

## **Article III. Parking During Adverse Winter Weather**

[Adopted 3-23-2015 by L.L. No. 2-2015]

### **§ 196-9. Title.**

This article shall be known as the "Parking During Adverse Winter Weather Local Law of the Town of Stillwater" and is intended to amend and add to the existing Town Code Chapter **196**, Vehicles and Traffic, adopted by Ordinance No. 3 of 1988 and subsequently amended by Local Law No. 7 of 2009.

### **§ 196-10. Purpose.**

#### **A.**

The purpose of this policy is to ensure the public safety and welfare during storm conditions which may cause the Town roads, streets, highways and bridges to become hazardous to automobiles and pedestrian travel, and to ensure adequate passage and access for emergency service vehicles, including but not limited to police, fire, ambulance and other providers.

#### **B.**

The Town Highway Superintendent is charged with the affirmative duty of keeping Town roads, streets, highways and bridges free from obstructions caused by snow and ice pursuant to New York Highway Law § 140(2).

#### **C.**

Cars parked on, in, or near Town roads, streets, highways and bridges during and after a snowfall create a temporary obstruction that interferes with the Town Highway Superintendent's aforementioned duty, which thereby creates a public nuisance that amounts to a substantial interference with the exercise of a common right of the public to use a public place, and/or by endangering the property, health, safety, or comfort of a considerable number of persons.

#### **D.**

The Town Highway Superintendent is authorized to have said nuisances removed as provided by New York Highway Law § 319 and by common law court decisions.

#### **E.**

This article establishes the local policy concerning parking during adverse winter weather as well as provides the penalties for the offense thereof.

### **§ 196-11. Parking during adverse winter weather.**

No person shall park or leave unattended by a licensed driver any vehicle on the pavement or shoulder of any Town road, street, highway and/or bridge during a period of snowfall, sleet, freezing rain or other winter-type weather and for a period of 48 hours after the precipitation ceases.

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