]	8	From the intersection of Lawndale Avenue to the intersection of Vinewood Avenue
O'Brien Avenue [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Old Mariaville Road	10	From Putnam Road east to Mariaville Road
Palm Avenue [Added 9-10-1986 by L.L. No. 18-1986]	4	From Tulip Street to the dead end of Palm Avenue
Patton Drive [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Paul Avenue [Amended 9-13-2023 by L.L. No. 10-2023]	4	Entire length
Peter Road	8	Entire length
Phillip Street	8	Entire length
Princetown Road [Added 5-9-1990 by L.L. No. 9-1990]	6	From Phillips Road to Putnam Road
Priscilla Lane	8	Entire length
Putnam Road	6	From West Campbell Road to Mariaville Road
Rensselaer Avenue [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Risoli Lane	6	From Duanesburg Road to Mary Lane
Robinwood Avenue	8	From Rt. 7, Curry Road, south to dead end

Name of Street	Maximum Weight (tons)	Location
Roselawn Avenue/Laura Street	8	From Guilderland Avenue to Cedarlawn Avenue
Schermerhorn Road	4	Entire length
Spruce Street [Added 7-23-1986 by L.L. No. 15-1986]	4	Entire length
Sterling Road	6	Entire length
Stoodley Place	8	Entire length
Stuart Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Summer Street	8	Entire length
Sunrise Boulevard [Added 4-26-1989 by L.L. No. 8-1989]	8	Entire length
Taylor Street ^[3] [Amended 2-26-1997 by L.L. No. 3-1997; 12-19-2001 by L.L. No. 17-2001]	2	Entire length
Tower Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	From Altamont Avenue to Marlette Street
Trinity Avenue [Amended 9-13-2023 by L.L. No. 10-2023]	4	Entire length
Vandervere Street [Amended 10-23-2002 by L.L. No. 16-2002]	4	Entire length
Vincent Avenue	8	Entire length
Vinewood Avenue [Added 7-10-1991 by L.L. No. 6-1991]	8	From the intersection of Sunrise Boulevard to the by point of intersection with the B-1 Retail Business District, approximately 150 feet west of Guilderland Avenue
Wagner Street [Added 6-14-1989 by L.L. No. 13-1989]	8	From Chapel Street to Cady Avenue
Wallace Avenue	8	Entire length
Wellington Avenue	8	Entire length
Westside Avenue	8	From Oaklawn Avenue to Helderberg Avenue
Williams Street ^[4] [Amended 2-26-1997 by L.L. No. 3-1997; 12-19-2001 by L.L. No. 17-2001]	2	From Duanesburg Road to Mariaville Road
William Street (Carmen)	5	Entire length

[1] *Editor's Note: According to L.L. No. 17-2001, school buses and service vehicles for the purpose of local residential pickup and delivery are excluded from this restriction*

[2] *Editor's Note: According to L.L. No. 17-2001, school buses and service vehicles for the purpose of local residential pickup and delivery are excluded from this restriction.*

[3] *Editor's Note: According to L.L. No. 17-2001, school buses and service vehicles for the purpose of local residential pickup and delivery are excluded from this restriction.*

[4] *Editor's Note: According to L.L. No. 17-2001, school buses and service vehicles for the purpose of local residential pickup and delivery are excluded from this restriction.*

§ 266-51. Schedule XI: Route System for Certain Vehicles.

- A. In accordance with the provisions of § **266-17B(1)**, vehicles having a total gross weight in excess of eight tons are permitted to travel and operate upon the following highways:

Name of Highway
Altamont Avenue
Broadway
Chapel Street
Chrisler Avenue
Hamburg Street
Mariaville Road
Princetown Road
Thompson Street
Westcott Road

- B. In accordance with the provisions of § **266-17B(2)**, vehicles having a total gross weight in excess of five tons are permitted to travel and operate upon the following highways:

Name of Highway
Campbell Road (Carmen)
Hamburg Street

§ 266-52. Schedule XII: No Parking at Any Time.

In accordance with the provisions of § **266-20**, no person shall park a vehicle at any time upon the following streets or parts of streets:

Name of Street	Side	Location
Adams Street	Northeast	From Bee Street to the dead end
Aster Street [Added 6-23-2021 by L.L. No. 4-2021]	North	Fern Avenue to Evergreen Avenue
Aster Street [Added 6-23-2021 by L.L. No. 4-2021]	South	30 feet to Lawn Avenue
Augustine Avenue [Added 5-27-1987 by L.L. No. 5-1987]	East	For a distance of approximately 15 feet northerly from Curry Road
Augustine Avenue [Added 5-27-1987 by L.L. No. 5-1987]	West	From the rear driveway of Curry Freeze property to Curry Road
Beeker Drive [Added 11-25-1998 by L.L. No. 17-1998]	Both	For a distance of 1/10 mile from New York State Route No. 7
Bee Street [Amended 5-28-1986 by L.L. No. 11-1986]	East	From Draper Avenue southerly for a distance of approximately 100 feet

Name of Street	Side	Location
Bee Street	South	From Adams Street to Poutre Avenue
Bee Street [Added 5-28-1986 by L.L. No. 11-1986]	West	From Draper Avenue southerly for a distance of approximately 25 feet
Bernard Street [Added 6-23-2021 by L.L. No. 4-2021]	Both	From Vinewood Avenue to Palma Avenue
Bradt Street	West	From Main Street to the end of Bradt Street, approximately 633 feet
Bruno Street	Both	From Broadway to the dead end
Caldicott Road [Added 11-24-1993 by L.L. No. 24-1993]	North	From its intersection with Hamburg Street for a distance of 50 feet
Cardiff Road [Added 8-26-1992 by L.L. No. 28-1992]	North	Starting at Hamburg Street and extending in a westerly direction for 150 feet
Cardiff Road [Added 11-14-2018 by L.L. No. 10-2018]	North	Extending west from the driveway located at 2002 Cardiff Road to the fire hydrant located at 2004 Cardiff Road
Cardiff Road [Added 11-14-2018 by L.L. No. 10-2018]	South	10 feet on either side of the driveway located at 2007 Cardiff Road
Carlton Street [Added 12-22-1986 by L.L. No. 25-1986]	North	From its intersection with Helderberg Avenue for a distance of 50 feet
Carlton Street	South	Commencing at a point 45 feet east of the property line of the apartment complex known as "Helderberg Arms" and ending at a point 45 feet east of said property line
Catherine Street		South from Long Avenue to its terminus
Chism Street [Added 11-13-2002 by L.L. No. 20-2002]	North	From its intersection with Hamburg Street to its intersection with Mt. Stuart Street
Cimino Lane [Added 11-24-1999 by L.L. No. 18-1999]	—	From its end in front of Building No. 6, in an easterly direction for a distance of 500 feet
Cimino Lane [Added 8-9-1989 by L.L. No. 16-1989]	West	From in front of Building No. 6 to Mariaville Road
Crane Street	West	Commencing at the boundary line between the Town of Rotterdam and the City of Schenectady continuing in a southerly direction along Crane Street approximately 1,065, plus or minus, linear feet to a point of intersection of Crane Street and Old Altamont Avenue
Denver Avenue [Added 9-12-2012 by L.L. No. 3-2012]	East	100 feet from Plunkett Avenue to 300 feet from Plunkett Avenue
Denver Avenue	West	100 feet from Plunkett Avenue to 260 feet from Plunkett Avenue

Name of Street	Side	Location
[Added 9-12-2012 by L.L. No. 3-2012]		
Draper Avenue	Northeast	Opposite Kent Street for a distance of 100 feet to Guilderland Avenue
Duglin Avenue [Added 5-9-2007 by L.L. No. 8-2007]	Both	In front of 425 and 430 Duglin to ensure access to emergency vehicles
Dunnsville Road	East/West	For a distance of 250 feet on either side of the fire station (Fire District No. 5)
Dunnsville Road [Added 10-11-1989 by Ord. No. 17-1989]	North	From Duanesburg Road (Route 7) west for 250 feet
Earl Street [Repealed 4-27-2016 by L.L. No. 4-2016]		
Earl Street	West	For 25 feet, at intersection with Draper Avenue
Fayette Drive	West	Opposite Fort Hunter Park from intersection of Owen Road, southerly to turn on Fayette Drive
Fern Avenue [Added 6-23-2021 by L.L. No. 4-2021]	East	Lilac Street to Tulip Street
Fern Avenue [Added 6-23-2021 by L.L. No. 4-2021]	West	35 feet to Aster Street*
Fern Avenue [Added 6-23-2021 by L.L. No. 4-2021]	West	30 feet to Remsen Street
Fern Avenue [Added 6-23-2021 by L.L. No. 4-2021]	West	35 feet to Tulip Street*
First Avenue	Both	Between Third Street and Fourth Street
First Street [Amended 1-24-2007 by L.L. No. 5-2007]	South	Between Hamburg Street and First Avenue (even-numbered houses)
Floral Avenue [Added 9-28-2016 by L.L. No. 9-2016]	West	Miles Standish Road to the dead end
Fourth Street [Added 9-10-2003 by L.L. No. 16-2003]	South	From Hamburg Street to Fourth Avenue
Frank Street	East	For 200 feet from Duanesburg Road
Hamburg Street	East	From Central Avenue to Chrisler Avenue
Hamburg Street	East	From Second Street to Butler Street
Hamburg Street	West	From Butler Street to Caldicott Road
Hollywood Avenue [Added 5-25-1994 by L.L. No. 9-1994]	East	From 135 feet south of Curry Road to Curry Road

