

A local law to amend Chapter 140 of the Code of the Village of Hewlett Neck, in relation to parking waiver applications.

Section one. Section 140-20.2(B), is hereby amended to read as follows:

“140-20.2(B). Parking Waivers.

1. The Village Clerk may, upon application, issue a permit to allow a vehicle or vehicles to be temporarily parked at a location where and at a time when parking is otherwise prohibited by the provisions of this chapter. Such application must be submitted: (a) not less than five (5) days prior to the date of the proposed parking, if five (5) or fewer vehicles are anticipated, expected or proposed, or (b) not less than thirty (30) days prior to the date of the proposed parking, if more than five (5) vehicles are anticipated, expected or proposed.
2. All applications for parking waivers shall include the date and time of the proposed parking, number of vehicles proposed, the license plates of all such vehicles, exact location of the proposed parking, including the street, side of the street, and closest intersection, name and contact information of the applicant, and a statement of the need for/purpose of such parking.
3. Parking waivers may be granted only for one side of a street.
4. Upon receipt of an application for the parking of (a) more than five (5) vehicles or (b) a second application for parking of five (5) or fewer vehicles within a one year period, the Village Clerk shall forward the request to the Board of Trustees. If a majority of the Board members request that the application be discussed at the next Board meeting, the Village Clerk shall not issue the permit until such discussion occurs and the Board issues any proposed recommendations, conditions or modifications. The Board may make recommendations and/or propose conditions or modifications, which may include advice to the Village Clerk as to whether the permit should issue, taking into account the considerations set forth in paragraph five (5) of this subsection.
5. In making a determination on any application, the Village Clerk shall issue a permit unless the Village Clerk determines that the proposed parking waiver may unduly burden or be detrimental to the community, unduly impact or impede vehicular and/pedestrian traffic, unreasonably interfere with the use and enjoyment of neighboring properties, or potentially endanger the public's safety, health or welfare by reason of the time, location or duration of the parking. In rendering such determination, the Village Clerk shall consider the recommendations, advice and or proposed conditions and modifications proposed by the Board of Trustees. If the proposed parking is associated with an

activity not permitted by the Village Code, the Village Clerk shall deny the application.

6. Upon rendering a determination, the Village Clerk shall send the approval, approval with conditions or modifications, or denial to the applicant..

Section two. Any local law or provision of the Code of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

Section three. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.