

## **VEHICLE AND TRAFFIC**

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ARTICLE I  
**General Provisions**

**56-1 Definitions**

The words and phrases used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them by Article I of the Vehicle and Traffic Law of the State of New York. The following words and phrases, which are not defined by Article I of the Vehicle and Traffic Law of New York State, shall have the meanings respectively ascribed to them in this section for the purposes of this chapter:

**Driveway** - A roadway providing a means of access from a street onto private property, or to an off street parking area. It can not be anything less than 4 inches of an approved sub-base, and a minimum width of 10 feet. Approved sub-bases are crush and run, bank run gravel, concrete or asphalt.

**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.

**Parking or Standing** - As used herein shall mean the stopping of a motor vehicle and the absence of a licensed driver in the vehicle. "Standing" as used herein means the stopping of a motor vehicle. The incidental placing of motor vehicle while loading or unloading or for a temporary otherwise lawful use of the vehicle shall not constitute "parking" or "standing" under this section

**56-2 Authority to install traffic control devices.**

The Superintendent 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 may be deemed necessary by the Board of Trustees 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.

ARTICLE II  
**Traffic regulations**

**56-3 Full Stop required**

Every driver of a vehicle, when approaching an intersection displaying a stop sign or stoplight, shall bring said vehicle to a full stop before entering said intersection and shall not continue on until traffic conditions permit said driver to do so in safety, except when directed to proceed by a police officer.

56-4 Any person violation any of the provisions of 56-3 of this ordinance shall, upon conviction, be punished by a fine not exceeding one hundred dollars (\$100).

**56-5 Speed Limits**

No person shall operate a motor vehicle or motorcycle upon any public highway within the corporate limits of the Village of Attica at a rate of speed in excess of thirty (30) miles per hour. This section shall not apply to ambulances, fire vehicles or police vehicles when on emergency trips, or wherever a different speed limit is posted.

**56-6 Speed limits in School Zones**

No person shall operate a motor vehicle at a speed in excess of 20 MPH on any public highway designated as a school zone within the Village of Attica, when beacon lights attached to a speed limit sign are flashing.

**56-7 Speed limits in Village Parks**

No person shall operate a motor vehicle or motorcycle on any of the roadways located within the confines of Attica Village Parks or any part of said parks at a rate of speed in excess of fifteen (15) miles per hour.

**56-8 Speed limits in Village parking lots**

No person shall operate a motor vehicle or motorcycle at a speed in excess of Fifteen (15) miles per hour in any Village parking lots.

**56-9 Punishment for violation**

- A. A conviction of a violation of the provisions of 56-5 of this law shall constitute a traffic infraction and shall be punished pursuant to the penalties or the violation of any subsection of 1180 of the New York State Vehicle and Traffic law.
- B. A conviction of a violation of the provisions of 56-6, 56-7, or 56-8 of this law shall constitute a traffic infraction and shall be punishable by a fine not to exceed one hundred dollars (\$100) for each violation.

**56-10 Noise limits**

No person shall use any automobile, motorcycle, all-terrain, bus, truck or any vehicle in a manner as to create a loud and unnecessary noise. The discharge into the air of the exhaust of any motor-vehicle engine, except through a muffler or other device which will effectively prevent loud or explosive noises there from. The sounding of any horn or signal device on any vehicle, motorcycle, bus or other device, except as a warning signal pursuant to the provisions of Subdivision 1 of 375 of the Vehicle and traffic Law of the State of New York. The use of any radio apparatus, talking machine, loudspeaker, public address system or amplifier attached thereto in such a manner that the loudspeaker shall cause the creation of any noise that causes public inconvenience or alarm or disturbs the public's peace, comfort and tranquility.

**56-11 Vehicle Weight Limits**

It shall be unlawful for any person to operate any commercial vehicle or other tractor, trailer or tractor-trailer combination, having a gross weight in excess of five (5) tons, except for the purpose of making a delivery or picking up a load, in which case any such vehicle in excess of five (5) tones may be driven upon a street or streets for not more than the minimum distance necessary for that purpose. This local law shall not apply to vehicles

traveling on Buffalo Street, Market Street, Main Street, High Street and Exchange Street.

**56-12 Penalties for Violations**

A conviction of a violation of the provisions of 56-11 of this law shall constitute a traffic infraction with in the meaning, definition and penalties of the New York State Vehicle and Traffic Law.

ARTICLE III  
**Parking, Standing, Stopping**

**56-13 Application of article**

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.

