

Chapter 233

Effective August 1984, this Chapter, Motor Vehicles and Traffic, was deleted from the Code of Ordinance book due to the frequency of the changes. However, Chapter 233 will be maintained on a current basis in the Office of the Town Clerk. Sections with an asterisk (*) are also noted in the Town Clerk's Office. This record will be open and accessible to the public during regular business hours in the Minute Section of the Office of the Town Clerk, 54 Audrey Avenue, Oyster Bay, New York.

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ARTICLE I. IN GENERAL

Sec. 17-1 Pavement markings: State standards adopted; markings prescribed; observance required; "Motorist" defined; penalty for violation of section.

- (a) The system of pavement markings duly adopted for state highways by the state department of transportation is hereby adopted for all streets, roads and highways in the unincorporated area of the town, and such markings shall have the same meaning, force and effect as provided for such markings upon state highways.
- (b) In furtherance of subsection (a), and not in limitation thereof, the following pavement markings are hereby adopted:
 - (1) Single broken line. A motorist shall keep to the right of a single broken line, except when overtaking and passing another vehicle or obstruction, under conditions rendering it dangerous to cross such a line.
 - (2) Single solid line. Motorist shall not cross a single solid line except under unusual circumstance, and only when no approaching car is in sight.
 - (3) Double line.
 - a. Double solid line. No motorist shall cross a double solid line.
 - b. Double line, consisting of a solid line and a broken line. No motorist shall cross a double line consisting of a solid line and a broken line if the solid line is on the driver's side, and if the broken line is on the driver's side, the motorist may cross the double line if safe to do so.

The provisions of this paragraph shall not be deemed to prevent a motorist from entering a driveway, service station, or other place of business or, in the case of an obstruction in the highway, from proceeding with reasonable caution to cross a double line.
- (c) The term "motorist" as used in this section includes the operator of every contrivance used, or capable of being used, as a means of transportation.
- (d)
 - (1) The pavement of the left eastbound lane of Hemlock Street on its approach to Route 27 at Massapequa in the Town of Oyster Bay shall be marked and designated for turning left onto Route 27; and the pavement of the right eastbound lane of Hemlock Street on its approach to Route 27 at Massapequa in the Town of Oyster Bay shall be marked and designated for turning left or right onto Route 27.
 - (2) The pavement of the left eastbound lane of Loudon Street on its approach to Route 27 at Massapequa in the Town of Oyster Bay shall be marked and designated only for traffic turning left onto Route 27; and the pavement of the right eastbound lane of Loudon Street on its approach to Route 27 at Massapequa in the Town of Oyster Bay shall be marked and designated for through traffic and traffic turning right onto Route 27.
- (e) Any offense against any of the provisions of this division shall be punishable pursuant to Section 17-2 of this chapter. (LL 5-2007 adopted on 4/24/07)

Sec. 17-2. Penalty for violation of chapter.

Except as otherwise expressly provided, for each violation of any provision of this chapter, each such violation shall be deemed a traffic infraction punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding fifteen (15) days, or both. (LL 5-2007 adopted 4/24/07)

Secs. 17-3—17-12. Reserved.

ARTICLE II. OPERATION OF VEHICLES

DIVISION I. (RESERVED)

Secs. 17-13—17-22. Reserved.

DIVISION 2. STOP, YIELD AND THROUGH STREETS

Sec. 17-23. Observance of stop signs and flashing signals required.

Except when directed to proceed by a police officer, each driver of a vehicle approaching a stop sign or flashing red signal located at a stop intersection established in this division, shall stop at a clearly marked stop line, but if none, then shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of the approaching traffic on the intersecting roadway before entering the intersection.

State law reference—For similar provision, see Vehicle and Traffic Law, Sec. 1172(a).

Sec. 17-24. Observance of “yield” signs required.

The driver of a vehicle approaching a yield sign, if required for safety to stop, shall stop at a clearly marked stop line, but if there is no clearly marked stop line, he shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of the approaching traffic on the intersecting roadway before entering the intersection.

State law reference—For similar provisions, see Vehicle and Traffic Law, Section 1172(b)

Sec. 17-25. Stop intersections established and enumerated.*

Sec. 17-26. School crossings; erection of stop signs.*

Sec. 17-27. “Stop” intersections designated by flashing red signals. *

Sec. 17-28. “Yield” intersection; erection of signs.*

Sec. 17-29. Stop here on red light. *

Secs. 17-30—17-33. Reserved.

DIVISION 3. ONE WAY-STREETS

Sec. 17-34. Observance of one-way traffic signs.

Upon a roadway designated and signposted for one-way traffic, a vehicle shall be driven only in the direction designated.

State law reference—For similar provisions, see Vehicle and Traffic Law, Sec. 1127.

Sec. 17-35. One-way streets established; signposted.*

Sec. 17-45. Location where U-turns are prohibited. *

Secs. 17-46—17-50. Reserved.

DIVISION 5. OBSTRUCTING TRAFFIC

Sec. 17-51. Obstruction of intersections. *

Secs. 17-52—17-61. Reserved.

Article III. Stopping, Standing and Parking*

DIVISION 1. GENERALLY

Sec. 17-62. Removal of parked or abandoned vehicles: When authorized; agencies which may cause removals; charges; redemption of vehicles.

- (a) It shall be deemed to be a violation punishable by a fine of \$250.00 to \$1,000.00 and/or not more than fifteen (15) days imprisonment for the last owner of the motor vehicle, to abandon said motor vehicle on any public road or highway or other public place in the Town of Oyster Bay. It shall be a defense to the charge of said violation that the last owner of said vehicle filed an auto theft report with the appropriate police department. The Nassau County Police Department is hereby authorized to enforce this subsection.
- (b) During any snowstorm, flood, fire or other public emergency, the highway department of the Town of Oyster Bay shall enjoy concurrent enforcement powers with the Nassau County Police Department in removing abandoned vehicles from any public road or highway or other public place. Any such vehicle so removed shall be impounded and stored in a place designated by the highway department and shall be held until the owner or operator thereof shall call for and remove the same.
- (c) Before any vehicle impounded pursuant to subsections (a) or (b) is released, the owner or operator thereof, in addition to being liable for the penalties described in subsection (a), shall pay for the cost of impounding and storing the vehicle, plus any expense incurred for towing and removing the vehicle from the public road or highway or other public place where it was abandoned, to the place of storage. The charge shall be a lien on any vehicle so impounded and shall be paid before the same shall be released from the custody of the Town of Oyster Bay Highway Department or the Nassau County Police Department.

Amended: 7/11/89

Sec. 17.63. Parking of commercial vehicles in prohibited areas or at night.

It shall be unlawful for any person to park or leave standing at any time any commercial vehicle or bus on any street, road or highway of the town in violation of any regulations where signs or markings giving notice thereof are posted, or to park or leave standing between the hours of 10:00 p.m. and 6:00 a.m., any commercial vehicle on any street, road or highway of the town. This section shall not, however, prohibit any commercial vehicle from making deliveries of merchandise or providing service to the occupants of any premises located on any such street, road or highway.

(a) Commercial vehicle. The words "commercial vehicle" shall include any vehicle bearing a commercial, bus, farm, livery, school, spec commercial, taxi, t + lc, tow truck, or tractor license plate, or, in the absence of said license plate, any vehicle with a seating capacity greater than nine (9) persons.

Amended: 4/11/89

Sec. 17-64. Manner of parking generally.

