

Local Law Filing

(Use this form to file a 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 Walden
Town
Village

Local Law No. 3 of the year 2016

A local law Amending Chapter 291 of the Code of the Village of Walden entitled “Vehicle and Traffic” by amending Section 291-31 currently entitled “**Traffic Infractions: Continuing Violations.**”
(Insert Title)

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

of the
County
City
of Walden as follows:
Town
Village

Section 1. Title:

This Local Law shall be referred to as a Local Law Amending Chapter 291 of the Code of the Village of Walden entitled “Vehicle and Traffic” by deleting the current Section 291-31 entitled “**Traffic Infractions: Continuing Violations**” and replacing it with a new Section.

Section 2. Purpose:

It is the purpose of this Local Law to promote the health, safety and welfare of the community by providing for a uniform schedule or fines to be imposed regarding certain violations pertaining to duly established parking regulations heretofore enacted by the Village Board of the Village of Walden.

Section 3. Amendment to Section 291-31:

The current text of Section 291-31 is deleted in its entirety and replaced with the following:

Section 291-31. Penalties for Parking Violations.

A. Fines

1. Every person convicted of a violation of Article VII, Section 291-17 of this Chapter shall be required to pay a monetary penalty of \$10.00.
2. Every person convicted of a violation of Article VII, Section 291-18 of this Chapter shall be required to pay a monetary penalty of \$100.00.
3. Every person convicted of a violation of Article VII, Section 291-19 of this Chapter shall be required to pay a monetary penalty of \$35.00.
4. Every person convicted of a violation of Article VII, Section 291-20 of this Chapter shall be required to pay a monetary penalty of \$50.00
5. Every person convicted of a violation of Article VII, Section 291-21 of this Chapter shall be required to pay a monetary penalty of \$35.00.
6. Every person convicted of a violation of Article VII, Section 291-22 of this Chapter shall be required to pay a monetary penalty of \$35.00.
7. Every person convicted of a violation of Article VII, Section 291-26 of this Chapter shall be required to pay a monetary penalty of \$35.00.
8. Every person convicted of a violation of Article VII, Section 291-27 of this Chapter shall be required to pay a monetary penalty of \$250.00.
9. Every person convicted of a violation of Article VII, Section 291-29 of this Chapter shall be required to pay a monetary penalty of \$250.00.

B. The following additional fines and administrative fees shall be imposed where a default judgment is entered pursuant to Vehicle and Traffic Law § 1806-a and shall be made part of such judgment to defray the additional costs to the Village occasioned by such default:

1. A fine equal to the fine for the particular violation(s) shall be entered 30 days after a notice is sent to the defendant of the impending default judgment pursuant to the provisions of Vehicle and Traffic Law § 1806-a, Subdivision 1, provided that the defendant fails to appear or enter a plea within such thirty-day period.
2. An administrative fee of \$20 shall be levied against a traffic infraction violator for each notice sent to collect payment of a fine subsequent to the time a default judgment may be entered pursuant to Vehicle and Traffic Law § 1806-a.

3. An administrative fee of \$20 plus all Department of Motor Vehicle filing fees shall be levied on any person declared to be a scofflaw pursuant to state law.
4. An administrative fee of \$20 plus all recording fees shall be levied against a traffic infraction violator for docketing the default judgment with the County Clerk's office.
5. An administrative fee of \$20 shall be levied against a traffic infraction violator for execution upon such default judgment.

Section 4. Validity

4.1 If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy to which such judgment shall have been rendered.

Section 5. Effective Date

5.1 This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.