Name of Street	Side	Location
Hollywood Avenue [Added 2-23-2011 by L.L. No. 3-2011]	East	Between Fairlane Road and Continental Road
Howe Avenue	West	From Denver Avenue to Broadway
John Alden Lane [Added 10-23-2002 by L.L. No. 17-2002]	—	Cul-de-sac at western end
Laura Street	Both	From Guilderland Avenue (New York Route No. 158) to Pauline Avenue
Lawn Avenue [Added 2-23-2022 by L.L. No. 4-2022]	East	Between Lilac Street and Tulip Street
Lawn Avenue [Added 2-23-2022 by L.L. No. 4-2022]	West	30 feet to Aster Street
Lawn Avenue [Added 2-23-2022 by L.L. No. 4-2022]	West	30 feet to Lilac Street
Lilac Street [Added 6-23-2021 by L.L. No. 4-2021]	North	Fern Avenue to Lawn Avenue
Lilac Street [Added 6-23-2021 by L.L. No. 4-2021]	South	30 feet to Lawn Avenue
Mabie Lane [Added 9-27-2006 by L.L. No. 13-2006]	Both	Entire length
Market Street	East	From its intersection with Main Street easterly for a distance of 50 feet
Market Street	West	From Main Street to the end of Market Street approximately 528 feet
Norfolk Avenue	Both	For a distance of 150 feet from its intersection with the paved portion of Altamont Avenue, also known as "New York State Route No. 7"
North Westcott Road [Added 12-12-2007 by L.L. No. 18-2007]	—	100 feet in each direction from the gate of the Rotterdam Corporate Park
Opus Boulevard [Added 2-14-2015 by L.L. No. 3-2018]	Both	Entire length
Palmer Street [Added 3-10-1993 by L.L. No. 5-1993]	Both	From the intersection of Highbridge Road northerly for a distance of 100 feet
Poutre Avenue	North	From Bee Street west for a distance of approximately 124 feet
Poutre Avenue	North	From a point 184 feet west of Bee Street for a distance of 40 feet
Poutre Avenue	Southeast	From Bee Street to the south curbline of the driveway of 2929 Plunkett Avenue

Name of Street	Side	Location
Putnam Street	East	From Main Street to the end of Putnam Street, approximately 422 feet
Rabbetoy Street [Added 10-10-2007 by L.L. No. 15-2007]	--	From 2403 Rabbetoy Street to the corner of Fiero Avenue
Remsen Street [Added 6-23-2021 by L.L. No. 4-2021]	North	Palma Avenue to Paul Avenue
Remsen Street [Added 6-23-2021 by L.L. No. 4-2021]	South	35 feet to Fern Avenue*
Sartoli Avenue [Added 12-8-2004 by L.L. No. 17-2004]	Both	Entire length
Second Avenue	Both	The short extension which lies between Third Street and Leonard C. White Park
Second Avenue	West	Between Second Street and Third Street
Sixth Street [Added 8-11-2010 by L.L. No. 7-2010]	North	Across the street from 1053 Sixth Street
South Thompson Street [Added 9-10-1986 by L.L. No. 17-1986]	West	From Niagara Mohawk Pole No. 15 southerly for approximately 135 feet to the existing chain-link fence of Bellevue Builders, Inc.
Spruce Street [Added 7-9-1986 by L.L. No. 13-1986]	South	From Floral Avenue westerly for a distance of approximately 125 feet
Stanton Street	East	For 25 feet, at intersection with Draper Avenue
Stanton Street	East	For 25 feet, at intersection with Vischer Avenue
Stanton Street [Repealed 4-27-2016 by L.L. No. 4-2016]		
Stuart Street	East	From Altamont Avenue to Deforest Street
Suffolk Avenue	Both	From Altamont Avenue, a distance of approximately 75 feet on the northerly side of Suffolk Avenue and a distance of approximately 75 feet on the southerly side of Suffolk Avenue
Summer Street	Both	From Broadway to Edgewood Avenue
Thew Street [Added 3-23-2022 by L.L. No. 5-2022]	Both	From Barton Avenue/Gray Street to southernmost dead end of Thew Street
Tower Avenue [Added 8-10-1988 by L.L. No. 4-1988]	Both	From its intersection with Chrisler Avenue for 100 feet
Vinewood Avenue	Both	From Curry Road, a distance of approximately 232 feet on the westerly side of Vinewood Avenue and a distance of approx-

Name of Street**Side****Location**

imately 200 feet on the easterly side of
Vinewood Avenue

§ 266-53. Schedule XIII: No Parking Certain Hours.

In accordance with the provision of § **266-21**, the parking of vehicles is prohibited in the following locations during the hours indicated:

Name of Street	Side	Hours/Days	Location
Angers Avenue	Both	10:00 p.m. to 4:00 a.m.	From Wedgewood Avenue to Tower Street
Brunswick Place [Added 11-10-2004 by L.L. No. 15-2004]	Both	7:00 a.m. to 3:00 p.m./Monday through Friday	Entire length
Chepstow Road	South	9:00 a.m. to 12:00 noon/Sundays only	For a distance of 150 feet from westerly side of Hamburg Street, also known as "New York State Route No. 146"
Draper Avenue [Added 2-22-1989 by L.L. No. 2-1989; re- pealed 4-27-2016 by L.L. No. 4-2016]			
Draper Avenue [Repealed 4-27-2016 by L.L. No. 4-2016]			
Draper Avenue [Repealed 4-27-2016 by L.L. No. 4-2016]			
Earl Street [Added 3-11-1992 by L.L. No. 5-1992; re- pealed 4-27-2016 by L.L. No. 4-2016]			
Elizabeth Street	Both	10:00 p.m. to 4:00 a.m.	From Altamont Avenue to Angers Avenue
Ford Street	Both	5:00 p.m. Saturdays through 1:00 p.m. Sundays	From Glenville Street northerly to Princetown Road
Fourth Street [Repealed 9-10-2003 by L.L. No. 16-2003]			
Lawndale Avenue [Repealed 5-13-1998 by L.L. No. 7-1998]			
Manas Drive [Added 2-9-2005 by L.L. No. 4-2005]	Both	7:00 a.m. to 3:00 p.m./Monday through Friday	From VanWormer Road to Tollgate Lane
Princetown Road [Added 2-14-1990 by L.L. No. 4-1990]	South	Saturdays and Sundays	From the intersection of Kelly Street and Princetown Road to the intersection of Ford Street and Princetown Road

Name of Street	Side	Hours/Days	Location
Second Avenue	East	5:00 p.m. to 9:00 p.m.	Between Fourth Street and Sixth Avenue
Second Street	Both	7:00 a.m. to 7:00 p.m.	From First Avenue to Second Avenue
Sunrise Boulevard [Repealed 9-22-2004 by L.L. No. 12-2004]			
Third Avenue	Both	5:00 p.m. to 9:00 p.m.	Between Third Street and Fourth Street
Third Street	Both	5:00 p.m. to 9:00 p.m.	Between First Avenue and Third Avenue
Tollgate Lane [Added 2-14-1990 by L.L. No. 4-1990]	Both	7:00 a.m. to 3:00 p.m./Monday through Friday	Entire length
Tower Avenue [Added 7-9-1986 by L.L. No. 14-1986]	Both	7:00 a.m. to 4:00 p.m./Monday through Friday	Within the cul-de-sac area at the end of Tower Avenue
Van Wormer Road [Added 11-10-2004 by L.L. No. 15-2004; amended 12-8-2004 by L.L. No. 16-2004]	Both	7:00 a.m. to 3:00 p.m./Monday through Friday	Entire length
Wedgewood Avenue	Both	10:00 p.m. to 4:00 a.m.	From Altamont Avenue to Dorsett Street

§ 266-54. Schedule XIV: Limited Time Parking.

In accordance with the provision of § **266-22**, the parking of vehicles is prohibited in the locations described below for a longer period of time than that designated, during the hours indicated:

Name of Street	Side	Time Limit	Hours	Location
		(Reserved) ^[1]		

[1] *Editor's Note: The entry for Draper Avenue, which comprised the entire section, was repealed 4-27-2016 by L.L. No. 4-2016.*

§ 266-55. Schedule XV: Overnight Parking.

In accordance with the provisions of § **266-23**, overnight parking (between the hours of 10:00 p.m. and 7:00 a.m.) shall be prohibited in those areas designated below:

Name of Street	Side	Location
Carlton Street	South	Commencing at a point 45 feet east of the property line of Helderberg Arms Apartments and ending at a point approximately 113 feet east of said point

§ 266-56. Schedule XVI: Standing Prohibited.

In accordance with the provisions of § **266-24**, the standing of vehicles is prohibited in the following locations during the hours indicated:

Name of Street	Side	Hours	Location
Hamburg Street	Both	All	Between the City of Schenectady corporation line and the northerly approach to the crossing of Hamburg Street over New York Central Railroad right-of-way
Lilac Street [Added 10-12-1988 by L.L. No. 9-1988]	South	All	From its intersection with Floral Avenue for a distance of 150 feet
Theodore Road [Added 7-22-1987 by L.L. No. 8-1987]	—	All	At the dead-end portion of Theodore Road, along its width, between the private properties located at the end of said road, for a distance of approximately 60 feet
Tower Avenue [Added 8-10-1988 by L.L. No. 4-1988]	Both	All	From its intersection with Chrisler Avenue for 100 feet

§ 266-57. Schedule XVII: Stopping Prohibited.

In accordance with the provisions of § **266-25**, the stopping of vehicles is prohibited in the following locations during the hours indicated:

Name of Street	Side	Hours	Location
(Reserved)			

§ 266-58. Schedule XVIII: Angle Parking.