Except as otherwise expressly provided in this division, all vehicles parking on any street in the town shall be parked in the following manner:

HICKSVILLE

Except as otherwise expressly provided, each person who parks a motor vehicle or other vehicle on any of the streets or portions of streets shall park the vehicle parallel with the curb or gutter, with both front and rear wheels not more than six (6) inches therefrom (Ord. of 10-19-48; Secs. 2,3; Ord. of 12- 1- 55)

LOCUST VALLEY

- (a) Except as otherwise expressly provided, each person who parks a motor vehicle or other vehicle on any of the streets or portions of streets where parking is not prohibited. y this article, shall park the vehicle parallel to the curb or gutter, with both front and rear wheels not more than six (6) inches herefrom.
- (b) At all places in the portions of streets where the pavement or curb is or may be marked or painted or signs placed to indicate spaces for parking, each person who parks a motor vehicle or other vehicle, shall park the vehicle within the space or spaces so indicated, and not otherwise. (Rev. Ord. of 4-20-48, Secs. 4, 5)

MASSAPEQUA

- (a) Except as otherwise expressly provided, each person who parks a motor vehicle or other vehicle on any of the streets or portions of streets shall park said vehicle parallel with the curb, or gutter with both front and rear wheels not more than six (6) inches therefrom.
- (b) At all places in the streets or portions of streets where the pavement or curb is or may be marked or painted or signs placed to indicate spaces for parking, each person who parks a motor vehicle, or other vehicle, shall park the vehicle within the space so indicated, and not otherwise. (Ord. of 7-23-51),Secs. 11, 12; Ord. of 6-17-58)

SYOSSET

Except as otherwise expressly provided, each person who parks a motor vehicle or any other vehicle of any kind on any streets or portions of streets be parked parallel to the curb or gutter with both front and rear wheels not more than six (6) inches therefrom or within designated spaces on streets where the curb interferes with opening the door. (Ord. of 12-18-53, Sec. 9)

Sec. 17-65. Locations at which angle parking is permitted.*

Sec. 17-66. Locations at which parallel parking is permitted. *

Secs. 17-67--17-71. Reserved.

DIVISION 2. DISABLED DRIVERS' PARKING PERMITS

Sec. 17-72. Authority of the town board to designate parking areas for permit holders; signs to be posted.

- (a) The Town Board may, from time to time by resolution, set aside public places, streets or portions of streets within the unincorporated areas of the town as parking spaces for motor vehicles for the sole and exclusive use by the holders of valid physically disabled drivers' parking permits issued by the Town of Oyster Bay and where specifically stated in this division such parking space may also be used by the holder of any valid disabled drivers' parking permit issued by a municipality located in the State of New York.
- (b) The Town's Commissioner of Public Works, or his designee, shall provide and maintain a sign at each of the public places, streets or portions of streets set aside as provided in subsection (a) as parking spaces for the sole and exclusive use by the holders of valid physically disabled drivers' parking permits, providing notice that is unlawful to leave a motor vehicle parked, stopped or standing in any such public places, streets or portions of streets except by the holders of physically disabled drivers' parking permits. (Ord. of 8-12-69, Secs. 1, 2; Ord. of 3-4-75; Res. of 4-27-76)

Sec. 17-73. Persons eligible for permit; application; contents of application, supporting documents.

Any person of good moral character who has a permanent physical disability which so seriously impairs mobility as to prevent that person from walking without the assistance of an artificial device, as certified in writing to the town clerk by a physician duly licensed by the state, and which person is also the holder

of a valid operator's or chauffeur's license duly issued by the department of motor vehicles of the state, may obtain a physically disabled drivers' parking permit by making application therefor in writing to the Town Clerk upon forms furnished by the Town Clerk. The application shall state:

- (a) The following which shall be verified under oath by the applicant:
 - (1) The name and address of the applicant.
 - (2) The age, date of birth, sex, height, weight, color of hair and color of eyes of the applicant, and whether he is married or single.
 - (3) The type of driver's license held by the applicant and the license identification number thereof and the date of issuance and expiration date thereof.
 - (4) All restrictions listed on the applicant's driver's license.
 - (5) The occupation and social security number of the applicant.
 - (6) The name and address of the applicant's employer and business phone.
 - (7) If the applicant is a student, the name and address of the school, course of study and hours of attendance.
 - (8) The name and address of the owner of the vehicle to be used.
 - (9) The year, make, type, identification or serial number and color of the vehicle, the license plate number, and tab number, if any, and the year for which issued and state which issued same.
 - (10) Whether a physically disabled drivers' parking permit was ever issued to the applicant and if so was it ever revoked, and the details of any revocation.

- (b) The following information which shall be certified by the physician:
 - (1) The nature and duration of the disability.
 - (2) The cause of the disability.
 - (3) The date of last examination.
 - (4) Whether the disability is progressive.
 - (5) Whether, in the physician's opinion, the applicant has a permanent disability which so seriously impairs his mobility as to prevent him from walking without the assistance of an artificial device, requiring a physically disabled drivers' parking permit. (Ord. of 8-12-69, Sec. 3; Res. of 4-27-76)

Sec. 17-74. Renewal application

The application for a renewal issued pursuant to this division shall contain such information as the Town Clerk, as license commissioner, may require, and the form of the application shall be as approved by the Town Board.

Sec. 17-75. Term of permit; transferability; display.

- (a) Permits authorized by this division shall be in the form prescribed by the town clerk and shall expire on the first day of March next following their issuance. Such permits shall not be transferable and shall be subject to such conditions, rules and regulations as the town board may establish by resolution, and the acceptance of a permit shall constitute an agreement to comply with such conditions, rules and regulations.

- (b) Permits authorized by this division shall be placed within the motor vehicle so as to be visible and legible from the outside thereof when the vehicle is parked, stopped or left standing in a parking space set aside under this division.

- (c) In the event a person, other than the person to whom the permit is issued, utilized the permit claiming the privileges granted by this division to the physically handicapped person, the permit issued to the physically handicapped person shall be subject to suspension for six (6) months for the first offense, if it is determined after proper hearing that the use was with the consent, express or implied, of the permittee. After a second offense and proper hearing, the permit may be

revoked. Prior to suspension or revocation as herein provided, a hearing shall be held by the Town Clerk, who shall then make recommendation of action to the town board. Notice of any hearing to be held by the town clerk for revocation or suspension of any license or permit shall be mailed, by certified mail, return receipt requested, to the holder of the permit directed to the address of such holder as set forth in the application. Such notice shall be mailed not less than five (5) days prior to the hearing date and shall advise said holder of the permit of the time and place of the hearing and shall contain a concise statement of the reason or reasons for holding the hearing. The Town Clerk shall make findings based upon the evidence presented at such hearing, which shall be conclusive as to all matters of fact. Suspension or revocation shall not be deemed to preclude a fine or penalty pursuant to any other subsection herein.

- (d) The holder of a town-issued disabled driver's permit shall be entitled to the same privileges and bound by the same responsibilities as to the holder of a validly issued Town of Oyster Bay parking permit. (Ord. of 8-12-69, Sec. 4; Res. of 4-27-76)

Sec. 17-76. Permit fees.

- (a) The fee to be paid by all persons who reside within the unincorporated areas of the town for a permit issued pursuant to this division shall be one dollar (\$1.00) if the permit is issued after the first day of March and prior to the first day of September following, and fifty cents (\$0.50) if issued after the first day of September and prior to the first day of March next following; and the fee to be paid by all other persons for a permit issued pursuant to this division shall be twelve dollars (\$12.00) if issued after the first day of March and prior to the first day of September next following, and six dollars (\$6.00) if issued after the first day of September and prior to the first day of March next following.
- (b) The amount of the fee for the permit year, or any part thereof, may be changed from time to time by resolution of the town board and shall be incorporated in the rules and regulations adopted pursuant to this division. (Ord. Of 8-12-69, Sec. 5; Ord. of 3-7-72)

Sec. 17-77. Permit to become void upon revocation or surrender of driver's license

A permit issued pursuant to this division shall automatically terminate and become void if the driver's license of the person to whom the permit has been issued is revoked or suspended by the department of motor vehicles of the state or by a court of competent jurisdiction, and the permittee shall immediately surrender his permit to the town clerk. (Ord. Of 8-12-69, Sec. 6)

Sec. 17-78. Revocation or suspension; grounds.

The Town Clerk may revoke any permit issued pursuant to this division or suspend the permit for not in excess of ninety (90) days upon finding after a hearing of the existence of one or more of the following:

- (a) The holder of the permit has violated any of the conditions, rules or regulations established by the Town Board under this division.
- (b) The holder of the permit has misrepresented or made a false statement in his application.
- (c) The holder of the permit has been convicted of any crime or misdemeanor involving moral turpitude. (Ord. of 8-12-69, Sec. 7)

Sec. 17-79. Hearings on revocation or suspension: Notice to permittee; hearing procedure; finality of hearing.

