

WELLSVILLE POLICE DEPARTMENT CORRESPONDENCE**From Chief James A. Cicirello**

TO: *Bill Whitfield*

SUBJECT: *Depositing Snow on Highway*

DATE: *02/06/04*

Attached is a copy of the V & T Law, which we are using for persons, depositing snow on our streets.

I believe subdivision (b) would permit a person to clean up after snow was deposited if there were no alternative places to put the snow after they cleaned an alley or driveway.

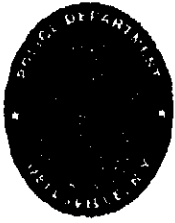
I have put the law on PD Letterhead so it can be handed out.

If we need to talk to some of these residents who do not want to cooperate and choose to ignore or challenge our workers, we can do that and if that don't work, a ticket might.

If you have any questions or concerns, give me a call.

Thanks JHM





James A. Cicirello
Chief of Police

Wellsville Police Department

46 South Main Street • Wellsville, New York 14895
Phone: (585) 593-5600 * FAX: (585) 593-1556



February 5, 2004

New York State Vehicle and Traffic Law

Section 1219. Putting glass or other injurious substances on highway prohibited.

- (a) No person shall throw or deposit upon any highway any glass bottle, nails, tacks, wire, cans, SNOW, or any other substance likely to injure any person, animal, or vehicle upon such highway.**

- (b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material or any material, which interferes with the safe use of the highway shall immediately remove the same or cause it to be removed.**

§1219. Putting glass or other injurious substances on highway prohibited.

(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, snow or any other substance likely to injure any person, animal, or vehicle upon such highway.

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(b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material or any material which interferes with the safe use of the highway shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from the highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

§1220. Throwing refuse on highways and adjacent lands prohibited.

(a) No person shall throw, dump, deposit or place, or cause to be thrown, dumped, deposited or placed upon any highway, or within the limits of the right of way of such highway, or upon private lands adjacent thereto, any refuse, trash, garbage, rubbish, litter or any nauseous or offensive matter.

(b) Nothing herein contained shall be construed as prohibiting the use in a reasonable manner of ashes, sand, salt or other material for the purpose of reducing the hazard of, or providing traction on snow, ice or sleet.

(b-1) Nothing herein contained shall be construed as prohibiting the use of any highway or private lands adjacent thereto for the transport or transit of agricultural trucks, machines or implements or dairy or domestic animals or agricultural stock with any accompanying reasonable or unavoidable deposit of nauseous or offensive matter.

(c) A violation of the provisions of subdivision (a) of this section shall be punishable by a fine not to exceed two hundred fifty dollars and/or a requirement to perform services for a public or not-for-profit corporation, association, institution or agency not to exceed eight hours and for any second or subsequent violation by a fine not to exceed five hundred dollars and/or a requirement to perform services for a public or not-for-profit corporation, association, institution or agency not to exceed eight hours.

§1220-a. Liability for violation of a local law prohibiting unlawful dumping in a city having a population of one million or more. 1. In a city having a population of one million or more which has adopted a local law prohibiting unlawful dumping by any person, his or her agent, employee or any person under his or her control, the owner, operator or owner-operator of a vehicle used in violation of such local law who is found in violation of such local law where the environmental control board of such city has determined that such violation involved a substantial amount of materials or matter shall be subject to the suspension of his or her driver's license, resident or non-resident privilege to operate, or registration pursuant to subdivision two of this section in addition to any civil and criminal penalties set forth in such local law. For the purposes of this section, the following terms shall have the following meanings: (a) "substantial amount" shall mean a volume of at least two cubic yards; (b) "unlawful dumping" shall mean suffering or permitting any dirt, sand, gravel, clay, loam, stone, rocks, rubble, building rubbish, sawdust, shavings or trade or household waste, refuse, ashes, manure, garbage, rubbish or debris of any sort or any other organic or inorganic material or thing or other offensive matter being transported in a dump truck or other vehicle to be dumped, deposited or otherwise disposed of in or upon any street, lot and public street or other area subject to public use.

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Wellsville
Town
Village
Local Law No. 1 of the year 19 91.

A local law amending the parking fines for the Village
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County Wellsville
City of as follows:
Town
Village

ARTICLE I

Article II Section 5 of the Local Law NO. 1 of the year 1980 is hereby amended to read as follows:

SECTION 5

Article IV, Section 35-10, Subdivision G, Paragraph 4, of Chapter 35 of the ordinance of the Village of Wellsville is hereby amended to read as follows: The Police Officer observing such parking violations shall also attach to such vehicle reasonable notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of Section 35-10-A, Section 35-10-B, or Section 35-10-D, or Section 35-9-A, as the case may be. Each owner or operator given such notice, by attachment, to the vehicle or otherwise, may pay to the Village Clerk, as a civil penalty for and in full satisfaction of a violation:

Of Sections 35-10-A, 35-10-B, or 35-10-D, as amended the sum of \$2.00; if said violation is paid on or before the fifth business day following the issuance of the notice the \$2.00 must be paid, or the sum of \$15.00 if paid after the fifth day but on or before the 30th day following the issuance of such notice:

Of Section 35-9-A, as amended, the sum of \$15.00, if paid on or before the tenth day following the issuance of the notice, or the sum of \$30.00 if paid after the 10th day, but on or before the 30th day following the issuance of such notice.

Article IV Section 35-10 H, shall be added to read as follows: Any person who parks in spaces clearly marked for use by the handicapped without a special municipal parking permit or whose motor vehicle is not registered with handicapped designated license plates, shall be subject to a fine of twenty-five dollars (\$25.00) for the first offense, if paid on or before the 10th day following the issuance of the notice, or the sum of \$50.00 if paid after the 10th day but on or before the 30th day following the issuance of such notice. The second offense fine shall be \$50.00, if paid on or before the 10th day following the issuance of the notice, or the sum of \$100.00 if paid after the 10th day but on or before the 30th day following the issuance of such notice.

ARTICLE II

This local law shall take effect January 31, 1991 or upon its filing with the Secretary of State, whichever is later.

(If additional space is needed, please attach sheets of the same size as this and number each)

Adopted
JAN 14 1991

*Amended
9-2-
1980*

VILLAGE OF WELLSVILLE

MUNICIPAL BUILDING 156 NORTH MAIN
Post Office Box 591
WELLSVILLE, NEW YORK 14895

May 31, 1983

ROBERT G. GARDNER
Mayor
(716) 593-4881

DONALD J. LUDDEN
Trustee

RALPH C. RUGABER
Trustee

WM. G. HENDRICK
Trustee

JOHN A. MELARO, JR.
Trustee

JANICE A. GIVENS
Clerk - Treasurer, Registrar
(716) 593-1121
SUE E. BARNHART
Deputy Clerk - Treas., Registrar

DONALD A. MacFARQUHAR
Director of Public Works
(716) 593-1850

TH. M. SERVEY
e
(716) 593-2055

W. JOSEPH EMBSER, JR.
Attorney
(716) 593-1900

STEPHEN L. MARGESON
Chief of Police
(716) 593-5600

MICHAEL P. FINN
Water and Light Dept.
(716) 593-4950

CONNIE CANOVA
Zoning Officer
(716) 593-2254

KENNETH T. SMITH
Assessor
(716) 593-2254

WILLIAM D. DORNEY
Building Inspector
(716) 593-2254

Mr. Steve Margeson
Chief of Police
Police Station
South Main Street
Wellsville, NY 14895

Dear Steve:

In accordance with your recent request, I am enclosing a copy of a proposed Local Law prepared in the fall of 1981 which would amend our present traffic ordinance so as to give the Board of Trustees more flexibility in installing, replacing or removing traffic control devices.

