

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 4 of the year 2021

A local law Amending Chapter 277 of the Code of the Village of Walden entitled "Towing" to the extent of amending Sections 277-3 (Equipment requirements), Section 277-6 (Impounding) and Section 277-8 (Inspection).
(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

1.1 Amending Chapter 277 of the Code of the Village of Walden entitled "Towing" to the extent of amending Sections 277-3 (Equipment requirements), Section 277-6 (Impounding) and Section 277-8 (Inspection).

Section 2. Purpose and Intent:

2.1 The purpose of this local law is to update Chapter 277 of the Code of the Village of Walden so as to reflect modifications to the Federal and State regulations regarding equipment requirements applicable to those vehicles utilized for towing services within the Village of Walden.

Section 3. Amendment to Section 277-3 entitled Equipment Requirements.

3.1 Section 277-3 of the Village Code is hereby deleted and replaced with the following:

277-3. Equipment requirements.

A. No vehicle shall be permitted under this chapter unless the vehicle to be permitted is properly registered and inspected as required by the Vehicle and Traffic Law of the State of New York. Each wrecker and/or service truck shall meet all of the requirements of the Vehicle and Traffic Law, the requirements of the New York State Department of Transportation, the requirements of the New York Department of Motor Vehicles and Title 49 of the Code of Federal Regulations, as applicable, and as may be modified from time to time.

Section 4. Amendment to Section 277-6

4.1 Existing Code Section 277-6(A) is hereby deleted and replaced with the following:

A. If the police department directs a permitted tow operator to tow or impound a motor vehicle, such operator shall provide the facilities to store said vehicle. All firms called upon to impound a vehicle for the Village of Walden Police Department must store the vehicle within a 15-mile radius of the Village of Walden unless otherwise directed by a member of the police department.

Section 5. Amendment to Section 277-8

5.1 Existing Code Section 277-8 is hereby deleted and replaced with following:

The Chief of Police or his designated representative may cause to be inspected each permittee's place of business and permitted vehicle(s) not less than, but not limited to, once each year. In the event a permitted firm fails to comply with the provisions herein contained, the Chief of Police shall suspend the permitted firm from the list of permitted firms maintained at the police department and so notify the Village Board of Trustees in writing. The permitted firm shall remain suspended until all violations are corrected. Said firm shall be entitled, upon request, within seven days, to a public hearing before the Village Board of Trustees to renew and approve or terminate such suspension.

Section 6. SEQRA:

6.1 This local law is a Type 1 action pursuant to the implementing regulations of the Environmental Conservation Law as set forth at 6 NYCRR 617 et.seq. There are no other involved

agencies, coordinated review is not required and Board of Trustees shall act as Lead Agency in connection with this local law.

Section 7. Severability

7.1 If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 8. Effective Date

8.1 This local law shall take effect upon the filing with the Secretary of State.