Notice of any hearing to be held by the Town Clerk for the revocation or suspension of any permit issued pursuant to this division shall be mailed by ordinary mail to the holder of the permit, and directed to the address of such holder as set forth in the application. The notice shall be mailed not less than five (5) days prior to the hearing date, and shall advise the holder of the permit of the time and place of the hearing and shall contain a concise statement of the reason or reasons for holding the hearing. Rules of law with respect to the admissibility of evidence in the conduct of hearings shall not apply at

such hearings, and the town clerk shall make such a record of the findings as he deems to be justified by all the evidence presented at such hearing, and his findings shall be conclusive as to all matters of fact. (Ord. of 8-12-69, Sec. 8)

Sec. 17-80. Unauthorized parking in spaces designated for use of permittee; penalty for violation

It shall be unlawful for any person to leave a motor vehicle parked, stopped or standing, or to allow, suffer, or permit a motor vehicle to be parked, stopped or standing in any public place, street or portions of streets set aside pursuant to this division for the sole and exclusive use by the holders of valid physically disabled drivers' parking permits, unless such person is the valid holder of a permit issued pursuant hereunder and a violation of this division shall be an offense and shall be punishable as provided in section 1-8, but in no event shall an offense hereunder be punishable by a fine less than one hundred dollars (\$100.00) or more than seven hundred fifty dollars (\$750.00). (Ord. of 8-12-69, Sec. 9, Ord. of 6-7-83, LL 5-2007 adopted 4/24/07)

Secs. 17-81—17-85. Reserved.

DIVISION 3. RESTRICTIONS ON PARKING IN THE
VICINITY OF THE FIRE HOUSES OF THE
BETHPAGE FIRE DISTRICT

Sec. 17-86. Definitions.

As used in this division, the following terms shall have the meanings ascribed to them:

Automobile or other conveyance shall mean any vehicle by which any person or property may be transported upon a highway, except those operated upon rails or tracks.

Operator shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

Parking fields shall mean any parking field located within the Bethpage Fire District, which said parking fields, or portions thereof, are designated as restricted parking fields by this division. (Ord. of 4-21-64, Sec. 2)

Sec. 17-87. Parking fields to be controlled by signs.

The parking of automobiles or any other conveyances of any kind or description in all parking fields designated in this division, or portions thereof, shall be regulated and controlled by the use of signs in each restricted parking field or portion thereof. (Ord. of 4-21-64, Sec. 3)

Sec. 17-88. Restricted parking fields enumerated.

The parking of all automobiles and other conveyances of any kind or description is hereby prohibited, except by the volunteer firemen and employees of the Bethpage Fire District, in the following parking fields which are hereby deemed to be restricted parking fields subject to posted regulations:

- (a) The parking field adjacent to the Bethpage Fire House, 225 Broadway, Bethpage, New York. (Ord. of 4-21-64, Sec. 4)

Sec. 17-89. Penalty for violation of this division.

Any offense against any of the provisions of this division shall be punishable pursuant to Section 17-2 of this chapter. (LL 5-2007 adopted 4/24/07)

Sec. 17-90. Enforcement.

It shall be the duty of the county police department to enforce the provisions of this division and to issue summonses for any violation thereof. (Ord. of 4-21-64, Sec. 6)

Secs. 17-91—17-95. Reserved.

DIVISION 4. PUBLIC PARKING DISTRICT*

Sec. 17-96. Definitions.

As used in this division, the following terms shall have the meanings ascribed to them:

Operator shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

Parking fields shall mean any public parking field located within and under the jurisdiction of the Town of Oyster Bay Public Parking District in the town.

Restricted parking areas are those parking fields or areas where no vehicle shall park unless said vehicle bears a proper town parking permit and sticker as defined by section 17-100 herein.

Vehicle shall mean any vehicle by which any person or property may be transported upon a highway, except those operated upon rails or tracks. (Ord. of 1-31-61, Sec. 2; Res. of 4-27-76)

Sec. 17-97. Control of parking fields by signs or parking meters.

The parking of motor vehicles or any other vehicles in all parking fields or portions thereof shall be regulated and controlled by the use of signs, or by parking meters erected on each parking field or portions thereof, designating the lawful period of time that a motor vehicle or any other vehicle may be parked therein. (Ord. of 1-31-61, Sec. 3)

*State law reference—Public parking districts, Town Law, Sec. 198(5).

Sec. 17-98. Manner of parking in meter zones; de posit of coins; unlawful parking; when deposit of coins not required.

- (a) When any vehicle shall be parked next to a parking meter, the operator of the vehicle shall park within the area designated by the marking lines as indicated for parallel or diagonal parking.
- (b) Upon entering a parking space in a parking meter zone, the operator or owner shall immediately deposit in the parking meter the amount of money prescribed by the town board as parking fees and posted on the parking meter.
- (c) It shall be unlawful for any person to fail to park within the designated area, or to fail or neglect to deposit the proper coin or coins.
- (d) The parking space may be used by such vehicles during the legal parking limit provided by the provisions of this Code and other ordinances of the town, and a vehicle shall be considered as unlawfully parked if it remains in said space beyond the legal parking limit or when the parking meter displays a signal showing illegal parking, except that nothing in this section shall prevent the owner or operator of a vehicle from parking his vehicle in a space without depositing a coin where it appears that the maximum legal parking limit has not run since the deposit of the previous coin.
- (e) It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section. (Ord. of 1-31-61, Sec. 4)

Sec. 17-99. Authority of the town board to promulgate rules and regulations controlling use of parking fields; signs to be posted.

The Town Board is hereby authorized to adopt rules and regulations governing the use of said parking fields and from time to time to designate, by resolution, any or all of the said parking fields as restricted parking areas wherein the parking or standing of vehicles shall be permitted only as hereinafter provided. All such restricted areas shall be marked and indicated by suitable signs. (Ord. of 1-31-61, Sec. 5)

Sec. 17-100. Permit and sticker required for restricted parking areas; display of sticker.

No vehicle shall be parked or permitted to stand in any of the restricted parking areas unless a proper permit and sticker, bearing the number of the permit and the year for which the same shall be issued, has been obtained for the vehicle from the town clerk and the sticker is affixed and conspicuously displayed on the rear of the vehicle, as directed by the town clerk. The town clerk is authorized, three (3) months prior to the commencement of a permit year or permit period, to issue a permit and sticker for said permit year or permit period, which permit and sticker may be validly used during said three-month period and through the ensuing permit year or permit period. (Ord. of 1-31-61, Sec. 8; Ord. of 3-22-77; Ord. of 11-14-78; Ord. of 11-27-79; Ord. of 7-22-80)

Sec. 17-101. Domiciliary permits and stickers; application; fees.

- (a) (i) Any person who is a domiciliary of the town, but not a domiciliary of an incorporated village therein may obtain a permit for parking a vehicle in any of the parking fields by making a written application to the town clerk, as license commissioner, which application shall be on a form and contain such information and be accompanied by such documents as the town board may require.
 - (ii) No permit shall be issued pursuant to this section unless it be for a vehicle owned by the Applicant and/or a member of his household or a vehicle which is under exclusive possession, custody and control of the applicant and/or a member of his household.
 - (iii) The Town Clerk, as license commissioner, may require such documents as may, to her, seem necessary to determine whether an applicant is a domiciliary and whether the vehicle is owner by or under the exclusive possession, custody and control of the applicant and/or a member of his household.
- (b) The fee for a permit and sticker issued pursuant to Subsection (a) shall be Twenty Dollars (\$20.00) for each two (2) year permit period. The first two (2) year permit period shall commence on April 1, 2000 and terminate on March 31, 2002. Thereafter, a new two (2) year permit period shall commence on April 1st of every even-numbered year. The fee for a permit issued after April 1st of any odd-numbered year shall be Ten Dollars (\$10.00) and said permit shall be valid up to and including the following March 31st. All current 1999 permits shall continue to be valid up to and including March 31, 2000. The amount of fee for the permit period, or any part thereof, may be changed from time to time by resolution of the Town Board pursuant to the rules and regulations adopted pursuant to this division. The required fee shall be paid before the issuance of any permit of sticker. (Amended: 12/14/99)
- (c) The fee for the replacement of any permit issued under this section shall be one dollar (\$1.00). (Ord. of 1-31-61, Sec. 6; Ord. of 11-14-78; Ord. of 11-27-79; Ord. of 7-22-80; Ord. of 1-12-82; Sec. 1)

Sec. 17-102. Permits and stickers for domiciliaries of incorporated villages; application; fees.