**56-14 Parking near schools restricted**

- A. It shall be unlawful for the owner or operator of a motor vehicle to permit such vehicle to remain parked or standing on the east side of Prospect Street from Main Street to East Avenue between posted signs from 7:00 AM until 4:00 PM during such days as the Attica Central School is regularly in session.
- B. It shall be unlawful for the owner or operator of a motor vehicle to such vehicle to remain parked or standing on the west side of Prospect Street from Main Street to East Avenue for a period longer than two (2) hours between the hours of 7:00 AM and 4:00 PM during such days as the Attica Central School is regularly in session.
- C. It shall be unlawful for the owner or operator of a motor vehicle to permit such vehicle to remain parked or standing on the south side of East Avenue between North Pearl Street and Walnut Street between the hours of 7:00 Am and 4:00 PM during such days as the Genesee Wyoming Central Catholic School is regularly in session.

**56-15 General Parking**

It shall be unlawful and a violation of this ordinance for any person to cause or permit any vehicle or motorcycle registered in his or her name or operated by any person with the consent of said registered owner to be parked or standing, whether occupied or not, on a public street in the Village of Attica, in the following places:

- A. Within ten (10) feet of a village fire hydrant
- B. In front of a public or private driveway in any way obstructing such public or private driveway.
- C. Within twenty-five (25) feet of the nearest rail of a railroad crossing.
- D. Where official signs have been posted prohibiting, restricting or limiting parking and/or standing of any motor vehicle or motorcycle.
- E. With wrong side of vehicle to curb.
- F. Public or private property w/o permit or permission.
- G. Parking within ten (10) feet of an intersection.
- H. It shall be prohibited that any cars shall be parked for a period in excess of two (2) hours on any portion of Exchange Street north of the railroad tracks, on any portion of Main Street west of the Exchange Street intersection to the intersection of Market Street and on that section of Market Street between the intersection of Main Street and West Avenue. The said two (2) hour parking limit shall include both sides of the aforementioned streets.

**56-16 Night and Seasonal parking**

- A. It shall be unlawful for the operator or owner to park or permit to be parked or left standing any vehicle on Exchange Street, Main Street, Market Street, North Street, Prospect Street, Washington Street, Water Street and/or West Avenue for a period of time longer than thirty (30) minutes, between the hours of 2:00 AM and 7:00 AM of any day.
- B. It shall be unlawful for the operator or owner to park or permit to be parked or left standing any vehicle on any public highway within the Village of Attica for a period of time longer than thirty (30) minutes, between the hours of 2:00 AM and 7:00 AM of any day between November 1 and April 1 of each year.

**56-17 Parking prohibited in designated locations.**

- A. the parking or standing of vehicles in any of the following locations is hereby prohibited:
- 1) On the South side of Main Street between Exchange Street and South Pearl Street.
  - 2) On the west side of Walnut Street between Main Street and East Avenue.
  - 3) On the east side of North Walnut Street between East Avenue and Northview Park.
  - 4) On the east side of Washington Street between Main Street and North Street.
  - 5) On the north side of North Street between Water Street and Prospect Street.
  - 6) On the east side of Putnam Place between East Avenue and the end of the Street
  - 7) On the north side of Windsor and Jackson Street loop.
  - 8) On the south side of West Avenue between Market Street and Bunnell Street.
  - 9) On the west side of Jefferson Street between Main Street and Genesee Street.
  - 10) On the east side of North Pearl Street between Main Street and Genesee Street.
  - 11) On the east side of North Pearl Street from Genesee Street to Glenwood Drive.
  - 12) On the east side of Water Street between Main Street and North Street.
  - 13) On the south side of Elm Street between North Pearl Street and Glenwood Drive.
  - 14) On the south side of Helena Drive between Laural Drive and Georges Drive.
  - 15) On the east side of North Street at the curve only between Washington Street and Prospect Street
  - 16) On the west side of Windsor Street between Main Street and the Windsor-Jackson loop.
  - 17) On the west side of Favor Street between Main Street and the railroad tracks.
  - 18) On the west side of Georges Drive between Main Street and Helena Drive.



- 19) On the east side of North Washington Street between North Street and the creek.
  - 20) On the east side of Laural Drive between Main Street and Helena Drive.
  - 21) On the east side of Jackson Street between Main Street and the railroad tracks.
  - 22) On the north side of East Avenue between Prospect Street and North Pearl Street.
  - 23) On the west, northwest and north side of Glenwood Drive between North Pearl and Genesee Streets.
  - 24) On the east side of South Pearl Street from East Main Street to the southerly end of South Pearl Street.
  - 25) On either side of Colony Run or Colony Court.
- B. Downtown region:
- 1) This subsection applies to the following streets in the Village of Attica: Market Street and Main Street between Market Street and its intersection with North and South Pearl Street. This subdivision does not apply to the area on Main Street opposite the Attica Post Office.
  - 2) It shall be a violation of this subsection to park a motor vehicle either partially or completely between the edge of the paved portion of the street and the sidewalk, whether a curb is present or not.
  - 3) It shall be a violation to park a motor vehicle between the sidewalk and the front of any structure used for residential purposes.
  - 4) Nothing contained in this section shall prohibit the parking of motor vehicle in a driveway as defined herein.
- C. The parking or standing of vehicles in any space labeled for handicapped persons without the vehicle being registered pursuant to Section 404-a or without possessing special vehicle identification parking permit issued in accordance with 1 Section 1203-a of the Vehicle and Traffic Law of the State of New York is prohibited.