The present ordinance by its terms "locks in" certain specific devices to specific locations.

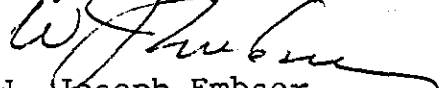
If the Board was to proceed with this, I would now recommend one or two additional sections.

One would be to permit the Board to enact an order, rule or regulation which could override provisions of the existing ordinance. Such orders, rules or regulations would then have the effect of repealing by implication the inconsistent portions of the current ordinance. It would be advisable, however, to incorporate in the order, rule or regulation, a reference to any inconsistency with the present ordinance.

The second item that I would add would be to provide for the filing of these orders, etc. in the office of the Village Clerk prior to their being effective. Anything less than this might not withstand a constitutional attack.

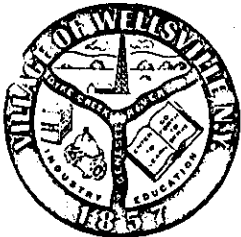
Please review with Mr. MacFarquhar and advise.

Very truly yours,


W. Joseph Embser

WJE:nb

cc: Donald MacFarquhar
Mayor Robert G. Gardner



~~County~~
~~City~~ of WELLSVILLE
~~Town~~
Village

Local Law No. 3 of the year 19 81

A local law amending the Traffic Ordinance of the Village of Wellsville.
(Insert title)

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

~~County~~
~~City~~ of WELLSVILLE as follows:
~~Town~~
Village

ARTICLE I

Contained in the Vehicle & Traffic ordinance of the Village,
Chapter 35, particular types of traffic control devices such as signs,
signals and meters are directed or permitted to be used in certain situ-
ations even though types of traffic control devices, not mentioned,
might be equally or better suited to accomplish the purpose of the or-
dinance. It is, therefore, the purpose of this Local Law to authorize
and permit the Board of Trustees, by amending Chapter 35, to install
and maintain appropriate traffic control devices other than a type
specifically referred to in the ordinance and to further give to the
Board all of the flexibility with regard to traffic control devices
that is contemplated by Vehicle & Traffic Law, §1682.

ARTICLE II

The ordinances of the Village of Wellsville, Chapter 35, Article
II, §35-2, shall be amended to read as follows:

(If additional space is needed, please attach sheets of the same size as this and number each)

§ 35-2 A. Wherever this ordinance or other Local Law provides for or allows for the installation of traffic control devices by using the words "signs", "meters", "signals" or "parking space markings", or by use of other words of similar import or meaning in reference to a type of traffic control device, such use shall not constitute words of limitation and any other appropriate traffic control device conforming to the State Manual and Specifications may be installed and used in conjunction with, as a substitute for, or in addition to the type of traffic control device particularly mentioned or allowed.

§ 35-2 B. This ordinance is not exclusive in the regulation, warning or the guiding of traffic. Nothing herein shall prohibit or restrict the Board of Trustees from placing and maintaining such traffic control devices conforming to the State Manual and Specifications as it deems necessary to indicate and carry out the provisions of any rule, order or regulation not conflicting with this ordinance or any Local Law.

§ 35-2 C. Nothing in this ordinance shall prohibit or restrict the power of the Board of Trustees to terminate the use of any traffic control device provided for or allowed by this ordinance at any location which it deems necessary so as to carry out the provisions of any order, rule or regulation regulating traffic.

ARTICLE III

The effective date of this Local Law shall be November , 1981.

A LOCAL LAW AMENDING CHAPTER 35, KNOWN AS THE VEHICLE AND
TRAFFIC ORDINANCE OF THE VILLAGE OF WELLSVILLE

adopted: 3/22/71

Notice is hereby given that at a meeting of the Board of Trustees
of the Village of Wellsville duly called and duly held on March
22, 1971, that a resolution by roll call vote was unanimously
adopted providing for amendment of the following:

ARTICLE VI

Section 35-8-1 All night parking

The parking of vehicles is hereby prohibited
on all highways within this Village between 2:00 A.M. and
6:00 A.M. from November 1 to May 1.

Effective November 1, 1971

The foregoing is not intended to pertain to
parking on Route 17 Arterial s. 35-9

- A. (19) North and South sides of Lunn Court
- (20) East and West sides of Witter Avenue
from its intersection with Stevens
Street northerly to its intersection
with McDowell Avenue
- (21) West side of Pleasant Street

Effective immediately.

A Local Law Authorizing Traffic Rules, Regulations and Orders.

adopted 6-27-83

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE AS FOLLOWS:

ARTICLE I

Chapter 35 of the Ordinances of the Village require specific traffic control devices to be used in certain situations and locations, even though other types of traffic control devices might be equally or better suited for the intended purpose. It is the intent of this Local Law to authorize and permit the Board of Trustees, by amending Chapter 35, to install and maintain appropriate traffic control devices other than a type specifically referred to in the Ordinance; to give to the Board the use flexibility with regard to traffic control devices that is contemplated by Vehicle and Traffic Law, Sec 1682; and to permit the Board to establish any rules, regulations or orders as may be authorized by the Vehicle and Traffic Law.

ARTICLE II

The ordinances of the Village of Wellsville, Chapter 35, Article II, Sec. 35-2, are hereby amended to read as follows:

Section 35.2 .Wherever this Ordinance or other Local Law regulating traffic provides for or allows for the installation of traffic control devices by using the words "signs", "meters", "signals", or "parking space markings", or by use of other words of similar import or meaning in reference to a specific type of traffic control device, such use shall not constitute words of limitation; and any other appropriate traffic control device conforming to the State Manual and Specifications may be installed and used in conjunction with, as a substitute for, or in addition to the type of traffic control device particularly mentioned.

ARTICLE III

1. The Village Board of Trustees, may, as it deems necessary or appropriate, terminate by rule, regulation or order, the use of

any traffic control device provided for or allowed by any Village Ordinance or Local Law.

2. No provision of any Local Law or Ordinance shall prohibit or restrict the Board of Trustees from placing or maintaining, as the Board deems necessary or appropriate, such traffic control devices which conform to the State Manual or Specifications.