- (a) (i) All persons who are domiciliaries of an incorporated village within the town may obtain a permit for parking a vehicle in any of the parking fields by making a written application to the town clerk, as license commissioner, which application shall be on a form and contain such information and be accompanied by such documents as the town board may require.
 - (ii) No permit shall be issued pursuant to this section unless it be for a vehicle owned by the Applicant and/or a member of his household or a vehicle which is under exclusive possession, custody and control of the applicant and/or a member of his household.
 - (iii) The Town Clerk, as license commissioner, may require such documents as may, to her, seem necessary to determine whether an applicant is a domiciliary and whether the vehicle is owned by or under the exclusive possession, custody and control of the applicant and/or a member of his household.
- (b) The fee for the permit and sticker issued pursuant to Subsection (a) shall be Eighty Dollars (\$80.00) for each permit year beginning 2000. A new permit year shall commence each April 1st

and terminate each March 31st. The fee for any permit issued after October 1st of any year shall be Forty Dollars (\$40.00 and said permit shall be valid up to and including the following March 31st. All Current 1999 permits shall continue to be valid up to and including March 31, 2000. The amount of the fee for the permit year, or any part thereof, may be changed from time to time by resolution of the Town Board pursuant to the rules and regulations adopted pursuant to this division. The fee shall be paid before the issuance of said permit or sticker. (Amended: 12/14/99)

- (c) The fee for the replacement of any permit issued under this section shall be one dollar (\$1.00). (Ord. of 1-31-61, Sec. 7; Ord. of 12-30-71; Ord. of 11-30-76; Ord. of 11-14-78; ;Ord. Of 11-27-79; Ord. of 7-22-80; Ord. of 1-12-82, Sec. 2)
- (d) BE IT ORDAINED, by the Town Board of the Town of Oyster Bay County of Nassau, State of New York, that Chapter 233, "Motor Vehicles and Traffic", Article III, Section 17-102, Permits and Stickers For Domiciliaries of Incorporated Villages, be a mended to impose a \$10.00 fee for senior citizens, age 60 and older, for each permit, beginning with the 2002 calendar year. (Amended: 12/18/01)

Sec. 17-103. Permits issued subject to space availability.

All permits and stickers issued pursuant to this division and the rules and regulations made pursuant to this division to park motor vehicles in the designated areas are subject to space therein being available. (Ord. of 1-31-61, Sec. 13)

Sec. 17-104. Transferability of permit and sticker; unauthorized use of sticker.

- (a) In the event a vehicle for which a permit and sticker have been issued pursuant to this division is transferred to another person, the sticker shall be removed and destroyed.
- (b) No person to whom a permit or sticker is issued pursuant to this division shall transfer such permit or sticker to another person.
- (c) No person shall display on a vehicle or operate a vehicle on which is displayed a sticker which has been issued for another vehicle. (Ord. of 1-31-61, Secs. 9, 10)

Sec. 17-105. When a permit may be issued to a person whose permit has been revoked.

In the event a person has a permit revoked, no permit shall be issued to such person in that permit year unless the approval of the town board, or person or persons designated by it, is obtained. (Ord. of 1-31-61, Sec. 12)

Sec. 17-106. Damaging signs.

No person shall deface, injure, change or tamper with any sign in any parking field. (Ord. of 1-31-61, Sec. 14)

Sec. 17-107. Unlawful acts in parking fields.

In addition to any other prohibition stated in the provisions of this division, it shall be unlawful for any person to:

- (a) Park any vehicle in a parking field other than within markers designating parking spaces.
- (b) Disobey any instructions or directions contained in any sign posted in any parking field.
- (c) Operate any vehicle within a parking field at a speed in excess of ten (10) miles per hour.
- (d) Use any portion of a parking field for the sale or display for sale of any goods or merchandise.
- (e) Distribute or throw any handbills, notices, or other type of advertising material in a parking field or in or on any vehicle parked herein, except official notices upon directions of the town board.

- (f) Operate any vehicle so as to cross over any line marked on the surface of any parking field.
- (g) Park any vehicle in a parking field for over twenty-four (24) hours.
- (h) Use any parking field as a through traffic means for any purpose.
- (i) Loiter in any parking field.
- (j) Bring or have an animal under his control in any parking field except when the animal is kept within the confines of the vehicle.
- (k) Deposit in any parking meter, any slug, device or metallic substitute for a coin of the United States. (Ord. Of 1-31-61, Sec. 15)

Sec. 17-108. Restrictions on the parking of commercial vehicles.

No commercial vehicle having a loading capacity exceeding one-half ton shall park or stand within any of the parking fields located within the Town of Oyster Bay Public Parking District except in such areas as may be specifically designated for said use by the town board pursuant to the provisions of this division or the rules and regulations adopted hereunder. (Ord. of 1-31-61, Sec. 16)

Sec. 17-109. Penalty for violation of division.

Any person who shall violate or suffer or permit anyone to violate any of the provisions of this division, or the rules and regulations adopted hereunder, and the owner of any vehicle operated or parked in violation of any of the provisions of this division, or the rules and regulations adopted hereunder, shall be guilty of an offense punishable as provided in Section 1-8. (Ord. of 1-31-61, Sec. 17; Rev. Ord. of 8-15-67, Sec. XVII)

Sec. 17-110. Enforcement of division: Complaints; impoundment of vehicle.

It shall be the duty of each traffic patrolman, or such other officer, as shall be so instructed by the county police department, in his beat or district, to take the number of any meter at which any vehicle is overparked, as provided in this division and the state vehicle tag number of such vehicle, and make a complaint therefor in the District Court, First District, Mineola, New York together with the length of time during which the vehicle is parked in violation of any of the provisions of this division, as well as any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violations. In addition thereto, any vehicle parked in violation of any of the provisions of this division may be towed away and stored at the direction of either the town board or the county police department, or any person authorized by the town board, at a cost not to exceed ten dollars (\$10.00) for towing and one dollar (\$1.00) per day storage for each day the vehicle is stored, the cost to be paid by the owner of the vehicle before the vehicle may be redeemed. The towing and storage charges may be changed from time to time by resolution of the town board pursuant to the rules and regulations herein. Prior to towing and storing any vehicle as herein specified, it shall be the duty of the town board, or person directing the towing and storage to notify the county police precinct having jurisdiction over the parking field from which the vehicle is to be towed, that such vehicle will be towed, by whom it will be towed and where the vehicle will be stored. (Ord. of 1-31-61, Sec 18)

Sec. 17-111. Restricted parking area thoroughfares. *

Sec. 17-112. Parking restricted to compact cars only.

At the following listed locations, the parking of compact cars only shall be permitted:

HICKSVILLE

Station Plaza South, south side, starting at a point 180 feet east of the east curblin of Newbridge Road, east to the west curblin of Jerusalem Avenue. (Ord. of 7-27-82)

Secs. 17-113—17-115. Reserved.

DIVISION 5. PARKING METERS IN HICKSVILLE*

Secs. 17-116 – 17-126 *

Sec. 17- 127

Any offense against any of the provisions of this division shall be punishable pursuant to Section 17-2 of this chapter. (LL 5-2007 adopted 4/24/07)

Secs. 17-128 – 17-132. Reserved.

DIVISION 6. PARKING METERS IN MASSAPEQUA*

Secs. 17-133 - 17-144 *

Sec. 17-145

Any offense against any of the provisions of this division shall be punishable pursuant to Section 17-2 of this chapter. (LL 5-2007 adopted 4/24/07)

Secs. 17-146—17-150. Reserved.

DIVISION 7. STOPPING

Sec. 17-151. Observance of “no-stopping” signs required.

When official signs have been posted prohibiting, restricting or limiting the stopping of vehicles on any street in the town, no person shall stop any vehicle in violation of the restrictions stated on such signs. Official signs shall be erected in the no stopping zones established in this division.

State law reference—For similar provisions, see Vehicle and Traffic Law, Sec. 1200(d).

