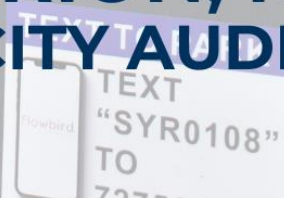




PARK AT YOUR OWN RISK

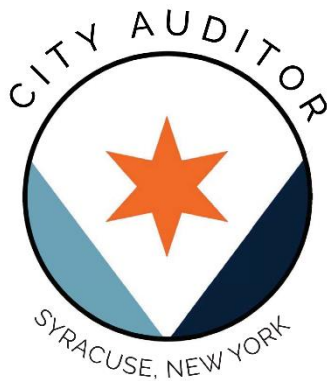
**ANALYSIS OF 2023 CITY OF SYRACUSE
PARKING VIOLATIONS**

**ALEXANDER MARION, MPA
SYRACUSE CITY AUDITOR**



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Message from the City Auditor

March 11, 2024

Benjamin Franklin once remarked the only constants in life are death and taxes. For Syracuse drivers, we can add a third: parking tickets. With more than 60,000 issued in 2023, they are omnipresent on windshields across our city. While parking violations are an oft-cited municipal headache, they provide an important stream of revenue to the City and provide a useful deterrent to unsafe and illegal parking, not to mention, the enforcement of basic parking rules is good for business and good for residents. Parking enforcement ensures turnover of limited spaces in business districts, and on narrow streets and in neighborhoods, it ensures snowplows can keep our streets clear and emergency vehicles can get through when moments matter.



The City of Syracuse issues an eye-popping number of parking violations each year – more than 62,000 – and receives more than \$2 million annually in revenue from violations and penalties. Meters themselves make \$2 million more. And City parking garages and parking lots add another \$2 million+ in additional revenue. In the 2022-23 fiscal year, the City of Syracuse generated more than \$8 million in parking revenues from meters, lots, garages, fines, penalties, and surcharges. Parking revenues represent serious money and Syracuse, a cash-strapped community with a structural deficit, should look for additional ways to grow this revenue stream by finding increased efficiencies in enforcement operations and evaluating how parking charges are levied. At the same time, the City should pursue alternatives to fines and fees which would relieve the burden for low-income individuals who may struggle with additional expenses.

We began this report using a publicly available dataset about 2023 parking tickets from the City of Syracuse's open data portal (which can be viewed at data.syr.gov.) and sought out further data from the City's internal parking violations management system, known as AIMS. This report is not a formal audit, but an evaluation of data and other physical observations that draw some basic conclusions about our operations. The open data portal is an incredible and crucial tool for evaluating city operations but is only as successful as the available data. With some minor improvements in data entry, even more information could be available to my office, the Common Council, and the public to draw better conclusions and have more informed policy discussions.

Also remember something important: streets are public property. They require repaving, striping, snow removal, and cleaning; they are among the most expensive municipal services to provide. Additional revenues secured through increased parking revenue and enforcement would go toward improving our roads and enhancing the quality of life for all Syracusans. With bike lanes and walking trails on the rise, and the removal of I-81 imminent, now is the right time to begin a thoughtful discussion about how we all share the roads and improve our delivery of services.

A handwritten signature in blue ink that reads "Alexander Marion". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alexander Marion, MPA
Syracuse City Auditor

Executive Summary

Parking is big business in the City of Syracuse. With fees, fines, penalties, and surcharges from City parking meters, lots, and garages totaling more than \$8 million annually, this massive City operation requires regular review. This report reviewed the City's Traffic Code - the laws governing parking - and the City's publicly available parking data released on their Open Data Syracuse data portal. This information was reviewed against the City's parking management system - AIMS - for accuracy and more information. Physical observations of the many different types of parking signage and rules which exist around the City were also performed. This is not a formal audit, but rather a review of publicly available data that draws some general conclusions and will make recommendations about improving operations.

In 2023, the City issued more than 62,000 parking violations and generated millions of dollars in parking fines, penalties, and surcharges from those violations. Most commonly, motorists were ticketed downtown and on University Hill. Our review also found Pay to Park zones and Pay to Park hours were not equitably enforced. Several business districts had posted parking regulations requiring payment but no or very few violations were issued in these areas. We also learned that a staggering 62% of all tickets issued were being issued between 9:00 AM and 12:00 PM, with a significant drop-off in the afternoon hours.

Written violations have many inconsistencies with incorrectly identifying or omitting the street directionals (N, S, E, or W) and others fail to include information about the issuing officer like badge numbers or names. Some tickets are even being issued outside City limits and do not include photographic evidence showing the violation.

This report makes 16 recommendations to improve management, policies, and transparency in parking, beginning with the consideration of a new Department of Parking and Mobility charged with creating a comprehensive parking and enforcement strategy. City parking operations are fragmented and a new department could help achieve efficiencies and improve customer service, as well as address the diverse interests that impact our streets. The City should also do more to move away from handwritten violations expediently and always include photographic evidence. This review also noted parking signs in the City in need of repair, update, and consistency. As updates to signage are made, the Common Council should also update the Traffic Code to use more inclusive language, removing terminology referring to "handicap" parking or violations and instead referring to "Accessible Parking", or people-first language when referring to the disability community. Complementary changes should be made to signage, as well, using active-style wheelchair symbols – a 2014 state law requirement.