[Amended 4-27-2016 by L.L. No. 4-2016]

In accordance with the provisions of § **266-26**, any person parking a vehicle in an available angled parking spot, while upon any of the following streets or parts of streets, shall park at the angle indicated:

Name of Street	Side	Angle	Location
Earl Street	South	Southwest	Entire length
Stanton Street	North	Northeast	Entire length

§ 266-59. Schedule XIX: Bus Stops.

In accordance with the provision of § **266-28A**, parking or standing is prohibited, excluding buses, at the following locations hereby designated as bus stops:

Name of Street	Side	Location
(Reserved)		

§ 266-60. Schedule XX: School Bus Zones.

In accordance with the provision of § **266-28B**, parking or standing is prohibited, excluding school buses, at the following locations hereby designated as school bus zones:

Name of Street**Side****Location**(Reserved)^[1]

[1] *Editor's Note: The entry for Vischer Avenue, which comprised the entire section, was repealed 4-27-2016 by L.L. No. 4-2016.*

§ 266-61. Schedule XXI: Taxi Stands.

In accordance with the provisions of § **266-29**, parking or standing is prohibited, except for taxis, at the following locations:

Name of Street**Side****Location**

(Reserved)

§ 266-62. Schedule XXII: Fire Lanes.

In accordance with the provisions of § **266-30**, parking is prohibited in the following locations, designated as fire lanes. Property owners must properly post locations.

Name of Street/ Premises**Side****Location**

Bernard Street

Both

From North Westcott Road west to Barnard Street Extension

[Added 12-22-1999 by L.L. No. 24-1999]

Bradt School

—

In an area extending from the curbs 30 feet wide along the entire frontage of the buildings known as the "Bradt School," on Hamburg Street in the Town of Rotterdam

[Added 12-22-1999 by L.L. No. 24-1999]

Bradt School

Both

All access roads within the school complex

[Added 12-22-1999 by L.L. No. 24-1999]

Brookview Court Apartments

Both

All access roads within apartment complex

[Added 12-22-1999 by L.L. No. 24-1999]

Crosstown Plaza

—

In an area extending from the curbs 36 feet wide along the entire frontage of the building known as the "Crosstown Plaza" in the Town of Rotterdam

[Added 12-22-1999 by L.L. No. 24-1999]

Curry Road Shopping Center

—

In an area extending from the curbs 25 feet wide along the entire frontage of the buildings known as "Curry Road Shopping Center," on Curry Road in the Town of Rotterdam

Draper Junior High School

In an area extending from the curbs 30 feet wide along the entire frontage of the building known as "Draper Junior High School," on Curry Road in the Town of Rotterdam

[Added 12-22-1999 by L.L. No. 24-1999]

Esquire Village

In an area extending from the curbs 30 feet wide along the entire frontage of the buildings known as the "Esquire Village," on Curry Road in the Town of Rotterdam

[Added 12-22-1999 by L.L. No. 24-1999]

Hannaford Plaza, known as the "Rotterdam Mall"

In an area extending from the curbs 36 feet wide along the entire frontage of the buildings located within the Hannaford Plaza on Altamont Avenue in the Town of Rotterdam

[Amended 12-22-1999 by L.L. No. 24-1999]

Name of Street/ Premises	Side	Location
Hannaford Plaza [Added 12-22-1999 by L.L. No. 24-1999]	Both	All access roads and interior roads within the Hannaford Plaza, Altamont Avenue, Town of Rotterdam
Jefferson School [Added 12-22-1999 by L.L. No. 24-1999]		In an area extending from the curbs 30 feet wide along the entire frontage of the building known as the "Jefferson School," on Princetown Road in the Town of Rotterdam
Lent Court Apart-ments [Added 12-22-1999 by L.L. No. 24-1999]	Both	All access roads within apartment complex
Maple Ridge Center [Added 12-22-1999 by L.L. No. 24-1999]	—	In an area extending from the curbs 30 feet wide along the entire frontage of the building known as the "Maple Ridge Center," on Hamburg Street in the Town of Rotterdam
Mohonasen High School [Added 12-22-1999 by L.L. No. 24-1999]	—	In an are extending from the curbs 30 feet wide along the entire frontage of the buildings known as the "Mohonasen High School," on Curry Road in the Town of Rotterdam
Phillips Street	West	From Duanesburg Road (New York Route No. 7) to the Convenient Market property line at or near Mariaville Road (New York Route No. 159)
Philomena Apart-ments [Added 12-22-1999 by L.L. No. 24-1999]	Both	All access roads within apartment complex
Pineview Apart-ments [Added 12-22-1999 by L.L. No. 24-1999]	Both	All access roads within apartment complex
Pinewood School [Added 12-22-1999 by L.L. No. 24-1999]	—	In an area extending from the curbs 30 feet wide along the entire frontage of the building known as the "Pinewood School," on Kings Road in the Town of Rotterdam
Price Chopper Super Market Shopping Center	—	Located at 1879 Altamont Avenue, the area extending from the curb a distance of 36 feet in width and being directly in front of the east side of the buildings situate within the shopping center area, starting from the southeast corner of the buildings within the shop-ping center and continuing approximately 570 feet in a northwesterly direction to the northwest corner of the buildings within the shop-ping center area
Public alley [Repealed 12-22-1999 by L.L. No. 24-1999]		
Public alley	—	Bounded on the east by Wallace Avenue and on the west by Bernard Street Extension
Rotterdam Senior Citizen Center [Added 12-22-1999 by L.L. No. 24-1999]	—	In an area extending from the curbs 30 feet wide along the frontage of the building known as the "Rotterdam Senior Citizen Center," on Hamburg Street in the Town of Rotterdam
Rotterdam Square Mall [Added 12-22-1999 by L.L. No. 24-1999]	—	In an area extending from the curbs 36 feet wide along the entire frontage of the buildings known as

Name of Street/ Premises	Side	Location
		the "Rotterdam Square Mall," on Campbell Road in the Town of Rotterdam
Schalmont School [Added 12-22-1999 by L.L. No. 24-1999]	Both	Along the roadway area known as the "circle" of the building known as the "Schalmont School," on Duanesburg Road in the Town of Rotterdam
Schermerhorn Hollow Mall (B.J.'s, Office Max, etc.) [Added 12-22-1999 by L.L. No. 24-1999]		In an area extending from the curbs 36 feet wide along the entire frontage of the buildings known as the "Schermerhorn Hollow Mall," on Campbell Road in the Town of Rotterdam
Super 8 Motel [Added 12-22-1999 by L.L. No. 24-1999]	Both	All access roads within motel complex
Walmart [Added 12-22-1999 by L.L. No. 24-1999]	Both	In an area extending from the curbs 30 feet wide along the entire frontage of the buildings known as the "Walmart," on Altamont Avenue in the Town of Rotterdam
Williams Street	Both	From the intersection of Duanesburg Road (New York Route No. 7) to a distance of 130 feet from the intersection of Duanesburg Road
Woestina School [Added 12-22-1999 by L.L. No. 24-1999]		In an area extending from the curbs 30 feet wide along the entire frontage of the buildings known as the "Woestina School," on Main Street, Rotterdam Junction, in the Town of Rotterdam

§ 266-63. Schedule XXIII: Maximum Weight of Commercial Vehicles.

[Added 7-10-2002 by L.L. No. 14-2002]

In accordance with the provisions of § **266-17A(2)**, all commercial vehicles in excess of four (4) tons are hereby excluded from the following streets and highways or parts thereof:

Name of Street

Franklin Street
Harold Street
Martin Street
Phillip Street
Taylor Street
Williams Street

[1] *Editor's Note: Former § 266-63, Schedule XXIII: Handicapped Parking Areas, was repealed 2-22-1995 by L.L. No. 1-1995.*

§ 266-64. Schedule XXIV: Crossing Zones.

In accordance with the provisions of § **266-36**, crossing zones are established in the following locations:

Name of Street

Location

(Reserved)^[1]

[1]

Article VIII. Installation of Speed Humps

[Added 2-10-1999 by L.L. No. 1-1999]

§ 266-65. Definitions.

As used in this article, the following terms shall have the meanings indicated:

SPEED HUMPS

Areas of raised pavement constructed or placed in, on and across a roadway. Speed humps are a roadway geometric design feature whose primary purpose is to reduce vehicular traffic speed along a roadway. Speed humps shall consist of deflections in the paved roadway surface for a uniformly varying height to a maximum of 2 5/8 inches plus or minus 1/8 inch over a twelve-foot long base. The construction markings and warning signs of the speed humps shall comply with standards developed by the Town of Rotterdam Department of Public Works and the Institute of Transportation Engineers.

§ 266-66. Requests by petition required.

- A. Requests for speed humps are to be proposed by written documentation which demonstrates substantial interest on the specific street being considered. A petition bearing the names, addresses and telephone numbers of the residents and business owners abutting a specific street will be considered for speed humps. The petition area consists of the entire length of a street in which speed humps are proposed to be located.
- B. Only one signature per residence and business is allowed. The petition shall include a printed name, signature and address for each person signing and the name of a contact person. When the petition is submitted to the Rotterdam Police Department, the person indicated as the contact person for the neighborhood on the petition will be sent a letter confirming receipt of the petition. The letter will indicate any additional procedures required for consideration of speed hump installation.

§ 266-67. Procedures for installation.

- A. The Rotterdam Police Department will conduct a survey on the specific street in question. A survey will be considered acceptable with signatures of at least 60% of the residences and businesses in the petition area represented on it, and in favor of the proposed speed hump installation.
- B. Proposed speed hump installations will be reviewed by the police, fire, ambulance and other emergency service departments, as well as the Department of Public Works and the Highway Department. Comments received will be fully considered in the decision-making process.
- C. Notice of meetings. Public information meeting(s) and hearing(s) will be conducted to obtain input from the community prior to speed hump installations. Comments received will be fully considered in the decision-making process. Notice of public hearing(s) will be published to notify all residents and businesses along the impact area, which includes the petition area and any adjacent neighborhoods. Notice will be distributed to the newspaper 10 days prior to the public hearing(s).
- D. Notice to petitioners. Following the completion of the engineering study, per § **266-69**, public information meeting(s) and hearing(s), the Town will distribute a notice to the contact person of the petition area indicating the results and recommendations.