Sec. 17-152. No-stopping at any time zones established.*

DIVISION 5. OBSTRUCTIONS ON STREETS

Sec. 17-231. Obstructions prohibited.

- (a) It shall be unlawful for any person to place or cause to be placed in or upon any street any obstruction to the free use of the same by pedestrians or vehicles. “Obstruction,” within the meaning of this section, includes the meaning described in section 319 of the Highway Law, as well as any containers stored or placed within the bounds of any street in such a manner as to interfere with the use of the street; “obstruction,” within the meaning of this section, shall also include a semi-trailer or trailer, as defined in the Vehicle and Traffic Law, parked or left unattended on any street without a tractor or towing vehicle attached.
- (b) It shall be presumed that the person or persons occupying the premises receiving the benefit of any obstruction, which is in the nature of a material or refuse receptacle, shall have placed or caused to be placed said obstruction in violation of this section.
- (c) The registered owner of any semitrailer or trailer which shall be parked or left unattended on any street without a tractor or towing vehicle attached, and the operator of tractor or towing vehicle which may have transported or drawn a semitrailer or trailer to any street and left same parked or unattended thereon, shall be presumed to have placed or caused to be placed an obstruction on a street in violation of this section. (Ord. Of 4-28-81)

***Editor’s note**—Division 5, consisting of Sec. 17-231—17-239.I, derived from ordinances adopted Apr. 4, 1978, and Jan. 9, 1979, was repealed, and a new div. 5, Sec. 17-231—17-233, was enacted by an ordinance adopted Apr. 28, 1981.

Sec. 17-232. Exceptions.

This division shall not apply to roll-off containers owned by licensed cartmen, provided that:

- (a) Said roll-off container is properly identified with the name, address and telephone number of the owner thereof displayed thereon;
- (b) The roll-off container shall have thereon a permanent installation of not less than sixteen (16) square feet of diagonal reflectorized striping material at each end of the container facing opposing traffic;
- (c) The roll-off container shall be placed and maintained in such manner so as not to interfere with either the safety or the free flow of pedestrian or vehicular traffic;
- (d) The roll-off container shall be removed within a reasonable time under the circumstances by the owner thereof, if notified by the commissioner of the department of public works, or the superintendent of highways, or an authorized designee of either, that the container is obstructing or interfering with the safety or the free flow of pedestrian or vehicular traffic; and
- (e) In the event that:
 - (i) The Commissioner of Public Works or the superintendent of highways or the authorized designee of either shall notify the owner of such a container that the location of the container is interfering with the safety or free flow of pedestrian or vehicular traffic and the owner does not, within a reasonable time, cause the container to be removed; or
 - (ii) The Commissioner of Public Works or the superintendent of highways, or the authorized designee of either, determines that the location of such container is interfering with the safety or free flow of pedestrian or vehicular traffic, but is unable to contact the owner of such container, within a reasonable time under the circumstances; or
 - (iii) If the Commissioner of Public Works or the superintendent of highways or the authorized designee of either shall determine that the location of such a container causes an immediate hazardous or dangerous condition requiring immediate removal; then the Commissioner of the Department of Public Works or the Superintendent of Highways, or the authorized designee of either shall cause said container to be removed by the Division of Highways of the Department of Public Works of the Town of Oyster Bay or other suitable town employees, and the cost of such removal shall be charged to and shall be payable by the owner of such container.
(Ord. Of 4-28-81)

Sec. 17-233. Penalties.

- (a) An offense against any of the provisions of this division shall be punishable pursuant to section 17-2 of this chapter.
- (b) The imposition of the penalties in this section shall not preclude the town attorney from instituting any appropriate action or proceeding to prevent a violation of this division or to correct or abate a violation of this division. (Ord. of 4-28-81)

Secs. 17-234—17-239. Reserved.

**ARTICLE V. TRAFFIC REGULATIONS PURSUANT
TO SECTION 1660-a OF THE VEHICLE
AND TRAFFIC LAW***

DIVISION 1. GENERALLY**

Sec. 17-240. Purpose.

It is the purpose of this article to provide regulation and control of vehicular traffic in the parking areas and driveways of a hospital or parking area of a shopping center, or the parking area and private streets or roadways of a private apartment house complex, or the parking areas and driveways of a fire station, or

private condominium complex, pursuant to Section 1660-a of the Vehicle and Traffic Law of the State of New York, as amended, in the unincorporated areas of the Town of Oyster Bay. (Ord. of 3-20-79)

Sec. 17-241. Request for regulation, generally.

- (a) Upon written request to the town board by the owner or authorized governing body of an area referred to in section 17-240, the town board may by ordinance, rule or regulation:
 - (1) Designate stop signs, flashing signals or yield signs at entrance and exit locations to a parking area, or designate any intersection in the parking area as a stop intersection or as a yield intersection and designate like signs or signals at one or more entrances to such intersection.
 - (2) Regular traffic in the parking area, and prohibit or regulate the turning of motor vehicles at intersections or other designated locations in the parking area, including regulation by means of traffic-control devices,
 - (3) Prohibit, regulate, restrict or limit the stopping, standing or parking of vehicles in specified sections of the parking area, including designation of safety zones.
 - (4) Provide for the removal and storage of motor vehicles parked or abandoned in the parking area where they constitute an obstruction of traffic or where stopping, standing or parking is prohibited, and for the payment of reasonable charges for such removal and storage by the owner or operator of any such vehicle.
 - (5) Adopt such additional legislation with respect to traffic and parking in a parking area as local Conditions may require for the safety and convenience of the public or of the users of the parking area.
- (b) A request for traffic regulation of the areas governed by this article shall be made pursuant to the Requirements therein, and shall be deemed a condition precedent to the adoption of any traffic regulation, rule or ordinance affecting such areas.
- (c) A request, if granted hereunder, shall be conditioned upon the owner or authorized governing body of the involved area providing and maintaining the necessary traffic-control devices, markings and notices required by law for the proper enforcement of traffic regulations by the Nassau County Police. (Ord. of 3-20-79)

***Editor's note** - Ord. of March 20, 1979, specifically amended the title of Art. V to read as hereinabove set out. Formerly, the Art. V title had been "Traffic Control in Shopping Centers and Private Apartment Complexes."

***Editor's note** – Ord. of March 20, 1979, specifically amended the Code by revising Div. 1 to read as herein set out. Former Div. 1, Sec. 17-240 – 17-244, 17-247, had pertained to similar subject matter and had been derived from an Ord. of April 16, 1974, and a Res. of April 27, 1976.

Sec. 17-242. Elements of request.

A request for traffic regulation under this article shall be in the form of a letter to the town board stating therein the desired restrictions, prohibitions and regulations of vehicular traffic in the area involved, and said letter shall have affixed thereto the following:

- (a) Affidavit of the owner or authorized governing agency of the area consenting to control of traffic by town legislation and stating therein the intention to provide all necessary traffic-control devices, markings and notices by the effective date of the applicable ordinance, rule or regulation. In the alternative, a letter from the authorized attorneys for owners or governing body may be submitted stating the same therein.
- (b) Site plan or sketch showing existing parking areas, access roads, perimeter roads, building complex and bus stops, where applicable, and further, showing thereon the desired traffic controls, parking restrictions and places where traffic controls will be provided.

- (c) Any additional information that the applicant believes may aid the Town Board or that the Town Board requests in its consideration of legislation, including such information as police and independent traffic surveys. (Ord. of 3-20-79)

Sec. 17-243, Filing of request for regulation; site plan or sketch.

- (a) A request for traffic regulation hereunder shall be addressed to the town board and filed with the Town Clerk together with all other necessary papers, as required by this article.
- (b) After adoption of such traffic legislation, the Town Clerk shall keep ready and available for public inspection the site plan or sketch submitted with the original request. Said site plan or sketch shall show which of the traffic controls have been adopted by the Town Board.
- (c) Nothing contained herein shall be deemed to abrogate any powers and duties of the Town Clerk heretofore existing by statute or ordinance. (Ord. of 3-20-79)

Secs. 17-244—17-246. Reserved.

Sec. 17-247. Violations and penalties.

Any offense against any of the provisions of this divisions shall be punishable pursuant to Section 17-2 of this chapter (LL 5-2007 adopted 4/24/07)

DIVISION 2. RESTRICTION AND REGULATION
OF TRAFFIC

Sec. 17-248. Sunrise Mall; traffic control.