ARTICLE IV

1. Notwithstanding the provisions of any Local Law or Ordinance regulating Traffic, the Board of Trustees may adopt any order, rule or regulation it is authorized to adopt by the Vehicle and Traffic Law; and it may, pursuant to Sec.1603 of the Vehicle and Traffic Law, delegate such powers.

2. Such rule, regulation or order, as authorized by the preceding paragraph, may modify, supersede or repeal, explicitly or by implication, any existing rule, regulation or order shall not effect or impair the validity or operation of the latter; and for the purpose of any actions or proceedings which may have been taken, or rights which may have been granted or obtained therein, such provisions of the Ordinance, Local Law, rule or regulation or order shall continue in force and effect as fully and to the same extent as if such had not been superseded or repealed.

ARTICLE VII

If any part of this Local Law shall be adjudged invalid by any court of competent jurisdiction, such judgement shall not invalidate the remainder thereof, but shall be confined in its operation to the part directly involved in the controversy wherein such judgment shall have been rendered.

ARTICLE VIII

This Local Law shall take effect immediately.

A LOCAL LAW AUTHORIZING REGULATION OF TRAFFIC BY POLICE DURING EMERGENCY OR OTHER SITUATIONS REQUIRING EXPEDITIOUS MOVEMENT OF TRAFFIC.

ADOPTED 7/26/82

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE, NEW YORK, AS FOLLOWS:

ARTICLE I - PURPOSE AND INTENT

Section 1 -

One purpose of this Local Law is to take full advantage of the options given to the Village by Vehicle and Traffic Law, #1602 (b). The standard application of traffic laws may not be appropriate in certain situations to resolve unusual, specific, or immediate traffic problems that arise. It can be appropriate and preferable that the regular application and enforcement of traffic laws be temporarily suspended. This Local Law so permits. Among other advantages, the adoption of the law will enable police or other persons empowered to regulate traffic to take advantage of Vehicle and Traffic Law # 1102. This imposes a duty of compliance with any lawful order or direction of a police officer or other such person. This would include police officers and others so defined by the Vehicle and Traffic Law, such as constables assigned to regulate traffic; flag persons as defined by Vehicle and Traffic Law, # 115-b; and fire police acting in the course of their duties.

It is a further intent of the Board that authority be specifically provided for the removal of parked or unattended vehicles. This eliminates the possibility of ambiguity in interpreting this Local Law in light of Vehicle and Traffic Law #152 which refers to traffic in terms of the use of a highway for purposes of travel. The authority to provide for removal of parked, standing or unattended vehicles is determined to be included under the general authority of Vehicle & Traffic Law #1602, but is also specifically covered under Vehicle and Traffic Law #1640 (14) which is also used as an authority for this Local Law.

ARTICLE II - DEFINITIONS

Section 1 -

Highway - The word highway, as used in this Local Law, shall encompass the entire width between the boundary lines of every place or way publicly or privately maintained, including sidewalks, any part of which is open to the use of

public, by right or permission, expressed or implied, for purposes of vehicular traffic.

Section 2 - Vehicles

The work vehicle, as used in this Local Law, shall encompass every device, in, upon or by which any person or property is or may be transported or drawn upon a highway. A vehicle shall include motor vehicles, motor cycles and similar type vehicles, bicycles, trailers and animals.

Section 3 - Traffic

The word traffic, as used in this Local Law shall encompass pedestrians or vehicles, either singly or together, while using any highway, including those vehicles which are parked, standing, abandoned, or otherwise unattended.

ARTICLE III - AUTHORIZATION FOR DIRECTION OF TRAFFIC

Section 1 -

In the event of a fire, accident, disaster, snow storm, or any other emergency; or for the purpose of expediting traffic, or to safeguard pedestrians, or to safeguard persons or property; any police officer or other person, lawfully empowered to regulate traffic may direct traffic, and any operator thereof, or any person, as they determine conditions require, notwithstanding the provisions of the Vehicle and Traffic Law, or of rules, regulations, administrative codes, ordinances, or orders regulating traffic, or other Local Laws regulating traffic.

Section 2 -

Included in the powers of Section 1 of this Article shall be authority to move or remove vehicular traffic on highways, and store same if necessary, or otherwise direct same to be done, when such traffic is:

(a) parked, standing, or left unattended on a highway during snow storms, floods, fires, or other public emergencies, or

(b) found parked, standing, or unattended on a public highway where such traffic is deemed to constitute an obstruction to other traffic, or

(c) found parked, standing, or unattended where the movement or removal of such traffic is deemed appropriate or necessary to safeguard persons or property.

Section 3 -

The Village Board may, by order filed with the Clerk of the Village of Wellsville, charge or assess the owner or operator, or both, of any vehicle required to be removed, or removed and stored under the authority of this Local Law, for the payment of reasonable expenses for such removal and storage. In order for such charge or assessment to be valid, the Order must be filed in the office of the Clerk,

and notice of filing given in the official newspaper of the Village prior to any acts which would give rise to such assessment or charge,

ARTICLE IV - RULES AND REGULATIONS

Section 1 -

The Chief of Police, subject to the supervision of the Mayor, may establish rules and regulations relating to the control and direction of traffic during situations covered under this law. These regulations may include provisions for:

A. Establishment and coordination of traffic control among individual traffic controllers, whether or not the controllers are under the direct jurisdiction of the Wellsville Police Department,

B. Establishment or modification of any contingent traffic plans as he deems necessary and implementation of same,

C. Assignment, direction and supervision of all individual traffic controllers from whatever agency,

D. The entering into and implementation of plans with other agencies including local, county, state and federal agencies and other emergency agencies or personnel, including fire, ambulance, rescue, salvage, and utility companies, agencies, or personnel,

E. Any other rule or regulation that he deems necessary, desirable or appropriate.

ARTICLE V - APPLICATION

The Local Law shall be applicable to all highways in the Village of Wellsville.

ARTICLE VI - SAVINGS CLAUSE

If any section, sub-section, paragraph, clause, phrase or provision of this Local Law shall be adjudged invalid or held unconstitutional, such determination shall not affect the validity of this Local Law as a whole, or any part or provision thereof, other than the part so adjudged to be invalid or unconstitutional.

ARTICLE VII - EFFECTIVE DATE

This Local Law shall take effect immediately.

A LOCAL LAW AMENDING CHAPTER 35, AS AMENDED BY LOCAL LAW NO. 5 OF THE YEAR 1978, OF THE VEHICLE AND TRAFFIC ORDINANCE OF THE VILLAGE OF WELLSVILLE.

adopted: 11-24-80

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE AS FOLLOWS:

ARTICLE I

Section 3 of the Local No. 5 of the year 1978 is hereby amended to read as follows:

SECTION 3

The following paragraphs are hereby added to Article VI, Section 35-9, Subdivision A, of Chapter 35 of the ordinances of the Village of Wellsville.

