

Minutes of Public Hearing on Local Law #1 of 2008 held January 28, 2008 at 6:30pm at the Germantown Town Hall, Germantown, New York

Attending: Roy Brown, Supervisor
Joan Snyder, Councilwoman
Joel Craig, Councilman
Jeremy Smith, Councilman

Recorded by: Charlene Diehl, Town Clerk

Not present: Graceann Lamberta, Councilwoman

The Clerk read the notice of Public Hearing.

BE IT ENACTED by the Town Board of the Town of Germantown as follows:

Section 1. Title of Local Law:

This Local Law shall be entitled "A Local Law authorizing Town Superintendent of Highways of the Town of Germantown to remove private vehicles obstructing the efficient removal of snow and ice from town streets, roads and public highways.

Section 2. Snow Emergency:

A. During the winter months from November 15th to the succeeding March 15th, whenever the Town Superintendent of Highways of the Town of Germantown find, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the United States Weather Bureau or other meteorological data indicating the threat of snow, sleet or freezing rain, that weather conditions could severely impede vehicular traffic in the Town, or are likely to create hazardous road conditions or road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic vital to the health, safety and welfare of the community, the Town Superintendent of Highways shall be authorized to declare a "Highway Snow Emergency."

B. In addition to the foregoing, a "Highway Snow Emergency" shall automatically go into effect on any part of any snow route on which there has been an accumulation of snow or ice of six inches or more.

C. During the period of a "Highway Snow Emergency" all vehicles shall be prohibited from parking on all Town streets, roads or highways.

D. In accordance with the provisions of this Local Law, any vehicle that, at the discretion of the Town Superintendent of Highways of the Town of Germantown, is during a "Highway Snow Emergency" found to obstruct the efficient removal of snow and ice from the Town's streets, roads and highways, shall be in violation of this provision. Such a violation shall subject the vehicle owner to a fine of \$100 and the towing and impoundment of the obstructing vehicle.

E. All towing and storage charges of illegally parked vehicles shall be solely at the vehicle owner's expense.

Section 3. Supersession:

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town Code herein addressed, in so far as such statutes are inconsistent with this Law and any other laws or regulations of the Town of Germantown are superseded to the extent necessary to give this Local Law full force and effect.

Section 4. Severability:

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

Section 5. Effective Date:

This Local Law shall take effect immediately.

Supervisor Brown opened the floor for public comment.

Police Commissioner Roger Rekow said this is an ongoing problem and passing this law will help alleviate the problem.

Councilman Smith said he had no concern with the wording of the language in the law.

Supervisor Brown closed the public hearing.

Respectfully submitted,