(a) At Sunrise Mall, a shopping center located in the unincorporated area of Massapequa, New York, and having the address of 479 Sunrise Mall, Massapequa, the following traffic restrictions are enacted:

(1) "The stopping or parking of vehicles on perimeter roadways immediately adjacent to buildings at the shopping center is prohibited, except, that commercial buses may stop at properly posted bus stop areas, and that the control of traffic shall be effective and enforced in accordance with the parking and Access Proposal Site plan map of Sunrise Mall. Drawing No. SM-1, dated 6-5-84, duly filed in the Office of the Town Clerk". (Amended: 9/11/84)

(2) Parking of vehicles is prohibited in all areas of the shopping center except in marked and designated parking stalls.

(3) The operation of unregistered motor vehicles, including but not limited to mini-bikes and go-carts is prohibited.

(4) A maximum of thirty (30) parking stalls shall be set aside for the sole and exclusive use of the holder of any valid disabled driver parking permit issued by a municipality located in the State of New York. Such parking stalls shall be designated wherever the management of the Sunrise Mall finds reasonable and necessary.

(5) Only vehicles approaching southbound on Carmans Road shall enter the Mall at the north entrance, and a sign shall be posted so advising and which entrance shall be designated "entrance only." All vehicles approaching northbound on Carmans Road shall be prohibited from turning left into such entrance, and a sign shall be posted so advising.

(6) "In accordance with a plan entitled 'Interior and Access Roadway System, Sunrise Mall, Massapequa' dated December 10, 1985, the following intersections thereon are hereby designated as stop locations whereby the owner of said Sunrise Mall shall erect appropriate stop signs and traffic controlled light at the locations indicated on said plan facing traffic as provided therein."

THROUGH LANE

STOP LANE

Outer Rim (Road) North	Inner Rim (Road) West, northbound
Outer Rim North	Inner Rim East
Outer Rim South	Outer Rim West
Outer Rim South	Inner Rim West
Outer Rim South	Inner Rim East
Inner Rim North	Inner Rim East
Inner Rim South	Inner Rim East
Outer Rim East	Outer Rim North, westbound
Sunrise Highway Entrance	Outer Rim East
Hemlock Entrance	Outer Rim East
Louden Entrance	Outer Rim East
Bus Stop w/pedestrian crosswalk	Outer Rim East – Traffic controlled light

All traffic approaching a through lane from either direction, unless otherwise designated, shall come to a full stop before entering a through lane. (Amended: 1/28/86)

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 4-16-74; Res. of 4-27-76; Ord. of 11-13-79; Ord. of 8-23-83)

Sec. 17-249. Broadway Mall; traffic control.

(a) At Broadway Mall, a shopping center located in the unincorporated area of Hicksville, New York, and having the address of 358 B Broadway Mall, Hicksville, New York, the following traffic restrictions are enacted:

(1) The parking of any vehicle is prohibited wherever a no parking sign is posted on any perimeter road located immediately adjacent to buildings at the shopping center. No parking signs shall be posted in all areas so depicted on "Zoning Plan (Existing Conditions), Broadway Mall", a map on file in the office of the town clerk.

(2) Each driver of a vehicle approaching a stop sign shall come to a full stop at the place where the marked stop line adjacent to such sign is located. Stop signs which are depicted on said plan shall be posted at the following locations:

(a) A vehicle approaching easterly or westerly on the north perimeter road shall stop at the place where the theatre driveway adjoins said northerly perimeter road.

(b) A vehicle approaching westerly on the north entrance from Broadway, a street in Hicksville, shall stop at the place where said north entrance adjoins the east perimeter road.

(c) A vehicle approaching northerly or southerly on the east perimeter road shall stop at the place where the main entrance from Broadway, a street in Hicksville, adjoins said east perimeter road.

(d) A vehicle approaching easterly on the south perimeter road shall stop at the place where William Street adjoins said south perimeter road and the east perimeter road.

(e) A vehicle approaching northerly or southerly on the west perimeter road shall stop at the place where the truck ramp adjoins said west perimeter road.

(3) A vehicle shall be driven only in the direction designated by a sign posted for one-way traffic. Such signs shall be posted at the following locations which are depicted on said Plan:

(a) The north entrance shall be designated "one way" westbound between Broadway and the east perimeter road,

(b) The main exit shall be designated "one way" eastbound between Broadway and the east perimeter road.

(c) The main entrance shall be designated “one way” westbound between Broadway and the east perimeter road.

(b) An offense against this section is punishable pursuant to section 17-247 of this article (Ord. of 9-24-74) Amended: 11/14/89

Sec. 17-250. Birchwood Shopping Center; traffic control.

(a) At Birchwood Shopping Center, located in the unincorporated area of Jericho, New York, and having the address of 410 East Jericho Turnpike, Mineola, New York, 11501 the following traffic restrictions are enacted:

(1) The parking of any vehicle is prohibited wherever a “No Parking” sign is posted on perimeter roadways located immediately adjacent to buildings at the shopping center or wherever a yellow striped “No Parking— Fire Zone” is painted on such roadways.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 10-12-76)

Sec. 17-251. Manetto Hill Shopping Center; traffic control.

(a) At Manetto Hill Shopping Center, located at Country Drive and Manetto Hill Road in the unincorporated area of Plainview, New York, the following traffic restrictions are enacted:

(1) The parking of any vehicle is prohibited wherever a “No Parking” sign is posted on perimeter roadways located immediately adjacent to buildings at the shopping center or wherever a yellow striped “No Parking--Fire Zone” is painted on such roadways.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 12-14-76)

Sec. 17-252. Bethpage Court, Hicksville, New York; traffic control.

(a) The parking of any vehicle is prohibited wherever a “no parking” sign is posted on Bethpage Court, between Bethpage Road and Park Avenue in Hicksville, New York and wherever a “no parking—fire zone” is painted on the roadway of said Bethpage Court, between Bethpage Road and Park Avenue.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 9-27-77)

Sec. 17-253. Holiday Park Shopping Center, Massapequa, New York, traffic control.

(a) At Holiday Park Shopping Center located on Hicksville Road in Massapequa, New York, the following traffic restrictions are enacted:

(1) The parking of any vehicle is prohibited for a longer period than one hour wherever a sign to that effect is posted on perimeter roadways located immediately adjacent to buildings at the shopping center, or wherever a “no parking—fire zone” is painted on such roadways.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 11-29-77)

Sec. 17-254. Central General Hospital, Plainview, New York, traffic control.

(a) At Central General Hospital located on Old Country road in Plainview, New York, the following traffic restrictions are enacted:

(1) The parking of any vehicle is prohibited wherever a “no parking—fire zone” sign is posted, or wherever a “no parking—fire zone” is painted on the roadways adjacent to the building at the hospital.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 1-24-78)

(2) Parking is prohibited by all vehicles except emergency vehicles at locations designated by a “No Parking Except Emergency Vehicles” sign. (Amended: 6/19/90)

(3) The parking of vehicles not bearing a valid physically disabled driver’s parking permit is prohibited wherever a sign bearing the international symbol of access is posted, and/or wherever the international symbol of access is painted on such parking stall. (Amended: 6/19/90)

(4) All vehicles must come to a full stop at the place where such right-of-way is so designated by a posted stop sign. (Amended: 6/19/90)

Sec. 17-255. Hicksville—960 Broadway Shopping Center; traffic control.

(a) At 960 Broadway Shopping Center, located at Hicksville, New York, and being on the westerly side of Broadway, 599.20 feet northerly from the town line of the Town of Hempstead and designated on the land and tax map of Nassau County, New York, as section 46, block S, lots 514, 516, 517, 518, 541 and 542, the following traffic restrictions are enacted:

(1) The parking or stopping of any vehicle is prohibited wherever a “no parking” or a “no stopping” sign is posted on any roadway or driveway adjacent to any building and/or wherever a yellow striped “no parking fire zone” is painted on such roadway or fire hydrants.

(6) Parking of vehicles is prohibited in all areas of this property except in marked and designated parking stalls.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 5-23-78)

Sec. 17-256. Cedar Mall Shopping Center; traffic control.

