

**Local Law 4 of 2017 – Vehicles & Traffic on Private Property
(Add Section 180-143 & Definitions in Section 180-1 B)**

§180-43 - Vehicles and Traffic on Private Property

- A. The purpose of this section is to allow for police enforcement of vehicle and traffic regulations on private property when pertaining to parking and traffic control devices.
- B. No person shall park, stand, store or leave a motor vehicle upon any privately owned premises or property, parking areas or parking lots, without the consent and permission of the owner or lessee of such premises.
- C. All traffic control devices shall be observed.
- D. Restricted parking.
 - 1. Owners, lessees, or those entities otherwise in possession of private parking lots may post signs limiting parking in their lots to certain times or categories of users such as customers, tenants, guests, employees, visitors and other similar user groups. When the controlling entity posts a notice of such a restriction, it is a violation of this chapter to park there in violation of such restriction. Violators will be subject to fines and/or towing at their expense at the direction of the police. The following is a sample notice of parking restrictions:

<p>PARKING RESTRICTED</p> <p>EXCEPT FOR _____ of _____</p> <p>ALL OTHERS KEEP OUT</p> <p>Under penalty of law, Section 180-43 of the Code of the Village of Springville. Police enforcement including ticketing and/or towing at owner's expense.</p>

- 2. Such sign or signs shall be at least three feet high by four feet wide, with red lettering upon a white background.
- 3. Lettering shall be at least 6 inches high for "PARKING RESTRICTED" and "ALL OTHERS KEEP OUT". All other lettering shall be no smaller than 2 inches high.
- 4. Signs shall be located at the entrances to the areas that are restricted or placed at the spaces affected.
- 5. The words "Police Enforcement" and "under penalty of law" on such signs shall be construed, among other things, to mean a request by the owner or lessee that the police or special patrolmen shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicles on such premises without the consent of the owner or lessee and that the police are authorized to enter upon such premises to enforce the provisions of this chapter. Such sign or signs shall state the conditions of parking or the provisions authorized by the owner or lessee to use said premises for parking, or both; and persons not included within such authorization or violating the regulations and conditions set out on said signs shall be deemed to be using

said premises unlawfully without the authority and consent of the owner or lessee.

- E. Signs restricting the parking, stopping or standing shall be properly posted in the specific areas.
- F. A written request shall be submitted to the Village of Springville and the authorities charged with enforcement of this chapter shall be consulted as to the arrangement of such signage prior to enforcing these regulations.
- G. All vehicle and traffic requirements approved in a site plan by the Planning Board shall be construed as being requested by the owner or lessee and thus enforceable.
- H. Maintaining all required or approved signage and traffic control devices shall be the responsibility of the property owner/lessee.

Add Definitions to §180-1 B.

TRAFFIC CONTROL DEVICES - All signs, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

PRIVATE PARKING LOT - Any area or areas of private property near or contiguous to and provided in connection with premises having one or more stores or business establishments, and used by the public as a means of access to and egress from such stores and business establishments and for the parking of motor vehicles of customers and patrons of such stores and business establishments.

POLICE OFFICER - Is a sworn member of the division of State Police of New York State, Sheriffs, under-sheriffs and deputy sheriffs of Erie County or an officer of an authorized police department or force of the Village of Springville.