19. No parking on either side of Highland Avenue from Stevens Street to Fassett Lane.

20. No parking on Highland Avenue on the west side from its intersection with Pine Street north to Stevens Street.

21. No parking on either side of Scott Avenue north from Genesee Street to the O'Connor Street Extension.

22. No parking on the north side of Miller Street from its intersection with Broad Street to Dyke Creek.

23. No parking on the north side of Early Street from Hamilton Street west to Highland Avenue.

24. No parking on the pedestrian and vehicular passageway (lane), also commonly known as Eaton Court, from North Main Street to the entrance of the Village Parking Lot, commonly known as the Central Plaza Parking Lot. (now known as Super Duper Parking Lot).

25. No parking on either side of that portion of Maple Avenue located between its intersection with East Genesee Street and the Moose Club driveway.

26. Except as otherwise provided in Chapter 35 of the ordinances of the Village of Wellsville, as same may have been amended from time to time, or as provided in the Vehicle and Traffic Law of the State of New York, as same may be amended from time to time, parking on any village street right-of-way in areas between street curb lines and sidewalks, including the entire sidewalk, is prohibited.

This provision shall not be applicable to emergency vehicles or vehicles operated by emergency crew members in the course of their duties.

ARTICLE II

Section 5 of Local Law No. 5 of the year 1978 is hereby amended to read as follows:

SECTION 5

Article IV, Section 35 - 10, Subdivision G, Paragraph 4, of Chapter 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows: The police officer observing such parking violations shall also attach to such vehicle reasonable notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of Section 35-10-A, Section 35-10-B, or Section 35-10-D, or Section 35-9-A, as the case may be. Each owner or operator given such notice, by attachment to the vehicle or otherwise, may pay to the Village Clerk, as a civil penalty for and in full satisfaction of a violation:

Of Sections 35-10-A, 35-10-B, or 35-10-D, as amended, the sum of \$1.00 if paid on or before the 10th day following the issuance of the notice, or the sum of \$11.00 if paid after the 10th day but on or before the 30th day following the issuance of such notice:

Of Section 35-9-A, as amended, the sum of \$10.00, if paid on or before the 10th day following the issuance of the notice, or the sum of \$20.00 if paid after the 10th day, but on or before the 30th day following the issuance of such notice.

If such civil penalty is not paid before the 30th day following the issuance of such notice, the owner or operator, or both, will be subject to penalties prescribed in Section 1800 of the Vehicle and Traffic Law of the State of New York, in addition to the appropriate civil penalty for each ticket.

For each additional hour that a vehicle is in violation of the ordinance as it may be amended relative to this Article, the owner or operator of such vehicle will be liable to an additional civil penalty or such additional penalty prescribed in Section 1800 of the Vehicle and Traffic Law of the State of New York.

ARTICLE III

Section 35-6 of Article 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows:

SECTION 35-6 TRAFFIC CONTROL SIGNALS

Traffic Control Signals shall be installed, maintained and operated as follows:

(1) A fixed time traffic control signal at the intersections of Pearl Street, Madison Street, Fassett Street and State Street, with North and South Main Street consisting of the following:

- (a) Three section, four faced signal head.
- (b) Steady red, yellow and green sequences of operation.

(2) A fixed time traffic control signal at the intersection of West State Street with Brooklyn Avenue consisting of the following:

- (a) Three section, four faced signal head.
- (b) Steady red, yellow and green sequences of operation.

(3) A fixed time traffic control at the intersection of Coats Street with North Main Street Extension, Route 19, consisting of the following:

- (a) Three section, three faced signal head.
- (b) Steady red, yellow, and green sequences of operation.

(4) Nothing herein shall prohibit the Director of Public Works from authorizing that the traffic signals be operated as flashing signals at such times that he may authorize. It shall be in his discretion to determine which street at the intersection shall be a through street with a flashing yellow signal, and which street shall be controlled by a flashing red signal.

(5) The intersection of Stevens Street with Brooklyn Avenue shall be controlled by traffic signs directing that all vehicles traveling on either street shall stop at the intersection before proceeding.

ARTICLE IV

This Local Law shall take effect immediately.

5 of 1978

A Local Law Amending Chapter 35, Vehicle & Traffic, of the Ordinances Of the Village Of Wellsville.

adopted:10-23-78

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE, NEW YORK AS FOLLOWS:

SECTION 1. Article VIII, Section 35-12-C of Chapter 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows: When any vehicle is parked or abandoned on any highway where parking is prohibited as established by Section 35-9 of this ordinance, said vehicle may be removed by the police department of the Village of Wellsville.

SECTION 2. Article VI, Section 35-9, Subdivision A, Paragraph 5 of Chapter 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows:

5. East side of North Brooklyn Avenue from its intersection with Chamberlain Street. West side of North Brooklyn Avenue from its intersection with West State Street to its intersection with Early Street. Both sides of Hillside Homes along its entire length, from its intersection with South Brooklyn Avenue to its terminus.

SECTION 3. The following paragraphs are hereby added to Article VI, Section 35-9, Subdivision A of Chapter 35 of the ordinances of the Village of Wellsville:

19. No parking on either side of Highland Avenue from Stevens Street to Fassett Lane.

20. No parking on Highland Avenue on the west side from its intersection with Pine Street north to Stevens Street.

21. No parking on either side of Scott Avenue north from Genesee Street to the O'Connor Street Extension.

22. No parking on the north side of Miller Street from its intersection with Broad Street to the river.

23. No parking on the North side of Early Street from Hamilton Street West to Highland Avenue.

SECTION 4. Article XI, Section 35-18 of Chapter 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows:

Section 35-18, Violations and Penalties.

Every person convicted of a violation of any of the provisions of this ordinance except as provided in Article VI, Section 35-10-G-4, shall be subject to the penalties prescribed in Section 1800 of the Vehicle & Traffic Law of the State of New York.

SECTION 5. Article VI, Section 35-10, Subdivision G, Paragraph 4 of Chapter 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows: The police officer observing such parking violations shall also attach to such vehicle reasonable notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of Section 35-10-A, Section 35-10-B, or Section 35-10-D, or Section 35-9-A, as the case may be. Each owner or operator given such notice, by attachment to the vehicle or otherwise, may pay to the Village Clerk or Deputy, or other person authorized by the Village Clerk, as a civil penalty for and in full satisfaction of a violation: of Section 35-10-A, 35-10-B, or 35-10-D, the sum of \$1.00 if paid on or before the 10th day following the issuance of the notice, or the sum of \$6.00 if paid after the 10th day but on or before the 30th day following the issuance of such notice; of Section 35-9-A, the sum of \$5.00 if paid on or before the 10th day following the issuance of the notice, or the sum of \$10.00 if paid after the 10th day but on or before the 30th day following the issuance of such notice. If such civil penalty is not paid before the 30th day following the issuance of the notice, the owner or operator, or both, will be subject to penalties prescribed in Section 1800 of the Vehicle and Traffic Law of the

State of New York.