- E. If speed humps are approved for installation by the Town Board, plans will be developed for proper installation in conjunction with the Highway Department.

§ 266-68. Data collection guidelines.

- A. Traffic volume data will be collected in a seven-day period on the street where the speed humps are requested and any other side street where the installation of speed humps would be affected.
- B. Speed data. Spot data will be collected. The minimum sample size is 100 vehicles. The average and 85th percentile speed will be determined and combined for both directions.
- C. Number of travel lanes and width of roadway will be determined.
- D. The condition of the pavement and drainage qualities will be evaluated.
- E. The grade of the street will be determined.
- F. The severity of the horizontal and vertical curves will be determined.
- G. The stopping sight distance will be determined.
- H. Vehicular and pedestrian traffic accidents for the last five years will be obtained.
- I. The street's zone is determined to be a residential (R1, R3) district, or a collector street in an agricultural (A1) zone, as defined in Chapter **270** of the Town Code.

§ 266-69. Police/Engineering study.

- A. Speed humps should be considered only to address documented safety or traffic concerns supported by traffic engineering and police studies, and after consideration of alternative traffic control measures.
- B. Since speed humps may divert traffic to other street facilities, an estimate of the amount and location of that diversion should be made so that the potential impacts of the proposed humps can be fully considered. If humps are expected to create equal or greater traffic problems on another residential street, they should not be installed.
- C. Speed humps should be considered only on streets which are located within a residential (R1, R3) district, or a collector street in an agricultural (A1) district, as defined in the Town of Rotterdam Zoning Code.^[1]
[1] Editor's Note: See Ch. 270, Zoning.
- D. Speed humps should be considered only on streets with no more than two travel lanes, or where the overall pavement width is not greater than 40 feet. In addition, the pavement should have good surface and drainage qualities.
- E. Speed humps should be considered only for use on streets with grades of 6% or less approaching the hump. When installed on streets with significant down grades, special care should be taken to ensure that vehicles will not approach the humps at excessive speed.
- F. Speed humps should not be considered within severe horizontal or vertical curves that might result in substantial lateral or vertical forces on a vehicle traversing the hump. Humps should be avoided within horizontal curves of less than 300 feet center-line radius and on vertical curves with less than the minimum safe stopping sight distance. If possible, humps should be located on tangent rather than curve sections.
- G. Speed humps should be considered only where the minimum safe stopping sight distance [as defined in the American Association of State Highway and Transportation Officials' (ASHTO's) "A Policy on Geometric Design of Streets"] can be provided.

- H. Speed humps should be considered only on streets where the posted speed limit is 30 miles per hour or less. Speed humps should be considered if, based upon a speed study, a minimum of 40% of the motorists on the street exceed the speed limit and/or the 85th percentile speed is 10 miles per hour or more than the posted speed limit.
- I. Speed humps should typically be installed only on streets with an average daily traffic volume of 3,500 vehicles or less. In addition, streets should have a minimum average daily volume of 500 vehicles for speed hump consideration.
- J. Accident analysis should be performed to determine the average accident rate in the five previous calendar years, plus any of the current year for which accident data is available.
- K. When installed to address documented or anticipated vehicle or pedestrian accidents, the causes of those accidents should be susceptible to correction by speed humps. Proposed speed hump locations should be evaluated to determine that such an installation will not introduce increased accident potential for the subject street.
- L. Speed humps should not generally be considered on streets that are defined or used as primary or routine emergency vehicle access routes.
- M. Speed humps should not generally be considered along streets with established transit routes.
- N. In the event that several requests for speed humps are considered at a given time, those with the greatest incident of reported accidents involving excessive speed, and those locations with the highest volume of traffic, should be given the highest priority.

§ 266-70. Removal procedures.

- A. Removal of speed humps should be considered only after an adequate review period and subsequent analysis has been performed to determine the traffic characteristics along the route and the impacts to the remaining street system.
- B. The Rotterdam Police Department will conduct a survey on the specific street in question to verify the request. A survey result with signatures of at least 60% of the residences and businesses in the petition area represented on it, and in favor of removal of the speed hump, will initiate the request. The request will be followed by a coordinated review by the police, fire, ambulance and other emergency departments, as well as the Department of Public Works and the Highway Department. Based on this coordinated review, a recommendation will be forwarded to the Town Board.
- C. Town Board approval to rescind the resolution will follow appropriate procedures.

§ 266-71. Design and construction.

The design and construction of speed humps will be provided in accordance with "Guidelines for the Design and Application of Speed Humps," prepared by the Institute of Transportation Engineers, in conjunction with good engineering practice.

§ 266-72. Monitoring and evaluation following installation.

- A. Immediately after speed hump installation, and at selected times thereafter, observation will be made to determine motorists' behavior patterns and any unusual operating conditions, including pedestrian, bicycle and social activities.
- B. After installation, speed studies will be performed to determine their impact on vehicle operating speeds.

- C. Traffic volume counts, after installation, will be made on the subject street and on those other streets where traffic diversion may be expected.
- D. Both intersection turning movement and twenty-four-hour volume counts may be needed to quantify these impacts.
- E. Studies may be desirable after hump installation to determine if the speed humps have impacted the compliance rate of affected stop sign locations. Increased violation rates should be considered in speed hump evaluations and selective enforcement may be necessary to address the problem.
- F. An accident analysis will be performed to determine if accident trends in the affected area have been noticeably impacted by the speed hump installation.

§ 266-73. Designated streets for installation of speed humps.

[Added 9-22-1999 by L.L. No. 14-1999]

In accordance with the provisions of Chapter **266**, speed humps are established on the following streets:

Name of Street	Number of Speed Humps
Argo Boulevard	3
Becker Crossing	4

[Added 10-11-2000 by L.L. No. 20-2000]

Article IX. Driver Responsibility Fee

[Added 9-28-2016 by L.L. No. 8-2016]

§ 266-74. Driver responsibility fee.

- A. Intent; purpose. The Town Board of the Town of Rotterdam finds that there is a cost to the Town associated with the adjudication of violations before the Town Justice Court and that the Town is not reimbursed for such costs. Therefore, the Town Board finds that it would be in the best interest of the Town to authorize the imposition of a "driver responsibility fee" to recover the costs associated with the adjudication of such fees as set forth in this article.
- B. Authority. In accordance with Municipal Home Rule Law § 10(1)(ii)(a)(9-a), which authorizes the Town to adopt and amend local laws relating to the fixing, levy, collection, and administration of charges, rates, and fees, the Town Board hereby authorizes the imposition of a driver responsibility fee as provided for in this article.
- C. Fees. Any person charged with a violation and whose case has been adjudicated to a final disposition, other than a final adjudication which results in a not guilty verdict or dismissal of charges, shall be responsible for a driver responsibility fee. Such fee shall be in an amount that shall be set, from time to time, by resolution of the Town Board.

Chapter 270. Zoning

Article V. A Agricultural District

§ 270-17. Permitted uses.

The following principal uses are permitted as of right in the A District:

- A. Single-family dwellings.
- B. Churches or similar places of worship, parish houses, convents and community houses.
- C. Customary agricultural operations, including all buildings, structures and uses appurtenant to and used in general farming, agricultural truck farming, gardening, poultry raising, tree nurseries and greenhouses, subject to the following restrictions:
 - (1) No building in which farm animals are kept shall be closer than 150 feet to any adjoining residential building.
 - (2) No storage of manure or odor or dust-producing substances shall be permitted within 150 feet from any adjoining residential building.
 - (3) No greenhouse heating plant shall be operated within 50 feet of any adjoining residential building.
- D. Public and private schools.
- E. Firehouses and Town maintenance and service facilities.
- F. Public parks, playgrounds and other municipal recreational uses.
- G. Public libraries and museums.
- H. Wind energy facilities subject to the requirements of the Town of Rotterdam Wind Energy Facility Law.^[1]
[Added 10-8-2008 by L.L. No. 10-2008]
^[1] *Editor's Note: See Ch. 269, Wind Energy Facilities.*

§ 270-18. Special uses.

[Amended 11-24-1999 by L.L. No. 17-1999]

The following special uses may be permitted or denied subject to special use review under Article **XIX** of this chapter:

- A. Golf courses and golf driving ranges.
- B. Ski lifts, ski slopes and trails and accessory facilities.
- C. Horseback riding clubs and public and private stables.