(a) At Cedar Mall Shopping Center, Broadway, Jericho, New York, located on the west side of Broadway 206.5 feet south of Northern State Parkway in the unincorporated area of Jericho and being designated on the Land and Tax Map of Nassau County, New York as Section 11, Block C, Lot 750, the following traffic restrictions are enacted:

(1) The parking or stopping of any vehicle is prohibited wherever a “no parking” or a “no stopping” sign is posted on any roadway or driveway adjacent to any building and/or wherever a yellow striped “no parking fire zone” is painted on such roadway or fire hydrants.

(2) Parking of vehicles is prohibited in all areas of this property except in marked and designated parking stalls.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 4-18-78)

Sec. 17-257. Jericho Townhouse; traffic control.

(a) At Jericho Townhouse Apartments located on the east side of Bethpage Road, 714.67 feet north of Willett Avenue in the unincorporated area of Jericho, New York, Tax Section 12, Block C, Lots 17-A and 17-B, the following traffic restrictions are enacted:

(1) The parking or stopping of any vehicle is prohibited wherever a “no parking” and/or “no stopping” sign is posted on any roadway or driveway and/or wherever a yellow-striped “no parking fire zone” is painted on such roadway or driveway.

(2) Parking of vehicles is prohibited in all areas of this property except in marked and designated parking stalls.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 6-13-78)

Sec. 17-258. Massapequa Fire District Property, Massapequa, New York; parking and traffic control.

(a) The operating, stopping or parking on fire district property of motor vehicles other than those belonging to the Massapequa Fire District, the Massapequa Fire Department or the members of the Massapequa Fire Department, the fire district surgeon, the fire district attorney or a member of the board of fire commissioners is prohibited.

(b) Authorized vehicles shall park only in marked and designated parking stalls. The use of parking stalls marked and designated for chiefs' parking is prohibited to all other vehicles.

(c) The operation, stopping or parking of unregistered motor and other vehicles, including but not limited to mini-bikes, go-carts, mopeds and bicycles on fire district property is prohibited.

(d) Signs designating "No Parking Except Authorized Vehicles—Permit Required" shall be posted on both sides of each entry driveway to fire district property.

(e) Unauthorized vehicles found unattended on the grounds, parking fields or driveways of fire district property may be removed by the fire district and placed in storage at some suitable place and the owner or operator of such vehicle shall be liable for the reasonable charges for such removal and storage. All vehicles, except for fire and emergency apparatus and vehicles of the Massapequa Fire District or Massapequa Fire Department, shall be required to display an official parking permit, or they shall be deemed unauthorized vehicles.

(f) This section and regulation applies to the grounds, parking areas and driveways of all Massapequa Fire District property, to wit:

(1) West End Firehouse located on the westerly side of Hicksville Road, bounded on the south by Brooklyn Avenue, and on the north by New York Avenue, Massapequa, New York;

(2) East End Firehouse located on the west side of East Shore Drive, bounded on the north by Merrick Road and on the south by South Merrick Road, Massapequa, New York;

(3) Such other property as the Massapequa Fire District may from time to time acquire.

(g) An offense against this section is punishable pursuant to section 17-247 of this article.

(h) Nontransferable parking permits for authorized vehicles shall be issued by the Massapequa Fire District Secretary to members of the department, the fire district surgeon, the fire district attorney and members of the board of fire commissioners. Each permit shall be valid during the continuation of the membership or other affiliation with the Massapequa Fire District and/or Massapequa Fire Department. Such permit shall be in the form of a bumper sticker with shall be prominently displayed on the right side of the rear bumper of each authorized vehicle. Upon the termination of membership in the Massapequa Fire Department or other affiliation with the Massapequa Fire District, and upon the sale or other disposition of an authorized vehicle, it shall be obligatory on the permit holder to remove or destroy the permit. (Ord. Of 3-20-79)

Sec. 17-258.1. Woodbury Mall Shopping Center; traffic control.

(a) At Woodbury Mall Shopping Center, located in the unincorporated area of Woodbury, and having the address 7979 to 8023 Jericho Turnpike, Woodbury, New York, the following traffic restrictions are enacted:

(1) The parking or stopping of any vehicle shall be prohibited wherever a "No Parking" or a "No Stopping" sign is posted on any roadway or driveway adjacent to any building. Wherever a yellow

striped "No Parking—Fire Zone" sign is painted on such roadway or fire hydrants, the parking of a vehicle shall be prohibited.

(2) The parking of vehicles not bearing a valid physically disabled driver's parking permit is prohibited wherever a "Disabled Driver Only Parking" sign is posted, or wherever a sign bearing the disabled driver logogram is posted, or wherever a disabled driver logogram is painted on such parking stall.

(b) An offense against this section is punishable pursuant to section 17-247 of this article. (Ord. of 4-7-81)

"Sec. 17.258.2. Woodlands Condominium; Traffic control.

(a) At Woodlands Condominium, located in the unincorporated area of Woodbury, New York, the following traffic restrictions are enacted:

1.) The parking or stopping of any vehicle is prohibited wherever a "no parking" sign or a "no stopping" sign is posted on any roadway or driveway.

2.) Each driver of a vehicle approaching a stop sign shall come to a full stop at the place where a stop sign is located.

3.) It shall be unlawful for any person to park or leave standing at any time any commercial vehicle or bus on any street or roadway of the Woodlands Condominium. This section shall not, however, prohibit any commercial vehicle from making deliveries of merchandise or providing service to the occupants of any premises located on any such street or roadway.

4.) No person shall drive any motor vehicle in excess of twenty (20) miles per hour on Woodtree Drive, Woodbury.

(b) An offense against this section is punishable pursuant to Sec. 17.247 of this Article".

Amended: 5/22/84

"Sec. 17-258.3. Busy Bee Mall traffic control.

(a) At Busy Bee Mall, a shopping center located in the unincorporated hamlet of Massapequa Park, New York, and having a United States Post Office Address at P.O. Box 144, 5300 Sunrise Highway, Massapequa Park, New York 11762.

1. The stopping or parking of vehicles on perimeter roadways immediately adjacent to buildings at the shopping mall is prohibited except as otherwise depicted on the plan attached to letter dated March 31, 1984 from the Massapequa Fire Department, as same may be amended by resolution of the Town Board.

2. Parking of vehicles is prohibited in all areas of the shopping center except in marked and designated stalls.

3. The operation of unregistered motor vehicles, including but not limited to mini-bikes, and go-carts is prohibited.

4. All authorized signs governing traffic and parking in the shopping mall will be adhered to.

(b) An offense under this section is punishable pursuant to Section 17-247 of this Article.

Amended: 10/9/84

"Sec. 17.258.4. Delco Plaza Shopping Center; traffic control.

(a) At the Delco Shopping Center, located in the unincorporated area of Hicksville, New York, located on Broadway, Hicksville, New York, the following traffic restrictions are enacted:

(1) DELCO PLAZA – south side – NO STOPPING ANYTIME, beginning at the east curbline of Broadway, easterly and then northerly for a distance of 506 feet.

(2) DELCO PLAZA – south side – NO STOPPING ANYTIME, beginning at the point located 654 feet to the east and then to the north of the east curbline of Broadway, north for a distance of 60 feet.

(b) An offense against this section is punishable pursuant to Section 17-247 of this article.

Amended: 4/26/88

Section 17.258.5. TRUE VALUE SHOPPING CENTER; TRAFFIC CONTROL

a) At the True Value Shopping Center, located in the unincorporated area of Old Bethpage, New York, and situated on the easterly side of Haypath Road, and designated on the land and tax map of Nassau County, New York, as section 47, block 4, lots 6 and 7, the following traffic restrictions are enacted:

1) The parking or stopping of any vehicle is prohibited wherever a “no parking” or a “no stopping” sign is posted on any roadway or driveway adjacent to any building and/or wherever a yellow striped “no parking fire zone” is painted on such roadway or fire hydrants.

2) Parking of vehicles is prohibited in all areas of this property except in marked and designated parking stalls.

3) All vehicles must come to a full stop at the place where such right-of-way is so designated by a posted stop sign.