SECTION 6. Article VIII, Section 35-13 of Chapter 35 of the ordinances of the Village of Wellsville is hereby amended to read as follows:

Section 35-13, Storage and Charges. After removal of any vehicle as provided in this Article, the police department of the Village of Wellsville may store such vehicle in a suitable place at the expense of the owner. Each owner or person in charge of such vehicle may redeem the same upon the payment to the Village of Wellsville of the amount of all expenses actually and necessarily incurred in effecting such removal and upon payment of reasonable storage fees, not to exceed \$5.00 per day, assessed upon such vehicle.

SECTION 7. This Local Law will take effect immediately.

A LOCAL LAW AMENDING CHAPTER 35, KNOWN AS THE VEHICLE AND
TRAFFIC ORDINANCE OF THE VILLAGE OF WELLSVILLE

adopted: 3/22/71

Notice is hereby given that at a meeting of the Board of Trustees
of the Village of Wellsville duly called and duly held on March
22, 1971, that a resolution by roll call vote was unanimously
adopted providing for amendment of the following:

ARTICLE VI

Section 35-8-1 All night parking

The parking of vehicles is hereby prohibited
on all highways within this Village between 2:00 A.M. and
6:00 A.M. from November 1 to May 1.

Effective November 1, 1971

The foregoing is not intended to pertain to
parking on Route 17 Arterial s. 35-9

- A. (19) North and South sides of Lunn Court
- (20) East and West sides of Witter Avenue
from its intersection with Stevens
Street northerly to its intersection
with McDowell Avenue
- (21) West side of Pleasant Street

Effective immediately.

NOTICE OF ADOPTION TO VILLAGE ORDINANCE - KNOWN AS CHAPTER 35 VEHICLE AND TRAFFIC

Notice is hereby given that at a meeting of the Board of Trustees of the Village of Wellsville duly called and duly held on January 26, 1970 that a resolution by roll call vote was unanimously adopted providing for adoption of Chapter 35, Vehicle and Traffic, of the Village Ordinances.

A brief description of said ordinance was published January 15, 1970.

A full text of said ordinance is published herein this notice.

Said ordinance shall take effect on the tenth day after date of this publication.

BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE, N.Y.
Fred. C. Gould, Village Clerk - Dated January 30, 1970

VILLAGE OF WELLSVILLE - Chapter 35 - VEHICLE AND TRAFFIC ORDINANCE

Preamble

The Board of Trustees of the Village of Wellsville, County of Allegany, State of New York, pursuant to the provisions of the Vehicle and Traffic Law of the State of New York, does, on the 26th day of January 1970, hereby enact the following ordinance to regulate traffic and parking, standing and stopping upon the highways within the Village of Wellsville.

ARTICLE I Words and Phrases Defined S 35-1 Definitions

ARTICLE II - Traffic Control Devices S35-2 Village to install and maintain

ARTICLE III - Speed Regulations - S35.3A General Speed Limits
S35.3B School Speed Limits
S35.3C Park Speed Limits
S35.3D Cemetery Speed Limits

ARTICLE IV - Through Highways S35.4 Stop required
S35.5A Stop intersections
S35.5B Yield intersections
S 35.6 Traffic control signals

ARTICLE V - Pedestrian Crossings S 35.7 Crossing restricted

ARTICLE VI - Parking, Standing and Stopping
S35.8 Application of Article
S35.9 Parking prohibited in designated locations
S35.10 Controlled parking

ARTICLE VII - S 35.11 Lane Designation

ARTICLE VIII - Removal and Storage of Vehicles
S 35-12 Authority to impound vehicles
S 35-13 Storage and charges
s 35-14 Notice of removal

ARTICLE IX - Commercial Vehicles
s 35-15 Trucks restricted
s 35-16 Exemptions

ARTICLE X - Turning Movements
S 35-17 Prohibition of U-turns

ARTICLE XI - Penalties
S 35-18 Violations and penalties

ARTICLE XII - Repeal of Prior Ordinances
s 35-19 Prior ordinances

ARTICLE XIII - Effect of Ordinance
s 35-20 Separability

ARTICLE I - Words and Phrases Defined
s 35-1 Definitions.

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

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

1. Curb Line. The prolongation of the lateral line of a curb or, in the absence of a curb, the lateral boundary line of the roadway

2. Holidays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas shall be considered holidays.

3. 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

ARTICLE II - Traffic Control Devices
s-35-2 Village to install and maintain. The Village Department of Public Works shall install and maintain traffic control devices when as required under the provision of said ordinance

ARTICLE III - Speed Regulations

s-35-3 A. General Speed Limits

Maximum Speed Limits. Thirty (30) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on or along highways within the corporate limits of this village.

s-35-3 B. School Speed Limits

Twenty (20) miles per hour is hereby established as the maximum school speed limit at which vehicles may proceed on or along highways within this village as follows:

1. On Martin Street adjacent to Martin Street School between a point three hundred (300) feet easterly of the east building line of said school and a point one hundred thirty (130) feet westerly of the west building line of said school.
2. On Maple Avenue adjacent to Immaculate Conception School between a point three hundred feet (300') northerly of the north building line of said school and a point one hundred thirty (130) feet southerly of the south building line of said school.
3. On School Street adjacent to Washington School between a point three hundred (300) feet easterly of the east building line of said school and a point three hundred (300) feet westerly of the west building line of said school.
4. On West State Street adjacent to High School between a point three hundred (300) feet easterly of the east building line of said school and a point three hundred (300) feet westerly the west building line of said school.
5. On Brooklyn Avenue adjacent to Brooklyn School between a point three hundred (300) feet northerly of the north building line of said school and a point three hundred (300) feet southerly of the south building line of said school.

s. 35-3 C. Park Speed Limits

Fifteen (15) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on or along driveways of all parks situated within this Village.

s 35-3 D. Cemetery Speed Limits

Fifteen (15) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on or along highways of all cemeteries situated within this village

1304

ARTICLE IV - Through Highways
S 35-4 Stop Required

A. Highways designated. (1) North Main Street and South Main Street are hereby designated Through Highways and stop signs shall be erected on the following entrances thereto:

Park Lane from the east
Lewis Place from the west
Chestnut Street from the east
Oak Street from the east
Lombard Avenue from the east
Grover Street from the east
Elm Street from the east
Central Place from the east
Genesee Street from the east and west
Jefferson Street from the east
Hanover Street from the east and west
Rauber Street from the east
Orchard Place from the east
Washington Street from the east
Franklin Street from the east

a. A flashing signal shall be installed at the intersection of North Main Street with Martin Street with flashing red indications displayed East on Martin Street and flashing yellow indications displayed North and South on North Main Street.

