

Village of Lancaster Local Law _____ of the year 2024

A Local Law to accommodate enforcement of parking as restricted by signage on privately owned premises.

Whereas, for the benefit of merchants and others doing business within the Village of Lancaster, the Village Board of the Village of Lancaster desires to enact legislation accommodating the enforcement of parking as restricted by signage on privately owned premises;

Be it enacted by the Village Board of the Village of Lancaster, New York as follows:

1) Section 325-20.1 shall be added to Village Code Ch. 325, Vehicles and Traffic, which shall state as follows:

§325-20.1 Parking as restricted by signage on privately owned premises.

A. No person shall park, stand, or leave a motor vehicle upon any privately owned premises without the consent and permission of the owner or lessee of such premises.

B. When an owner of premises desires to limit parking to specified persons and/or under specified conditions, the owner of the premises may place signage informing the public as to the persons for whom and/or conditions under which parking is permitted. Such signage shall be at least two feet high by three wide. Language as hereafter set forth and as further required by section D shall be posted:

PARKING RESTRICTED (to be posted in at least 2.5 inch lettering)

EXCEPT FOR ONLY (list persons and/or conditions permitted, to be posted in at least 1.5 inch lettering)

ALL OTHERS KEEP OUT (to be posted in at least 1.5 inch lettering)

UNDER PENALTY OF LAW- LANCASTER VILLAGE CODE
§325-20.1 (to be posted in at least 1 inch lettering)

POLICE ENFORCED (to be posted in at least 1 inch lettering)

C. When an owner of premises desires to prohibit completely parking thereon, the owner of the premises may place signage so informing the public. Such signage shall be at least 18 inches high by two feet wide. Language as hereafter set forth and as further required by section D shall be posted:

NO PARKING (to be posted in at least 2.5 inch lettering)

UNDER PENALTY OF LAW- LANCASTER VILLAGE CODE
§ 325-20.1 (to be posted in at least 1 inch lettering)

POLICE ENFORCED (to be posted in at least 1 inch lettering)

D. The signage set forth at sections B and C shall be conspicuous, clearly discernable, securely fastened, and well maintained. All wording shall be in capital letters. Typeface shall be in Highway Gothic with white lettering upon a brown background.

E. (1) Subject to subparagraph 2, if the provisions of either section B or C and section D can be and are satisfied with a single sign, not larger than two feet high by three feet wide, no building permit pursuant to Chapter 104, Building Construction, or Certificate of Appropriateness pursuant to Chapter 184, Historic Districts and Landmarks, shall be required. Further, in such an instance signage regulations included within Chapter 350, Zoning, shall not apply.

(2) A Certificate of Appropriateness pursuant to Chapter 184, Historic Districts and Landmarks, shall be required of any sign to be mounted upon a building within the Village of Lancaster Historic District.

F. Persons violating the conditions set forth on signage compliant with either section B or C and section D shall be deemed to be using said premises unlawfully without the consent of the owner or lessee.

G. The words "POLICE ENFORCEMENT" and " UNDER PENALTY OF LAW" on such signage shall be construed as authorization given by the owner or lessee of such premises to the Town of Lancaster Police and the Village of Lancaster Code Enforcement Officer to enter upon the premises to enforce the provisions of this section.

H. This section may be enforced by the Town of Lancaster Police and the Village of Lancaster Code Enforcement Officer pursuant to §325-48.C. of Article VIII and the provisions of Article X of the Lancaster Village Code. Further, where the presence of one or more unauthorized vehicles upon a premises signed pursuant to either section B or C and section D precludes parking by an authorized vehicle, the Town of Lancaster Police may arrange to have each such unauthorized vehicle removed by an authorized towing contractor as designated by the Town of Lancaster Chief of Police. The owner or person in charge of a removed unauthorized vehicle may redeem the same upon payment to the authorized towing contractor of those towing and storage rates authorized by the Town of Lancaster Chief of Police.

I. Proof of ownership of a vehicle shall be presumptive evidence in the enforcement of this section that the owner parked or caused his or her vehicle to be parked on such premises.

J. Upon the demand of the Town of Lancaster Police or the Village of Lancaster Code Enforcement Officer, any owner or lessee requesting enforcement of this section shall furnish a signed, written statement that a specified vehicle was unlawfully parked, or left upon his or her premises at a specified time without consent of the owner or lessee. Further, such owner or lessee shall be available to testify to such facts in court. Failure of an owner or lessee to comply with these provisions shall be sufficient cause for the Chief of Police or Village of Lancaster Code Enforcement Officer to direct cessation of the enforcement of this section as to the subject premises and all other premises of such owner or lessee.

K. This section shall not be read to affect the application or enforcement of any other state or local law regulating the standing or parking of a vehicle.

2) This local law shall become effective the 20th day following its enactment.