**56-18 Permits**

Any property owner may apply to the Village Board of the Village of Attica for a one year renewable permit allowing parking otherwise prohibited herein for good cause. Such permit shall be granted, provided that the Village Board finds that a parking use is not detrimental to the particular neighborhood and does not cause depreciation in the value of the property in that neighborhood.

#### **56-19 Private Property**

Parking of motor vehicles on any private property in the Village of Attica with permission of the owner during a special event, an emergency situation, weather related reason or other similar non-repetitive parking use shall be permitted, provided that such use is reasonable and not detrimental to the neighborhood involved and does not constitute a regular occurrence at the particular property involved.

#### **56-20 Violations and Penalties**

- A. A violation of section 56-14 shall constitute a traffic infraction and shall be subject to a fine of twenty-five (\$25) for each offense.
- B. A violation of any provisions of section 56-15 of this ordinance shall upon conviction, be punished by a fine not exceeding ten dollars (\$10).
- C. A violation of any section of 56-16 shall constitute a traffic infraction and shall be subject to a fine of twenty-five (\$25) for each offense.
- D. A violation of any section of 56-17A or section of 56-17B shall be punishable by a fine of ten dollars (\$10) for the first offense; and a fine of twenty-five (\$25) for the second offense.
- E. A violation of section 56-17C shall constitute a traffic infraction and shall be subject to a fine not exceeding one hundred dollars (\$100) or by imprisonment for not more that fifteen days (15), or both, of a first offence. A second or any subsequent offense committed within a period of 18 months shall be punishable by a fine of not more that one hundred-fifty dollars (\$150) or by imprisonment for not more that forty-five days (45) or both.

- F. A violation of section 56-18 shall constitute a traffic infraction and shall be subject to a fine not exceeding twenty-five (\$25) dollars for each offense.

**ARTICLE IV  
Removal and Storage of Vehicles**

- A) Whenever any vehicle shall be found parked or standing in violation of any provisions of the law, or found unattended and/or constitutes a traffic hazard such vehicle may be removed and delivered under the direction of an Attica Police Officer by means of towing the same to the police vehicle impound area. Such removal shall be at the risk and expense of the owner of said vehicle. All vehicles will be secured as per Police Department Policy.
- B) Whenever any vehicle is found parked, standing or abandoned on any public highway or public parking lot within the village limits during a snowstorm, fire, flood, or other public emergency which affects that portion of the public highway or public parking lot upon which said vehicle is located, the vehicle may be removed under the direction of an Attica Police officer.

**56-21 Storage and fees**

After removal of any vehicle as provided in this article, the Attica Police Department may store or cause to be stored said vehicle in police impounded or other secure area at the owners expense. Vehicle's owner or person in charge of the vehicle may retrieve vehicle upon payment of all towing fees and storage charges of ten dollars (\$10) per day payable by money order or cashiers check only. A receipt will be issued and owner or person in charge of vehicle will be required to sign receipt for vehicle.

**56-22 Notice of Removal**

It shall be the duty of the Attica Police Department to notify the owner or the person in charge of any vehicle which has been removed by the department of the vehicle's location and reason for it's removal. They will also advise that person of the procedure for redeeming vehicle and fees that are owed.

ARTICLE V  
**Main Arteries of Travel**

**56-23 Main Arteries of Travel**

Market and Main Streets are hereby designated as main arteries of travel in the Village of Attica.

**56-24 Stop required**

All vehicles approaching said main arteries of travel shall before entering the same, come to a full stop, unless otherwise directed by a police officer, safety officer or traffic control signal.

ARTICLE VI  
**Miscellaneous Provisions**

**56-25 Penalties for offenses**

Every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not more than fifty dollars (\$50) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than forty-five (45) dollars, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than two hundred fifty dollars (\$250) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

**56-26 Savings Clause**

If any part of this law is deemed or found to be unenforceable, illegal, unconstitutional, or otherwise void, such judgment shall not affect or impair the validity of the remainder of the law or the application thereof to other persons or circumstances.