(2) Farnum Street is hereby designated as a Through Highway between its intersection of Scott Avenue and Railroad Avenue and stop signs shall be erected on the following:

Fairview Avenue from the west
Herman Avenue from the west
O'Connor Street from the west and east
Putzman Street from the west
Railroad Avenue from the south

(3) Coats Street is hereby designated as a Through Highway where it intersects with Main Street and Herman Avenue and stop signs shall be erected on the following entrances thereto:

O'Connor Street from the south
John Street from the north

(4) Scott Avenue is hereby designated as a Through Highway where it intersects Farnum Street and State Street and stop signs shall be erected on the following entrances thereto:

O'Connor Street from the west
Howe Terrace from the east
Jefferson Street from the west
Farnum Street from the west
East Genesee Street from the west

(5) Madison Street is hereby designated as a Through Highway between its intersection of North Main Street and the Eastern Village Line and stop signs shall be erected on the following entrances thereto:

Municipal Parking Lot from the south
Maple Avenue from the north and south
Cummings Place from the south
Scott Avenue from the north and south
Lee Place from the south
East Pearl Street from the north
Sunset Avenue from the south

(6) East Pearl Street is hereby designated as a Through Highway between its intersection of North Main Street and East Madison Street and stop signs shall be erected on the following entrances thereto:

Loder Street from the north
Depot Street from the south
Railroad Avenue from the north
Maple Avenue from the north and south
Scott Avenue from the north and south
Wheeler Place from the north

(7) East State Street is hereby designated as a Through Highway between its intersection with South Main Street and Eastern Village Line and stop signs shall be erected on the following entrances thereto:

Broad Street from the north and south
Scott Avenue from the north
Miller Street from the south

(a) A flashing signal shall be installed at the intersection of East State Street with Maple Avenue with flashing red indications displayed north on Maple Avenue and flashing yellow indications displayed east and west on East State Street

(8) West State Street is hereby designated as a Through Highway between its intersection with South Main Street and Highland Avenue and stop signs shall be erected on the following entrances thereto:

Park Avenue from the north
Harder Place from the south
Pleasant Street from the south
Highland Place from the north
Nelson Avenue from the south

(9) Brooklyn Avenue is hereby designated as a Through Highway between its intersection at Chamberlain Street and South Village Line and stop signs shall be erected on the following entrances thereto:

West Pearl Street from the east
Early Street from the west.
Lunn Court from the west
Pine Street from the west
West Dyke Street from the east
Whitney Place from the west
King Street from the west
Brooklyn Place from the west

(10) Loder Street is hereby designated as a Through Highway between its intersection with Oak Street and East Genesee Street and stop signs shall be erected on the following entrances thereto:

Lombard Avenue from the west
Grover Street from the west
Elm Street from the west
Central Place from the west
Genesee Street from the West

(11) Highland Avenue is hereby designated as a Through Highway between its intersection with Bolivar Road and Howard Street and stop signs shall be erected on the following entrances thereto:

Crowner Avenue from the west
George Street from the West
Fassett Lane from the west

(12) East Dyke Street is hereby designated as a Through Highway between its intersection of South Main Street and Andover Road and Stop Signs shall be erected on the following entrances thereto:

Osborne Street from the south
Breckenridge Avenue from the south
Williams Avenue from the south
Fair Street from the south

(13) Rauber Street is hereby designated as a Through Highway between its intersection with South Main Street and Eastern Village Line and stop signs shall be erected on the following entrances therto:

Franklin Street from the north and south. Williams Avenue from the north

(14) Stevens Street is hereby designated as a Through Highway between its intersection with Highland Avenue and Brooklyn Avenue and stop signs shall be erected on the following entrances thereto:

Howard Street from the north
Witter Avenue from the north
Hamilton Street from the south
Carnes Court the north
Highland Avenue from the north and south

(15) Pine Street is hereby designated as a Through Highway between its intersection with Highland Avenue and Brooklyn Avenue and stop signs shall be erected on the following entrances thereto:

Frederick Court from the north
Pleasant Street from the north
Clark Street from the south
Cusick Avenue from the north
Highland Avenue from the north

(16) Sunnydale Street is hereby designated as a Through Highway between its intersection with Trapping Brook Road and Crescent Drive and stop signs shall be erected on the following entrances thereto:

Hill street from the west S 35-5 Stop and Yield intersections

A. The following intersections are hereby designated Stop Intersections and Stop signs shall be erected as indicated below:

INTERSECTION OF WITH-AND STOP SIGN ON ENTRANCES FROM

School St.	Benjamin St. North
Martin St.	Loder St. North and South
E. Genesee St.	Johnson St. North
E. Genesee St.	Maple Ave. South
Maple Ave.	E. Jefferson East
Railroad Avenue	E. Genesee St. East
E. Fassett St.	Maple Ave. North and South
E. Fassett St.	North Broad St.

E. Fassett St.	Mun Park Lot
Park Ave.	North
Miller St.	W. Fassett St.
Osborne St.	East
Osborne St.	Loring Ave.
Cameron St.	North
Cameron St.	E. Hanover St.
Cameron St.	West
Earley St.	Cameron St.
West State St.	East
Highland Ave.	Breckenridge Ave.
Earley St.	North
Chamberlain St.	Franklin St.
Chamberlain St.	North
Seneca St.	Highland Ave.
South of North Intersection,	North and South
Howard St.	Highland Ave.
North of South Intersection	North-South
Pine St.	Nelson Ave.
Bolivar Rd.	East
Lee Place	Hamilton St.
W. Pearl St.	North
Witter Ave.	Witter Ave.
Trapping Brk Rd.	South
Trapping Brk Rd.	Seneca St.
Hill St.	South
Andover Rd.	Howard St.
King St.	Howard St.
Howard St.	Seneca St.
	Highland Hts. Dr.
	South
	Highland Ave.
	South
	Sunset St.
	North
	Stevens St.
	West
	McDowell Ave.
	West
	Hill St.
	North
	Sunnydale St.
	North
	Crescent Dr.
	North
	E. Dyke St.
	East
	Clark St.
	North
	Highland Ave.
	South

Pine Hill Dr.

Highland Hgts. Dr.

West

John St.

Fairview St.

East

Martin St.

Farnum St.

East

Trapping Brk Rd

School St.

South

Trapping Brk Rd.

Benjamin St.

South

B. The following intersections are hereby designated Yield intersections and Yield signs shall be erected as indicated below: Intersection With-And Yield Sign on Entrance(s) from

Chestnut St.

Park Lane

North

Cummings Pl.

Cummings Cir.

South

Cummings Cir.

Cummings Pl.

North

School Street

Fair St.

North

Crescent Dr.

Sunnydale St.

South

s 35-6 Traffic Control Signals

A. Traffic Control Signals shall be installed, maintained and operated as follows:

(1) A fixed time traffic control signal at the intersections of Pearl Street, Madison Street, Fassett Street, State Street and Dyke Street with North and South Main Street consisting of the following:

- (a) Three section, four faced signal head
- (b) Steady red, yellow and green sequences of operation

(2) A fixed time traffic control signal at the intersections of West State Street and Stevens Street with Brooklyn Avenue consisting of the following:

- (a) Three section, four faced signal head
- (b) Steady red, yellow and green sequences of operation
- (3) A fixed time traffic control signal at the intersection

Coats Street with North Main Street consisting of the following

- (a) Three section, three faced signal head
- (b) This signal shall normally be operated as a flashing signal displaying yellow indications east and west of North Main Street, Route 19 and red indications on Coats Street. It shall be operated as a fixed time signal during hours specified by District 6 Traffic Engineer.