- D. Cemeteries.
- E. Mobile homes. (See Rotterdam Trailer Ordinance.^[1])
[1] *Editor's Note: See Ch. 260, Trailers.*
- F. Commercial extraction of topsoil, sand, gravel or stone.
- G. Towers.
- H. Temporary accessory home-care units per Article IV, § 270-15.2.
- I. Bed-and-breakfasts.
- J. Kennels, however, must comply with the following:
[Added 7-11-2001 by L.L. No. 6-2001]
 - (1) Kennel pens and exercise area(s) may not be operated within 300 feet of a residence other than the residence of the owner or operator thereof.
 - (2) Kennel pens may not be located within 100 feet of an adjoining property line.
 - (3) The minimum lot size required is 10 acres.
 - (4) Dogs must be confined within a building between the hours of 10:00 p.m. and 7:00 a.m.
 - (5) Conditions to be considered when hearing a request to allow a kennel special use permit shall include, but are not limited to, the following:
 - (a) Provisions for controlling offensive noise and odor.
 - (b) Approved disposal plan for animal waste.
 - (c) Training and/or expertise of the owner/operator.
 - (d) Maximum numbers of animals to be maintained.
 - (e) The effect on the character of the neighborhood.
 - (f) Existing or proposed natural or man-made buffers.
- K. Private recreational uses.
[Added 6-12-2002 by L.L. No. 11-2002]
- L. Disturbance on a wetland or watercourse area of any class or in a wetland or watercourse buffer area as defined in this chapter.
[Added 4-27-2005 by L.L. No. 9-2005]
- M. Solar farms and solar power plants in accordance with § 270-153.
[Added 2-22-2017 by L.L. No. 1-2017]
- N. Adaptive reuse of religious and educational buildings in accordance with § 270-167D.
[Added 6-26-2019 by L.L. No. 9-2019]
- O. Farm brewery, farm cidery, farm winery, farm meadery, farm distillery, microbreweries, microwineries, and microdistilleries. Microbreweries, microcideries, microwineries, and microdistilleries, however, must comply with the following:
[Added 5-24-2023 by L.L. No. 5-2023]
 - (1) Each microbrewery, microcidery, microwinery, or microdistillery shall manufacture and sell alcoholic beverages in accordance with the provisions of the New York State Liquor Authority and shall maintain current licenses as required by said agency.
 - (2) No outdoor storage shall be permitted.

- (3) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
- (4) By-products or waste from the production of malt, vinous or distilled liquor shall be properly disposed of off the property or other acceptable method.
- (5) The emission of odors or smells in such quantities as to produce a public nuisance or hazard is not permitted.
- (6) Excessive noise in violation of Chapter **188** is prohibited and may result in revocation of the special use permit.
- (7) No more than two food cart vendors are permitted on-site.
- (8) Hours of operation shall be addressed during site plan review.

§ 270-19. Accessory uses.

Accessory uses permitted in the A District shall be limited to the following:

- A. Private garages with not more than three stalls for the parking or storage of private automobiles.
- B. Roadside produce stands.
- C. Buildings and structures for lawn care, property maintenance and permitted agriculture.
- D. Private swimming pools, tennis courts and other private recreational facilities for use of residents and not run for gain.
- E. Permitted home occupations.
- F. Accessory kennels.
- G. Accessory parking and loading.
- H. Fallout shelters.
- I. Dish antennas and accessory towers.
- J. Small wind energy facilities and wind measurement towers subject to the requirements of the Town of Rotterdam Wind Energy Facility Law.^[1]
[Added 10-8-2008 by L.L. No. 10-2008]
[1] Editor's Note: See Ch. 269, Wind Energy Facilities.
- K. Raising of chicken hens, provided that such accessory use is accessory to a single-family dwelling principal use and is in compliance with § **270-15.4**.
[Added 11-9-2022 by L.L. No. 8-2022]

Chapter 270. Zoning

Article IX. B-1 Retail Business District

§ 270-55. Permitted uses.

The following uses are permitted as of right in the B-1 District:

- A. All uses permitted as of right in the R-1 and R-2 Districts, subject to the regulations specified in such residential districts.
- B. Personal service shops, including but not limited to barbershops, shoeshine shops, beauty parlors, dry-cleaning and laundry-pickup and -delivery shops and card shops.
- C. Banks, offices, restaurants, cafes, tearooms, grocery and meat stores, flower shops and similar retail establishments, except businesses primarily engaged in the sale of used goods, merchandise or machinery.
- D. Banking, confectionary, dressmaking, laundromats, printing, tailoring and upholstering, subject to the following provisions:
 - (1) All such processing or manufacturing shall be done on the premises.
 - (2) Not more than five persons shall be employed at any one time.
- E. Indoor theaters, assembly halls, game rooms, billiard and pool parlors and bowling alleys.
- F. Funeral homes.
- G. Operations involving the repair, reconstruction, analysis or inspection of computers, electronic and communication equipment and similar components, provided that no manufacturing is performed and all operations are conducted within a completely enclosed building.
- H. Automobile parking lots with at least 10 parking spaces for private vehicles and a driveway for entrance and exit from such spaces. Such vehicles must be in running condition, able to be driven at any time under their own power. Lots for the sale or lease of motor vehicles are specifically prohibited.
- I. Antique sales and secondhand stores, provided that such establishments shall conduct all activities and storage entirely within an enclosed building.
[Added 2-26-1997 by L.L. No. 2-1997]

§ 270-56. Special uses.

The following special uses may be permitted or denied subject to review under Article **XIX** of this chapter:

- A. Drive-in establishment accessory to a permitted use.
- B. Public utility or communications installations.

- C. Convenience store.
- D. Car wash.
- E. Fence companies, retail and wholesale.
[Added 9-8-1999 by L.L. No. 13-1999]
- F. Disturbance on a wetland or watercourse area of any class or in a wetland or watercourse buffer area as defined in this chapter.
[Added 4-27-2005 by L.L. No. 9-2005]
- G. Hotels and Motel, as defined under § **270-5**, Definitions as a special uses in the (B-1) Retail Business District.
[Added 10-24-2018 by L.L. No. 9-2018]
- H. Hospitals.
[Added 12-12-2018 by L.L. No. 11-2018]
- I. Care homes.
[Added 12-12-2018 by L.L. No. 11-2018]
- J. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries, however, must comply with the following:
[Added 5-24-2023 by L.L. No. 5-2023]
 - (1) Each brewpub, microbrewery, microcidery, microwinery, or microdistillery shall manufacture and sell alcoholic beverages in accordance with the provisions of the New York State Liquor Authority and shall maintain current licenses as required by said agency.
 - (2) No outdoor storage shall be permitted.
 - (3) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
 - (4) By-products or waste from the production of malt, vinous or distilled liquor shall be properly disposed of off the property.
 - (5) The emission of odors or smells in such quantities as to produce a public nuisance or hazard is not permitted.
 - (6) Excessive noise in violation of Chapter **188** is prohibited and may result in revocation of the special use permit.
 - (7) Food cart vendors are permitted on-site only by permission of the Planning Board.
 - (8) Hours of operation shall be addressed during site plan review.

Chapter 270. Zoning

Article IX. B-1 Retail Business District

§ 270-55. Permitted uses.

The following uses are permitted as of right in the B-1 District:

- A. All uses permitted as of right in the R-1 and R-2 Districts, subject to the regulations specified in such residential districts.
- B. Personal service shops, including but not limited to barbershops, shoeshine shops, beauty parlors, dry-cleaning and laundry-pickup and -delivery shops and card shops.
- C. Banks, offices, restaurants, cafes, tearooms, grocery and meat stores, flower shops and similar retail establishments, except businesses primarily engaged in the sale of used goods, merchandise or machinery.
- D. Banking, confectionary, dressmaking, laundromats, printing, tailoring and upholstering, subject to the following provisions:
 - (1) All such processing or manufacturing shall be done on the premises.
 - (2) Not more than five persons shall be employed at any one time.
- E. Indoor theaters, assembly halls, game rooms, billiard and pool parlors and bowling alleys.
- F. Funeral homes.
- G. Operations involving the repair, reconstruction, analysis or inspection of computers, electronic and communication equipment and similar components, provided that no manufacturing is performed and all operations are conducted within a completely enclosed building.
- H. Automobile parking lots with at least 10 parking spaces for private vehicles and a driveway for entrance and exit from such spaces. Such vehicles must be in running condition, able to be driven at any time under their own power. Lots for the sale or lease of motor vehicles are specifically prohibited.
- I. Antique sales and secondhand stores, provided that such establishments shall conduct all activities and storage entirely within an enclosed building.
[Added 2-26-1997 by L.L. No. 2-1997]

§ 270-56. Special uses.

The following special uses may be permitted or denied subject to review under Article **XIX** of this chapter:

- A. Drive-in establishment accessory to a permitted use.
- B. Public utility or communications installations.

- C. Convenience store.
- D. Car wash.
- E. Fence companies, retail and wholesale.
[Added 9-8-1999 by L.L. No. 13-1999]
- F. Disturbance on a wetland or watercourse area of any class or in a wetland or watercourse buffer area as defined in this chapter.
[Added 4-27-2005 by L.L. No. 9-2005]
- G. Hotels and Motel, as defined under § **270-5**, Definitions as a special uses in the (B-1) Retail Business District.
[Added 10-24-2018 by L.L. No. 9-2018]
- H. Hospitals.
[Added 12-12-2018 by L.L. No. 11-2018]
- I. Care homes.
[Added 12-12-2018 by L.L. No. 11-2018]
- J. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries, however, must comply with the following:
[Added 5-24-2023 by L.L. No. 5-2023]
 - (1) Each brewpub, microbrewery, microcider, microwinery, or microdistillery shall manufacture and sell alcoholic beverages in accordance with the provisions of the New York State Liquor Authority and shall maintain current licenses as required by said agency.
 - (2) No outdoor storage shall be permitted.
 - (3) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
 - (4) By-products or waste from the production of malt, vinous or distilled liquor shall be properly disposed of off the property.
 - (5) The emission of odors or smells in such quantities as to produce a public nuisance or hazard is not permitted.
 - (6) Excessive noise in violation of Chapter **188** is prohibited and may result in revocation of the special use permit.
 - (7) Food cart vendors are permitted on-site only by permission of the Planning Board.
 - (8) Hours of operation shall be addressed during site plan review.

Article XI. I-1 Light Industrial District

§ 270-73. Special uses.

[Amended 9-12-1990 by L.L. No. 18-1990; 4-11-2001 by L.L. No. 4-2001]

The following uses may be permitted or denied subject to special use review under Article **XIX** of this chapter:

- A. Asphalt-mixing or concrete-mixing plants.
- B. Crematoriums.
- C. Facilities for the filling of portable tanks with liquid propane.