4) The parking of vehicles not bearing a valid physically disabled driver’s parking permit is prohibited wherever a sign bearing the “International Symbol of Access” is posted, and/or wherever the “International Symbol of Access” is painted on such parking stall.

b) An offense of this section is punishable pursuant to section 17-247 of this article.

Amended: 6/5/90

Sec. 17-258.6 – NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES HICKSVILLE DISTRICT OFFICE, 415 S. BROADWAY, HICKSVILLE; TRAFFIC CONTROL

a) At the Hicksville District Office of the Department of Motor Vehicles, located in the unincorporated area of Hicksville, New York, and situated on the easterly side of Broadway (NYS Rte. 107), and designated on the land and tax map of Nassau County, New York, as Section 46, Block 633, Lot 55, the following traffic restrictions are enacted:

1) The parking or stopping of any vehicle is prohibited wherever a “no parking” or “no stopping” sign is posted on any roadway or driveway adjacent to any building and/or wherever a yellow striped “no parking fire zone” is painted on such roadway or fire hydrants.

b) An offense of this section is punishable pursuant to section 17-247 of this article.

Effective date.

This ordinance shall become effective immediately.

Amended: 1/7/92

ARTICLE VA. EMERGENCY VEHICLE ACCESS TO PRIVATE APARTMENT COMPLEXES*

Sec. 17-259. Purpose.

It is the purpose of this article to promote the health, safety and welfare of persons and families residing in private apartment complexes in the unincorporated areas of the Town of Oyster Bay, by providing regulation and control of vehicular parking and by providing for sufficient access routes in order to insure proper ingress and egress for fire engines, ambulances and similar emergency vehicles. (Ord. of 4-24-79)

Sec. 17-259.I. Regulation of parking; establishment of fire lanes.

(a) All private apartment complexes which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates, access road, and fire lanes so that all building on the premises are accessible to fire apparatus.

(b) Fire lanes shall be provided for all buildings which are set back more than one hundred fifty (150) feet from a public road or exceed thirty (30) feet in height, and are set back over fifty (50) feet from a public road.

(c) Fire lanes shall be at least twenty (20 feet in width with the road edge closed to the building at least ten (10) feet from the building. Any dead-end road more than three hundred (300) feet long shall be provided with a turnaround at the closed end at least ninety (90) feet in diameter.

(d) It shall be unlawful for any person to park motor vehicles on or otherwise obstruct any fire lanes. (Ord. of 4-24-79)

***Editor's note**—Ord. of April 24, 1979, specifically amended Ch. 17 by adding Art. VA, Sec. 17-259, 17-259.I, as herein set out.

Cross reference—Housing fire safety requirements, Sec. 13-61 et seq.

Article V. B. EMERGENCY VEHICLE ACCESS TO SHOPPING CENTERS

Section 17-259.2. Purpose.

It is the purpose of this article to promote the health, safety and welfare of persons working in and patronizing shopping centers in the unincorporated areas of the Town of Oyster Bay, by providing sufficient access routes in order to insure proper ingress and egress for fire engines, ambulances and similar emergency vehicles, pursuant to Section 1660.a of the Vehicle and Traffic Law, as amended.

Section 17-259.3. Regulation of parking; establishment of fire lanes.

(a) All private shopping centers which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus.

(b) Fire lanes shall be provided for all buildings that are set back more than 150 feet from a public road or exceed 30 feet in height and are set back more than 50 feet from a public road.

(c) Fire lanes shall be at least 20 feet in width with the road edge closest to the building at least 10 feet from the building. Any dead-end road more than 300 feet long shall be provided with a turnaround at the closed end at least 90 feet in diameter.

(d) It shall be the duty of the property owner to mark fire lanes with free-standing signs or marked curbs, sidewalks, or other traffic surfaces that have the words "FIRE LANE – NO PARKING" painted in contrasting colors at a size and spacing approved by the Town of Oyster Bay.

(e) It shall be unlawful for any person to park motor vehicles on or otherwise obstruct any fire lanes.

Section 2.

This ordinance shall take effect immediately. Amended: 11/15/94

ARTICLE VI. PEDESTRIAN TRAFFIC*

Sec. 17-260. Railroad crossing.

It shall be unlawful for any pedestrian to enter or remain upon railroad tracks within this township when indication of an approaching train is exhibited. This indication shall include, but not limited to, the sounding of a bell, flashing red lights, and/or railroad gates in other than an upright position. (Ord. of 12-31-74)

***Editor's note—Ord. of Dec. 31, 1974, amended this Code by adding Art. VI, Sec. 17-260, to read as herein set out.**

**ARTICLE VII. PARKING RESTRICTIONS ON
STREETS DESIGNATED AS SNOW EMERGENCY
ROUTES***

Sec. 17-261. Establishment of snow routes for a snow emergency.

- (a) The commissioner of public works shall prepare and may, from time to time, amend a list of town roads or portions thereof which he designates as snow routes, indicating the name of each road. Such list and any amendments thereto shall be filed with the town clerk, who shall cause such list or amendments thereto to be published once in the official newspapers of the town. Such snow routes shall take effect upon such publication and shall continue until modified.
- (b) The town supervisor may declare a state of snow emergency whenever, in his judgment, snow has created dangerous driving conditions within the town. During the existence of a snow emergency, or when the National Weather Service has predicted a snowfall or three (3) inches or more, motor vehicles shall not be parked or abandoned upon the snow routes.
- (c) The department of public works shall erect and maintain appropriate signs at reasonable intervals along designated snow routes to provide notice that it is unlawful to park or abandon any vehicles along a snow route during a snow emergency.
- (d) Any vehicle parked or abandoned in violation of the provisions of this section shall be deemed a nuisance and a menace to the safe and proper regulations of traffic. Employees of the department of public works or any peace officer may remove, or cause to be moved, any such vehicle to any other location within the town, without incurring any liability for damages to the vehicle. Any offense against any of the provisions of this division shall be punishable pursuant to Section 17-2 of this chapter (LL 5-2007 adopted 4/24/07)
- (e) A violation of this section shall be punishable by a fine in the amount of one hundred dollars (\$100.00). (Ord. of 1-16-79; Ord. of 2-7-84)

**ARTICLE VIII – ALTERNATE PARKING REGULATION
DURING SNOW EMERGENCIES**

Sec. 17-262. Establishment of Alternate Street Parking Regulations During Snow Emergencies.

It is deemed essential in the public interest that thoroughfares in the Town of Oyster Bay remain accessible for public use and be maintained at all times free of obstructions

which may prohibit or hinder the use thereof. To ensure such accessibility on thoroughfares not otherwise established as snow routes pursuant to Section 17-261 of this Chapter during snow emergencies as determined by Sec. 17- 261(b) thereof, rapid plowing of all thoroughfares is vital.

- (a) In fulfillment of such purposes, during such emergency periods, except as otherwise provided, parking of any vehicle is prohibited during even-numbered years, on the side of such streets whereby the houses bear odd-numbered addresses; and, in odd-numbered years, on the side of such streets whereby the houses bear even-numbered addresses.
- (b) The Department of Public Works shall erect and maintain appropriate signs at reasonable intervals along such thoroughfares in order to provide notice thereof.
- (c) Any violation of this section shall be punishable by a fine pursuant to Section 17-2 of this chapter and, in addition thereto, the violator shall pay the cost, expense and storage fees pertaining to the removal of the vehicle thereof.

Amended: 2/25/86

Sec. 17-263. Parking at Town of Oyster Bay Housing Authority Senior Citizen Facilities.

Pursuant to New York State Vehicle and Traffic Law Section 1670, the Town of Oyster Bay hereby authorizes the Nassau County Police Department to enforce all posted parking restrictions located at and within Town of Oyster Bay Housing Authority Senior Citizen Facilities including but not limited to: 125 West Main Street, Oyster Bay, NY 11771; 7 Burkhardt Avenue, Bethpage, NY 11714; 50 Hicksville Road, Plainedge, NY 11714; 530 Clocks Boulevard, Massapequa, NY 11758; 40 Eastwoods Road, Syosset, NY 11791; 355 Newbridge Road, Hicksville, NY 11801; 80 Barnum Avenue, Plainview, NY 11803 and 108 Round Swamp Road, Old Bethpage, NY 11804.

Dated: June 22, 1999.