ARTICLE V - Pedestrian Crossings s35-7 Crossings restricted

No pedestrian shall cross Main Street from and including its intersection with State Street to and including its intersection with Pearl Street and all of the intersections of Main Street with intervening streets from East State Street to Pearl Street except within marked cross walks or at traffic signal controlled intersections.

ARTICLE VI - Parking, Standing and Stopping

s35-8 Application of Article.

The provisions of this Article shall apply except when is necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control devices

s-35.9 Parking prohibited in designated locations.

(A) Parking of vehicles is hereby prohibited in any of the following locations:

(1) North and South side of East Dyke Street from its intersection with South Main Street to its intersection with the Andover Road, Route 17, and on the Andover Road, Route 17, from its intersection with East Dyke Street to the Village East Line.

(2) East Side of North Broad Street from its intersection with East Fassett Street to its intersection with East State Street.

(3) East side of Maple Avenue from its intersection with East Pearl Street to its intersection with East State Street

(4) North side of Pine Street from its intersection with Highland Avenue and its intersection with Brooklyn Avenue.

(5) East side of North Brooklyn Avenue from its intersection with West State Street to its intersection with Chamberlain Street
West side of North Brooklyn Avenue from its intersection with West State Street to its intersection with Earley Street.

(6) South side of East State Street from its intersection with Maple Avenue easterly to the Village Line

(7) North side of East Pearl Street from its intersection with Scott Avenue to its intersection with East Madison Street

(8) South side of East Madison Street from a point one hundred fifty (150) feet West of its intersection with Lee Place Easterly to the Village Line and North side of East Madison Street from a point one hundred fifty (150) feet West of Lee Place Easterly to its intersection with East Pearl Street.

(9) East side of Scott Avenue from its intersection with East State Street to a point on Scott Avenue one thousand one hundred (1,100) feet from East State Street and the East side of Scott Avenue from its intersection with Pearl Street to its intersection with Farnum Street.

(10) North and South side of West Genesee Street from its intersection with North Main Street to end of West Genesee Street.

(11) South side of Martin Street from its intersection with North Main Street to Loder Street.

(12) Except on state highways within fifteen (15) feet of either side of the entrance of any theater, auditorium or other buildings where large assemblages of persons are being held, except to take on or discharge passengers or freight and then only for such times necessary for such purposes.

(13) North and South Sides of Coats Street, from its intersection with Main Street easterly to its intersection with John Street.

(14) East and West side of O'Connor Street from its intersection with Coats Street to a point 600 feet southerly therefrom.

(15) West Side of Loder Street from its intersection with East Pearl Street northerly to its intersection with Oak Street
East Side of Loder Street from its intersection with Oak Street.
East Side of Loder Street from its intersection with East Genesee Street northerly to its intersection with Oak Street.

(16) East and West Side of Railroad Avenue from its intersection with East Pearl Street northerly to its intersection with Farnum Street.

(17) West and East Side of Lee Place within 75 feet of its intersection with East Madison Street

(18) East side of John Street from its intersection with Fairview Avenue southerly to its intersection with Herman Avenue.

s35-10 Controlled parking

(A) The following described streets and areas are hereby established as a controlled parking area and the parking of vehicles is hereby prohibited thereon except as otherwise permitted by signs or parking meters erected by order of the Board of Trustees of the Village of Wellsville authorizing the limited parking of vehicles:

(1) Main Street from Genesee Street to Rauber Street

(2) East and West Pearl Street from its intersection with Maple Avenue to its intersection with Brooklyn Avenue

(3) Jefferson Street from its intersection with Main Street to ~~its intersection with Main Street~~ to its intersection with Depot Street.

(4) Madison Street from its intersection with Maple Avenue to its intersection with Park Avenue

(5) Fassett Street from its intersection with Maple Avenue to its intersection with Park Avenue

(6) State Street from its intersection with Maple Avenue to its intersection with Brooklyn Avenue.

(7) Park Avenue from its intersection with West State Street to its northerly terminus.

(8) Stevens Street from its intersection with West Pearl Street to its intersection with North Brooklyn Avenue

(9) Depot Street from its intersection with Jefferson Street to its intersection with East Pearl Street.

(10) The Parking Lot easterly of North Main Street and southerly of and adjacent to Madison Street known as the Central Plaza Lot.

(11) The Parking Lot at the northeasterly corner of West State Street and Park Avenue known as the State Street-Park Avenue Lot

(12) The Parking Lot at the northeasterly corner of Fassett Street and Park Avenue known as the Fassett Street-Park Avenue Lot.

(13) The Parking Lot easterly of Park Avenue known as the Ebenezer Lot.

(14) The Parking Lot southerly of East Pearl Street and Easterly of North Main Street known as the Buck-Robbins Lot.

(15) The Parking Lots at the northerly and southerly ends of the Community Building

(16) The Parking Lot westerly of South Main Street at Tullar Field known as the Tullar Field Lot

(17) The Parking Lots in front of and at the rear of the Jones Memorial Hospital, and the parking lot adjacent to the Hospital on the North side of West Genesee Street

(18) The Parking Lot southerly of West Pearl Street and adjacent to the David A. Howe Public Library Lot.

(19) Any other Parking Lots that are or may come under the control and administration of the Board of Trustees of the Village of Wellsville.

(B) The parking of vehicles is hereby prohibited in any metered zone for a period longer than fifteen (15) minutes in zones where meters labelled Parking Limit 15 minutes are installed, for a period longer than thirty (30) minutes in zones where meters labeled "Parking Limit 30 Minures" are installed; for a period longer than one (1) hour in zones where meters labelled "Parking Limit 1 Hour" are installed; for a period longer than three (3) hours in zones where meters labeled "Parking Limit 3 Hours" are installed; and for a period longer than ten (10) hours in zones where meters labeled "Parking Limit 10 Hours" are installed, between 9:00 a.m. and 6:00 p.m. Monday through Thursday and Saturday, and between 9:00 a.m. and 9:00 p.m. on Friday, except on holidays.

(C) Charges

(1) The charges for the use of each parking space in a metered zone and the money, coin or coins to be placed in the meter in each parking space shall be the particular coin or combination of coins of the United States called for on th label of each respective meter.

(2) In those meters that provide for the use of tokens as payment for the use of the parking space, tokens approved by the Board of Trustees may be utilized in accordance with the instructions on the label of each respective meter.

(D) Violations

(1) It shall be unlawful and a violation of this section for any person to permit a vehicle to remain or to be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such space has already occup ied it beyond the period of time prescribed for such parking space.

(2) It shall be unlawful and a violation of the provisions of this ordinance to deposit or cause to be deposited in any parking meter any token not approved by the Board of Trustees, slug, device or metallic substitute or any substitute for a coin of the United States.