- D. Motor vehicle repair shops providing either major or minor motor vehicle repairs.
- E. Motor vehicle sales and rental establishments.
- F. Brick, glass, pottery, tile or terra-cotta manufacturing.
- G. Poultry killing and dressing.
- H. Public utility and communications installations.
- I. Structural steelworks.
- J. Trucking terminals, warehousing and distributing with outdoor storage of materials.
- K. Towers.
- L. Motor vehicle fuel filling stations.
- M. Convenience stores.
- N. Disturbance on a wetland or watercourse area of any class or in a wetland or watercourse buffer area as defined in this chapter.
[Added 4-27-2005 by L.L. No. 9-2005]
- O. Solar farms and solar power plants in accordance with § **270-153**.
[Added 2-22-2017 by L.L. No. 1-2017]
- P. Licensed adult-use cannabis retail dispensaries.
[Added 12-27-2022 by L.L. No. 1-2023]
- Q. Licensed adult-use cannabis on-site consumption facilities.
[Added 12-27-2022 by L.L. No. 1-2023]

§ 270-74. Accessory uses.

Accessory uses permitted in the I-1 District shall be limited to the following:

- A. Parking and loading.
- B. Bus shelters and loading areas.
- C. Temporary offices and storage.
- D. Buildings and uses customarily accessory to the permitted principal use.
- E. Dish antennas and permitted accessory towers.
- F. Permitted signs.
- G. Storage of registered vehicles, boats and trailers.
- H. Storage or parking of commercial vehicles.
- I. Small wind energy facilities and wind measurement towers subject to the requirements of the Town of Rotterdam Wind Energy Facility Law.^[1]
[Added 10-8-2008 by L.L. No. 10-2008]
^[1] *Editor's Note: See Ch. 269, Wind Energy Facilities.*

Chapter 270. Zoning

Article XIV. AO Aquifer Overlay District

§ 270-114. Use requirements and limitations.

[Amended 2-12-1992 by L.L. No. 2-1992]

The following use limitations and requirements shall apply to all land within the AO Aquifer Overlay District. To the extent that any of the provisions of this section are more restrictive than those requirements and limitations set forth in the Schenectady Intermunicipal Watershed Rules and Regulations, Article **XXII**, then the provisions of this section shall be controlling.

- A. Application of wastes. The land application of municipal wastewater, sludge or septage is prohibited. The disposal of septage, sludge or municipal wastewater into any watercourse is prohibited.
- B. Disposal wells. The installation or use of disposal wells is prohibited.
- C. Recharge basins. The installation or use of stormwater runoff recharge basins is prohibited.
- D. Snow disposal. The stockpiling or dumping of snow removed from urban areas is prohibited.
- E. Animal wastes.
 - (1) Farm animal wastes shall not be concentrated in one area except where provision has been made to prevent seepage into groundwater.
 - (2) Suitable storage facilities are required when it is not possible to spread or dispense of wastes on a daily basis.
- F. Sewers. All sewers installed shall be as leakproof as the state of art allows. Remedial measures shall be taken by the owner if evidence indicates excessive infiltration or exfiltration is occurring.
- G. Industrial sludge and toxic chemicals. No toxic chemical identified by the United States Environmental Protection Agency or the New York Department of Environmental Conservation shall be stored except under permit from those agencies.
- H. Wastewater lagoon and pits. Use of wastewater lagoons and pits for temporary storage of wastewater is prohibited. All storage facilities shall be watertight, located aboveground and under permit by the Department of Environmental Conservation.
- I. Disposal. Disposal of toxic chemicals, industrial sludge or radioactive materials is prohibited.
- J. Fertilizer storage. All bulk storage of artificial fertilizers for agricultural or commercial use must be within a completely enclosed building or structure which will prevent any seepage and runoff.
- K. Pesticide and herbicide use. No pesticides or herbicides shall be stored or applied unless expressly authorized by the Town Board following review under the procedure and standards of this section. All such use, storage or application shall be under permit as provided by State Environmental Conservation Law.

- L. Storage tanks and pipelines. The installation construction, placement or replacement of underground storage tanks, pipelines or containers for petroleum products or any other toxic chemical is prohibited. All aboveground storage tanks, pipelines and transfer areas shall, to the maximum extent feasible, be designed to minimize the risk of groundwater contamination by incorporating backup containment structures, impervious surfaces, catchment areas and other features. The Town reserves the right to prohibit installation or expansion of aboveground storage tanks and pipelines where consistent with the purpose and standards of this section. Further, the owner of any storage tank, pipeline, container or transfer area is responsible for prompt reporting of any spills or leaks and for the cost of cleanup, containment and damages.
- M. Salt and coal stockpiles. The storage of chloride salts, nitrate salts or coal is prohibited except in a completely enclosed building or structure which will prevent any seepage and runoff containing such materials.
- N. Water wells. All water supply wells shall be constructed in accordance with the requirements of the Department of Health.
- O. Abandoned wells. All abandoned wells shall be sealed in accordance with the requirements of the Department of Health.
- P. Mining and the commercial extraction of topsoil, sand, gravel or stone. Mining and the commercial extraction of topsoil, sand, gravel or stone are prohibited uses within the Aquifer Overlay District as described in § **270-115** of this article.

Article XV. FH Flood Hazard District

§ 270-117. Special uses.

The establishment or expansion of the following principal uses may be permitted or denied subject to special use permit review under Article **XIX** of this chapter:

- A. Single-family dwellings.
- B. Customary agricultural operations, including all buildings, structures and uses appurtenant to and used in general farming, agricultural truck farming, gardening, poultry raising, tree nurseries and greenhouses, except there shall be no concentration of animal wastes, manure piles, feedlots or confined yard areas and no storage of chemical fertilizers, pesticides or similar materials which may pose a risk to surface water or groundwater quality.
- C. Public parks, playgrounds, boat-launch facilities, nature areas, preserves, bike/hike trails and similar public recreational facilities.
- D. Riding clubs and public stables, provided that there shall be no concentration of animal wastes, manure piles or confined yard areas.

§ 270-118. Accessory uses.

Accessory uses permitted in the FH District shall be limited to the following:

- A. Private garages with not more than three stalls for the parking or storage of private automobiles.
- B. Buildings and structures for lawn care, property maintenance and permitted agriculture.
- C. Private swimming pools, tennis courts and other private recreational facilities for use of residents and not run for gain.
- D. Permitted home occupations.

- E. Accessory kennels.
- F. Accessory parking and loading.
- G. Fallout shelters.
- H. Dish antennas and accessory towers.

Chapter 270. Zoning

Article XVI. F-1 Floodway Channel District

§ 270-125. Permitted uses.

Subject to the restrictions and limitations set forth in this article, uses permitted within the floodway channel district shall be the same as those permitted within the district through which the Floodway Channel District runs, except, however, where two different districts adjoin a Floodway Channel District, the use regulations of the more restrictive district shall apply.

Chapter 270. Zoning

Article XXVI. Erosion and Sediment Control

[Added 4-27-2005 by L.L. No. 9-2005]

§ 270-215. Requirements and regulations.

A. Findings and legislative intent:

- (1) Uncontrolled drainage and runoff associated with land development activity has a significant impact upon the health, safety and welfare of the community.
- (2) Eroded soil endangers water resources by reducing water quality and causing the silting of streams, lakes and other water bodies, adversely affecting aquatic life.
- (3) Stormwater runoff and sediment transports pollutants such as heavy metals, hydrocarbons, nutrients and bacteria to water resources, degrading water quality.
- (4) Eroded soil necessitates repair and accelerates the maintenance needs of stormwater management facilities.
- (5) Clearing, grading and altering natural topography during construction tends to increase erosion.
- (6) Improper design and construction of drainage facilities can increase the velocity of runoff, thereby increasing stream bank erosion and sedimentation.
- (7) Impervious surfaces increase the volume and rate of stormwater runoff and allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream base flow.
- (8) Improperly managed stormwater runoff can increase the incidence of flooding and the severity of floods that occur, endangering property and human life.
- (9) Substantial economic losses can result from these adverse impacts.
- (10) Stormwater runoff, soil erosion, and non-point source pollution can be controlled and minimized through the regulation of land development activities.

B. Purpose. The purpose of this article is to safeguard persons, protect property, and prevent damage to the environment in the Town of Rotterdam, New York. This article will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other land development activity. This article seeks to meet these purposes by achieving the following objectives:

- (1) Minimize soil erosion and sedimentation on streams, water bodies, and neighboring properties.
- (2) Avoid excessive and/or unnecessary tree and vegetation removal.
- (3) Minimize air quality degradation that can occur as a result of windblown soil associated with properties being cleared and graded for development.

- (4) Maintain the integrity of watercourses and sustain their hydrologic functions.
 - (5) Prevent increases in the magnitude and frequency of stormwater runoff to prevent an increase in flood flows and the hazards and costs associated with flooding.
 - (6) Prevent decreases in groundwater recharge and stream base flow to maintain aquatic life, assimilative capacity, and water supplies.
 - (7) Facilitate the removal of pollutants in stormwater runoff to perpetuate the natural biological function of water bodies.
- C. Statutory authority. In accordance with Article 10 of the Municipal Home Rule Law of the State of New York, the Town Board of the Town of Rotterdam has the authority to enact local laws and amend local laws for the purpose of promoting the health, safety or general welfare of the Town of Rotterdam and for the protection and enhancement of its physical environment. The Town Board may include in any such local law provisions for the appointment of any municipal officer, employees, or independent contractor to effectuate, administer and enforce such local law.
- D. Applicability. Unless specifically exempted in Subsection **D(1)** below, no person, corporation, or other legal entity shall engage in land clearing activity or grading in the Town without having received a site development permit from the Town of Rotterdam Department of Public Works (DPW). Depending upon the project, this permit may also require approval of a stormwater pollution prevention plan (SWPPP).