(E) The ~~Treasurer~~ of the Village of Wellsville shall keep a complete record of the collections made from all of said parking meters.

(F) The provisions of this section shall not apply to duly licensed taxicabs occupying public stands designated by the Board of Trustees or to other motor vehicles engaged in the carrying of passengers for public hire in the Village of Wellsville.

(G)

(G) It shall be the duty of the police officers of the Village of Wellsville to report:

(1) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such meter is or has been parked in violation of any provision of this Section.

(2) The state license number of such vehicle

(3) Any other facts relating to such violation

(4) The police officer observing such violations shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this Section. Each owner or operator given such notice may pay to the Village Clerk, or his deputy, during his regular office hours, as a penalty for and in full satisfaction of a meter violation of s35-10A, s.35-10-B, or S35-10-D the sum of One Dollar (\$1.00) if paid on or before the tenth day following the issuance of the notice; or the sum of six (\$6.00) dollars if paid after the 10th day, but before the 30th day following issuance of the notice. The aforementioned penalty may be paid by placing the required dollar amount of the penalty in the envelope provided with the notice of violation and depositing the same in Fine-o-Meter boxes attached to the meter posts throughout the Village.

ARTICLE VII - Lane Designation S35-11 All Vehicles

(a) The left lane for north bound vehicles on North and South Main Streets, between a point on South Main Street 150 feet southerly from its intersection with Dyke Street northerly to the intersection of North Main Street with Pearl Street, shall be used only for left turns West into West Dyke Street, West State Street, West Fassett Street, West Madison Street and West Pearl Street.

(b) The left lane for South bound vehicles on North and South Main Streets, between a point on North Main Street 150 feet northerly from its intersection with Pearl Street, to the intersection of Dyke Street shall be used only for left turns east into East Pearl Street, East Madison Street East Fassett Street, East State Street and East Dyke Street

ARTICLE VIII - Removal and Storage of Vehicles S35-12 Authority to impound vehicles

A. When any vehicle is parked or abandoned on any highway or controlled parking area as established by s35-10 of this ordinance within this village during a snowstorm, flood, fire or any other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by the Police Department of the Village of Wellsville.

B. When such vehicle is found to be unattended on any highway or controlled parking area as established by s35-10 of this ordinance within this village where such vehicle constitutes an obstruction to traffic, said vehicle may be removed by the Police Department, Village of Wellsville.

C. When any vehicle is parked or abandoned on any highway or controlled parking area as established by s35-12 of this ordinance within this village where standing, stopping or parking is prohibited, said vehicle may be removed by said Police Department, Village of Wellsville.

s-35-13. Storage and charges.

After removal of any vehicle as provided in this Article, the Police Department, Village of Wellsville, may store such vehicle in a suitable place at the expense of the owner. Each owner, or person in charge of said vehicle, may redeem the same upon payment to the Village of Wellsville of the amount of all expenses actually and necessarily incurred in effecting such removal. The charges for towing and storage shall not exceed ten dollars (\$10.00) for towing and two dollars (\$2.00) per day or fraction thereof for storage.

S35-14 Notice of removal - The police Department, Village of Wellsville, shall without delay, attempt to report the removal and the disposition of any vehicle removed as provided in this Article to the owner of the vehicle or person having same in charge, and to notify him of the removal and disposition of such vehicle and the amount which will be required to redeem same.

ARTICLE IX - Commercial Vehicles S35-15 Trucks restricted

Trucks over six (6) tons gross weight are hereby excluded from West Pearl Street from North Main Street to Brooklyn Avenue and Stevens Street.

S-35-16 Exemptions - The regulations established in this Article shall not be construed to prevent the delivery or pick-up of merchandise or other property along the highway from which such vehicles and combinations are otherwise excluded.

ARTICLE X Turning Movements S35-17 Prohibition of U-turns

The turning of vehicles so as to proceed in the opposite direction is hereby prohibited as follows:

(1) On North Main Street from its intersection with State Street northerly to its intersection with Bolivar Road.

(2) On South Main Street from its intersection with State Street southerly to its intersection

(3) on Martin Street

(4) on School Street

(5) On West State Street from its intersection with Park Avenue to its intersection with Brooklyn Avenue

(6) On Brooklyn Avenue from its intersection with West State Street to its intersection with West Pearl Street.

(7) On Maple Avenue from its intersection with East Fassett Street to its intersection with East State Street

ARTICLE XI - Penalties s35-18 Violations and penalties

Each owner or operator given notice of a violation of any provision of this ordinance, except S35-10 D-1, or any violation of any provision of the Vehicle and Traffic Laws of the State of New York involving the parking or standing of a motor vehicle in a manner prohibited or declared illegal for such ordinance or law may pay to the Village Clerk, or his deputy, during his regular office hours, as a penalty for and in full satisfaction of a violation, the sum of Five Dollars (\$5.00) if paid on or before the 10th day following the issuance of the notice, or the sum of Ten Dollars (\$10.00) if paid after the 10th day, but before the 30th day following issuance of the notice. The aforementioned penalties may be paid by placing the required dollar amount of the penalty in the envelope provided with the notice of violation and depositing the same in Fine-O-Meter boxes attached to the meter posts throughout the Village

ARTICLE XII - Repeal of Prior Ordinances S35-19 Traffic Ordinances Repealed; general

All prior traffic ordinances or parts of traffic ordinances of this village regulating traffic are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any traffic ordinance hereby repealed prior to the taking effect of this traffic ordinance.

ARTICLE XIII - Effect of Ordinance/S35-20 Separability

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

file # 11 3310.4

TOWN OF WELLSVILLE

OFFICE MUNICIPAL BUILDING

WELLSVILLE, NEW YORK - 14895

PHONE: 716 593-1790

NOTICE OF TRUCK EXCLUSION ORDINANCE ADOPTED BY THE TOWN BOARD OF THE TOWN OF WELLSVILLE, ALLEGANY COUNTY, NEW YORK

Notice is hereby given that pursuant to Section 133 of the Town Law of the State of New York, that the Town Board of the Town of Wellsville, Allegany County, New York, has, after a public hearing held on the 8th day of June 1977 adopted the following Truck Exclusion Ordinance:

TRUCK EXCLUSION ORDINANCE IN THE TOWN OF WELLSVILLE, NEW YORK

The Town of Wellsville, New York, does hereby ordain and act as follows:

Section 1. Trucks, commercial vehicles, tractors, and tractor-trailer combinations in excess of six (6) Ton are hereby excluded from the following highway: East State Street from its intersection with the New York State Route 417 to the Village of Wellsville line.

Section 2. Exemptions: The ordinance hereby established shall not be construed to prevent the delivery or pick up of merchandise or other property along the highway from which such vehicles are excluded and shall also not be construed to prevent movement of loaded Town trucks from operation to and from the Town property located on East State Street.

DATED: June 9, 1977

Mary Stout, Town Clerk