[Amended 3-11-2009 by L.L. No. 2-2009]

- (1) No SWPPP is required by this Code for the following exempt activities:

- (a) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
- (b) Agricultural operations conducted as a permitted principal or accessory use.
- (c) Construction activities on property used for agriculture or silvaculture involving a disturbance of less than five acres.
- (d) Mining, as defined as any activity regulated by the New York State Mined Land Reclamation Law (Environmental Conservation Law, Article 23, Title 27).
- (e) The renovation/replacement of a septic system serving an existing dwelling or structure.
- (f) Lawn and landscaping maintenance on developed properties unless such activity meets the definition of "major project" or "minor project" under this Code.
- (g) Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.
- (h) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management and/or MS4 Coordinator.
- (i) Cemetery graves.
- (j) Installation of fence, sign, telephone and electric poles and other kinds of posts or poles.

- (2) Applicants must also obtain all other permits required by state, federal, and local laws. Whenever the particular circumstances of a proposed land development activity require compliance with special use, site plan, or subdivision procedures of the Town of Rotterdam, the Planning Commission should make every effort possible to integrate the requirements prescribed herein as appropriate and determine the adequacy of the SWPPP.

- E. Review and approval.

- (1) No application for a land development activity permit, special permit or site plan approval shall be approved until the appropriate board and/or department has received a stormwater pollution

prevention plan (SWPPP) prepared in accordance with the specifications contained herein.
[Amended 3-11-2009 by L.L. No. 2-2009]

- (2) For land development activity not subject to special permit, site plan, or subdivision requirements, the Stormwater Management Officer and/or his or her designee shall review the SWPPP to determine its completeness and conformance with the provisions herein. Within 30 days of receipt of a SWPPP, the Stormwater Management Officer and/or his or her designee shall make a determination as to whether it is complete. If it is deemed not complete, the Stormwater Management Officer and/or his or her designee shall notify the applicant in writing as to the deficiencies in the plan and the requirements for completeness. Within 30 days after receiving a complete plan, the Stormwater Management Officer and/or his or her designee, shall, in writing:
 - (a) Approve the permit application;
 - (b) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
 - (c) Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application and/or submission.
- (3) Failure of the Stormwater Management Officer and/or his or her designee to act on a complete original or revised application within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the Town. Pending preparation and approval of a revised plan, land development activities shall not be allowed to proceed. Nothing herein shall relieve an applicant's need to obtain a building permit or other approvals as required by the Town Code.
[Amended 3-11-2009 by L.L. No. 2-2009]
- (4) For projects subject to special permit, site plan, or subdivision requirements, the DPW shall refer the application to the Town Planning Commission for incorporation into the required review process. The Stormwater Management Officer and/or his or her designee shall determine the completeness of the SWPPP. For projects subject to subdivision requirements, preliminary approval shall not be granted until the Planning Commission has received a SWPPP prepared in accordance with the specifications contained herein.
- (5) In its review of the plan, the Stormwater Management Officer may consult with the Town Designated Engineer, the Schenectady County Soil and Water Conservation District, the New York State Department of Environmental Conservation, or any other appropriate agency or firm qualified in the review and/or design of stormwater management and erosion control plans.

F. Stormwater Pollution Prevention Plan contents.

- (1) The SWPPP shall include the following:
 - (a) A written narrative identifying the project's scope, including the location, type and size of the project.
 - (b) A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map should show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of stormwater discharge(s). The specific location(s), size(s), and length(s) of each erosion and sediment control practice shall also be shown. The site map should be at a scale no smaller than one inch equals 100 feet.
 - (c) A natural resources map identifying existing vegetation; on-site and adjacent off-site surface water(s), wetlands, and drainage patterns that could be affected by the construction activity; and existing and final slopes.

- (d) A description of soil(s) present at the site along with any existing data that describes the stormwater runoff characteristics at the site.
 - (e) A construction phasing plan describing the intended sequence of construction activities including clearing, excavation and grading; utility and infrastructure installation, and any other activity at the site that results in soil disturbance. Phasing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation. Consistent with the New York Standards and Specifications for Urban Erosion and Sediment Control, most current version or its successor, there shall not be more than five acres of disturbed soil at any one time without prior written approval from the Department of Environmental Conservation.
 - (f) A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharges.
 - (g) A description of construction and waste materials expected to be stored on-site with updates as appropriate, and a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.
 - (h) A description of the temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.
 - (i) The dimensions, material specifications (e.g., seeding mixtures and rates, types of sod, kind and quantity of mulching) and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins.
 - (j) An implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and the duration that each practice should remain in place.
 - (k) A maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practices, including estimates of the cost of maintenance.
 - (l) A delineation of SWPPP implementation responsibilities for each part of the site.
 - (m) A description of structural practices to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.
- (2) For major projects, the following shall also be provided:
- (a) A site map/construction drawing(s) of each postconstruction stormwater practice including a description of each postconstruction stormwater control practice, including specific location(s) and size(s), dimensions, material specifications and installation details. The New York State Stormwater Management Design Manual, most current version or its successor, shall serve as the technical design standard. Deviations from this Design Manual are permitted subject to review and approval by the New York State Department of Environmental Conservation within 60 business days of receipt of a completed notice of intent (NOI).
 - (b) A hydrologic and hydraulic analysis for all structural components of the stormwater control system for the applicable design storms.
 - (c) A comparison of postdevelopment stormwater runoff conditions with pre-development conditions.

- (d) Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater control practice.

G. Plan certification.

- (1) The SWPPP shall be prepared by a landscape architect, certified professional or professional engineer. The SWPPP must be signed by the professional preparing the plan, who shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law."

- (2) For major projects, the licensed/certified professional, or his or her designee, who prepared the SWPPP shall be on site upon commencement of clearing and grading, and shall certify that all erosion and sediment control measures have been installed in accordance with the plan. Such certification shall be submitted to the Town of Rotterdam Stormwater Management Officer. In addition, a licensed/certified professional shall be on site on all days when construction or grading activity takes place.

H. Contractor certification. The SWPPP must clearly identify the contractor(s) and subcontractor(s) that will implement each stormwater and erosion control measure. All contractors and subcontractors identified in the SWPPP shall sign a copy of the following certification statement before undertaking any land development activity:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP for the construction site identified in such SWPPP as a condition of authorization to discharge stormwater. I also understand that the operator must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards."

I. SWPPP review and amendment.

- (1) The permittee shall amend the SWPPP whenever there is a significant change in design, construction, operation, or maintenance which may have a significant effect on the potential for the discharge of pollutants to the waters of the United States and which has not otherwise been addressed in the SWPPP as determined by the licensed/certified professional, the Stormwater Management Officer and/or his or her designee, or the NYS Department of Environmental Conservation.
- (2) The SWPPP shall be amended if it proves to be ineffective in:
 - (a) Eliminating or significantly minimizing pollutants from sources identified in the SWPPP; or
 - (b) Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity.
- (3) Additionally, the SWPPP shall be amended to identify any new contractor or subcontractor that will implement any measure of the SWPPP. Amendments to the SWPPP shall be processed and approved or disapproved in the same manner as in Subsection E of this section by written authorization to the permittee.

J. Design and performance standards.

- (1) In general, wetlands, watercourses and natural drainage channels should not be filled, graded or altered. When protection of wetlands, trees, steep slopes or other environmentally sensitive area is required, the location shall be shown on the erosion control plan and the method of protection during construction identified (e.g., silt fence, construction fence, stakes, etc.).
 - (a) A vegetative buffer (25 feet minimum) shall be maintained between disturbed areas and protected federal designated wetlands. The twenty-five foot buffer shall not be disturbed without special use permit approval as provided by Article **XIX** of this chapter.
 - (b) A vegetative buffer (100 feet minimum) shall be maintained between disturbed areas and protected state designated wetlands. The one-hundred-foot adjacent area shall not be disturbed without special use permit approval as provided by Article **XIX** of this chapter and any applicable approvals/permits as required by the NYS Department of Environmental Conservation.
 - (c) A watercourse buffer shall not be disturbed without special use permit approval as provided by Article **XIX** of this chapter.
- (2) Grading, erosion, and sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the New York Standards and Specifications for Erosion and Sediment Control published by the Empire State Chapter of the Soil and Water Conservation Society. For the design of postconstruction structures, the technical standards are currently detailed in the publication "New York State Storm water Management Design Manual, published by the Department of Environmental Conservation.
- (3) Cut-and-fill slopes shall be no greater than 2:1, except where retaining walls, structural stabilization or other methods acceptable to the Department of Public Works and/or Town Designated Engineer are used. Disturbed areas shall be restored as natural appearing landforms, and shall blend in with the terrain of adjacent undisturbed land. Abrupt, angular transitions shall be avoided.
- (4) Clearing and grading shall be substantially confined to designated building envelopes, utility easements, driveways, and parking footprint. Clearing and grading techniques that retain natural vegetation and drainage patterns, as described in the most recent version of Standards and Specifications for Erosion and Sediment Control referenced above shall be used to the satisfaction of the responsible board. No clearing or grading shall take place within the established fifty-foot watercourse buffer area except to provide road crossings where permitted.
- (5) Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
- (6) Phasing shall be required on all sites disturbing greater than 20 acres, with the size of each phase to be established at plan review and as approved by the Town Planning Commission (if applicable), the Stormwater Management Officer, and/or his or her designee. There shall not be more than five acres of disturbed soil at any one time without prior written approval from the Department of Environmental Conservation.
- (7) The permittee shall initiate stabilization measures as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. This requirement does not apply in the following instances:
 - (a) Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable;
 - (b) Where construction activity on a portion of the site is temporarily ceased, and earth-disturbing activities will be resumed within 21 days, temporary stabilization measures need not be initiated on that portion of the site.

- (8) The mere parking and moving of construction vehicles around the site does not constitute construction or earth-disturbing activity. If the permittee is not diligently pursuing the project toward completion as determined by the Stormwater Management Officer or designated agent, he/she may issue a notice of violation and stipulate that the stabilization measures as outlined above shall be undertaken to prevent site erosion.
- (9) If seeding or another vegetative erosion control method is used, it shall become established within 14 days or the applicant may be required to reseed the site or use a nonvegetative option.
- (10) Special techniques that meet the design criteria outlined in the most recent version of Standards and Specifications for Erosion and Sediment Control shall be used to ensure stabilization on steep slopes or in drainageways.
- (11) Soil stockpiles must be stabilized or covered at the end of each workday.
- (12) Techniques shall be employed to prevent the blowing of dust or sediment from the site.
- (13) Techniques that divert upland runoff past disturbed slopes shall be employed.
- (14) Adjacent properties shall be protected by the use of a vegetated buffer strip in combination with sediment controls.
- (15) Stabilization shall be adequate to prevent erosion located at the outlets of all pipes and paved/rip-rap channels.
- (16) Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.
- (17) Development should relate to site conditions and disturbance of steep slopes avoided. Grading should be minimized by utilizing the existing topography whenever possible. Roads and driveways shall follow the natural topography to the greatest extent possible.
- (18) In areas of severe slopes (exceeding 25%), land-disturbing activities are not permitted unless approved by a licensed professional civil engineer. A twenty-five-foot buffer must be maintained between any disturbed area and the top of slopes 25% and greater unless approved by a licensed professional Civil Engineer

K. Water quality standard. Any land development activity shall not result in:

- (1) An increase in turbidity that will cause a substantial visible contrast to natural conditions;
- (2) An increase in suspended, colloidal and settleable solids that will cause deposition or impair the waters for their best uses; or
- (3) Residue from oil and floating substances, nor visible oil film, or globules of grease.

L. Erosion and sediment control inspection.

- (1) The Town of Rotterdam's Stormwater Management Officer and/or his or her designated agent may require such inspections as necessary to determine compliance with this article and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this article and the SWPPP as approved. To obtain inspections, the applicant shall notify the Stormwater Management Officer at least 48 hours before the following as required by the SWPPP:
 - (a) Start of construction and initial installation of sediment and erosion controls.
 - (b) Installation of sediment and erosion measures as site clearing and grading progresses.
 - (c) Completion of site clearing.
 - (d) Completion of rough grading.

- (e) Completion of final grading.
 - (f) Close of the construction season.
 - (g) Completion of final landscaping.
 - (h) Successful establishment of landscaping in public areas.
- (2) If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. Corrective actions may include, but are not limited to, the repair and/or restoration of off-site impacts. Depending upon the severity of the violation, in certain circumstances, no further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the Town of Rotterdam's Stormwater Management Officer and/or designated agent.
- (3) The operator shall have a qualified professional conduct an assessment of the site prior to the start of construction and certify in an inspection report that the appropriate erosion and sediment controls described in the SWPPP have been adequately installed or implemented to ensure overall preparedness of the site. Following the start of construction, site inspections shall be conducted by a qualified professional at least every seven calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. The purpose of such inspections will be to determine the overall effectiveness of the plan and the need for additional control measures. During each inspection, the qualified professional shall record the following information:
- (a) On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next fourteen-day period.
 - (b) Indicate on a site map all areas of the site that have undergone temporary or permanent stabilization;
 - (c) Indicate all disturbed site areas that have not undergone active site work during the previous fourteen-day period;
 - (d) Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of the sediment storage volume;
 - (e) Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems and containment systems. Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching. Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water, and
 - (f) All deficiencies that are identified with the implementation of the SWPPP.
- (4) A copy of the NOI and a brief description of the project shall be posted at the construction site in a prominent place for public viewing. A copy of the SWPPP shall be retained at the site of the land development activity during construction from the beginning of construction activities to the date of final stabilization. The SWPPP and inspection reports are public documents that the operator must make available for inspection, review and copying by any person within five business days of the operator receiving a written request by such person to review the SWPPP and/or the inspection reports. Copying of documents will be done at the requester's expense.
- (5) The operator shall maintain a record of all inspection reports in a site log book. The site log book shall be maintained on-site and be made available to the Town upon request. The

operator shall post at the site, in a publicly accessible location, a summary of the site inspection activities on a monthly basis.

- (6) Any employee of the Department of Public Works, the Stormwater Management Officer, or the Town's designated agent shall enter the property of the applicant as deemed necessary to make regular inspections to ensure the validity of the reports filed under Subsection L(3) above.

M. Inspections of stormwater management practices (SMP).

- (1) The Stormwater Management Officer or designated agent is responsible for conducting inspections of stormwater management structures and practices. All operators are required to submit as-built plans certified by a licensed/certified professional for any permanent stormwater management practices located on-site after final stabilization. [NOTE: Final stabilization" means that all soil-disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of 80% has been established or equivalent stabilization measures (such as the use of mulches, or geotextile mats) have been employed on all unpaved areas and areas not covered by permanent structures.] Operators shall also provide the owner(s) of such structure(s) with a manual describing the operation and maintenance practices that will be necessary in order for the structure to function as designed. The operator must also certify that the permanent structure(s) have been constructed as described in the SWPPP. This certification may be able to be accomplished by providing to the Town of Rotterdam a copy of the notice of termination (NOT) filed with the NYSDEC.
- (2) All certified as-built plans, lands, structures, and/or appurtenances to be dedicated to the Town of Rotterdam shall be reviewed, inspected and approved by the Town Stormwater Management Officer or designated agent prior to acceptance by the Town of Rotterdam.
- (3) Upon certification by the operator's licensed/certified professional that a final site inspection has been conducted and that final stabilization has been accomplished and all stormwater management practices have been constructed as described in the SWPPP, the operator shall complete and file a notice of termination as prescribed by the NYSDEC and file a copy with the Town of Rotterdam to notify it that he or she have complied with this section and that the project is complete.

N. Inspection of stormwater facilities after project completion. Inspection programs shall be established on any reasonable basis, including but not limited to, routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.

O. Performance guarantee.

- (1) Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Town of Rotterdam in its approval of the stormwater pollution prevention plan, the Town of Rotterdam may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Town of Rotterdam as the beneficiary. The security shall be in an amount determined by the Town of Rotterdam based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Town of Rotterdam, provided that such period shall not be less than one-year from the date of final acceptance or such other certification that the facilities have been constructed in accordance with the approved plans and specifications and that a one year inspection has been conducted and the facilities have been found to be acceptable to the Town.

- (2) Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Town of Rotterdam with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion control facilities, the Town may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.
- (3) Recordkeeping. The Town of Rotterdam may require entities subject to this article to maintain records demonstrating compliance with this article.

P. Retention of licensed/certified professional; payment.

- (1) The Town Planning Commission and/or DPW is hereby authorized to retain licensed/certified professionals as are determined to be necessary to carry out the review of an SWPPP or to make regular inspections of all control measures in accordance with the approved plan.
- (2) Payment for the services of such professionals is to be made from funds deposited by the applicant with the Town in escrow accounts for such purposes.
- (3) It shall be the responsibility of the applicant to submit to the Town certified check(s) in amounts equal to the estimate of the licensed/certified professional for the cost of services to be rendered. Estimates shall reflect reasonable costs at prevailing rates. The Town shall make payments to said professional for services rendered to it upon acceptance by the Town of said service.

Q. Enforcement and penalties.

- (1) The operator and all contractors and subcontractors must comply with all conditions of a SWPPP issued pursuant to this article. In the event that a permit holder violates the terms of the SWPPP or implements site development in such a manner as to adversely affect the health, safety, or welfare of the public, the Building Inspector/Code Enforcement Officer or Stormwater Management Officer may issue a stop work order. In addition, the Building Inspector/Code Enforcement Officer or Stormwater Management Officer may issue a stop-work order for violations of this article. Persons receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Town of Rotterdam confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in penalties in accordance with the enforcement measures authorized in this article.
- (2) The Building Inspector/Code Enforcement Officer or Stormwater Management Officer may notify the permittee at any time that the SWPPP does not meet one or more of the requirements herein. Such notification shall identify those provisions of the permit that are not being met by the SWPPP and identify which provisions of the SWPPP require modifications in order to meet the minimum requirements of the permit. Within seven days of such notification (or as otherwise provided by the Town), the permittee shall make the required changes to the SWPPP and shall submit to the Town a written certification that the requested changes have been made.
- (3) Any violation of this article shall be punishable by a fine not to exceed \$250 or by imprisonment for a term not to exceed 15 days, or both. Each day the violation exists shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be required to bear the expense of any restoration work required. To the extent that the noncompliance with this article constitutes a violation of the Clean Water Act and the Environmental Conservation Law, there are substantial criminal, civil, and administrative penalties.

- (4) If any building or land development activity is installed or conducted in violation of this article, the Town Building Inspector/Code Enforcement Officer or Stormwater Management Officer may prevent the occupancy of said building or land.
 - (5) Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town of Rotterdam Building Inspector/Code Enforcement Officer or Stormwater Management officer may take necessary corrective action, the cost of which shall become a lien upon the property until paid.
- R. Severability. The provisions and sections of this article shall be deemed to be severable, and the invalidity of any portion of this article shall not affect the validity of the remainder.