The City can easily do more to increase parking revenues. Adding additional parking checkers with staggered schedules could provide better enforcement throughout Pay to Park hours, and more supervision may be needed. Increasing penalties for violations which impact public safety and accessibility should also be considered, including a new violation for "Blocking a Bicycle Lane." Loading Zones and their permits should also be revisited for updates. It is also time the City reconsider parking garage license fees. With private operators making millions of dollars annually on parking charges, revisiting this \$300.00 a year charge may also be warranted.

Recognizing that parking penalties may unfairly impact Syracuse's poorest citizens, the City should also consider a new program which offers alternatives to fines, such as community service or driving safety courses. The City should also amend parking ticket due dates to 30 days from the current 20 days to provide a more fair opportunity for those on low or fixed incomes to pay.

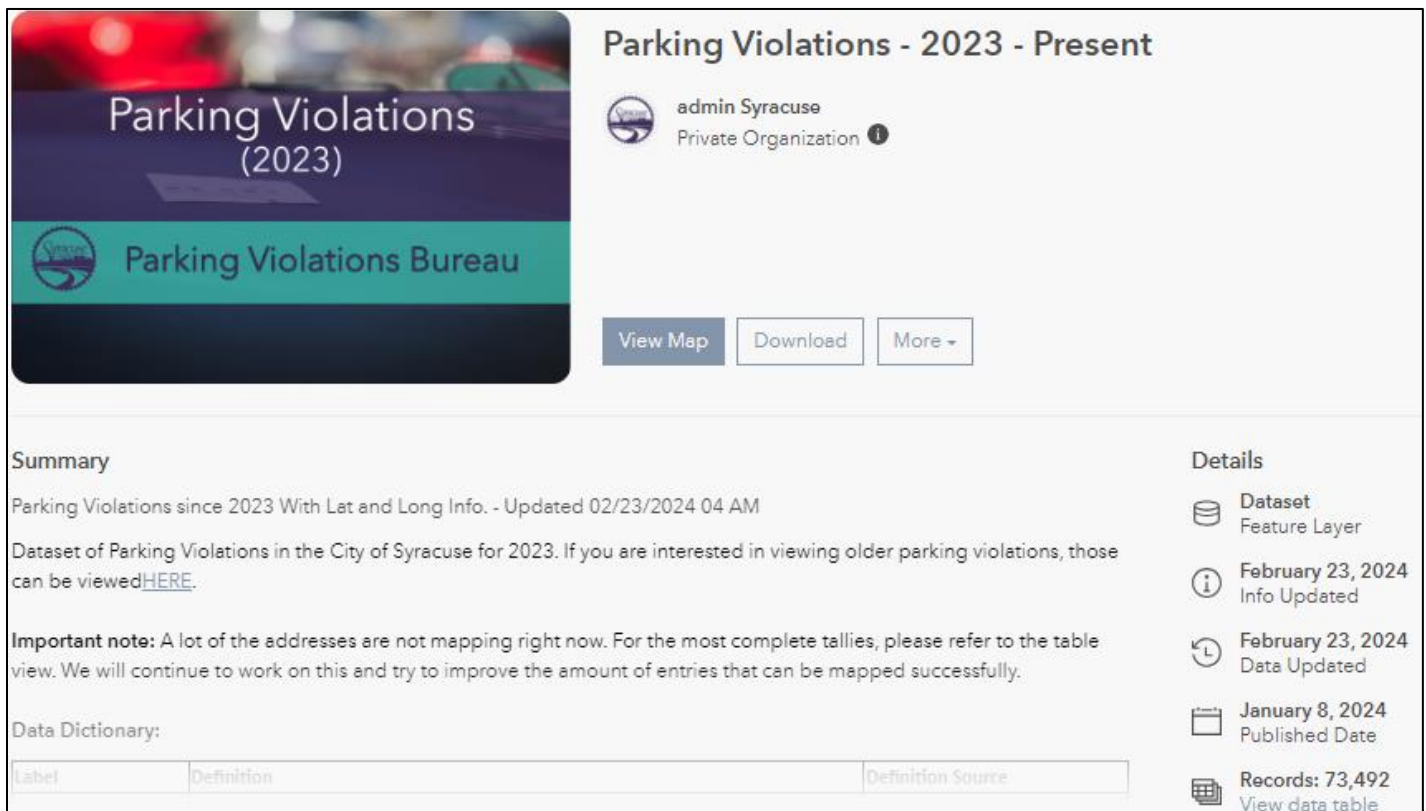
The City should also reassess their surcharges to ensure they are collected properly, remitted properly, and are being used in accordance with the law, and late fees should also be reviewed to ensure they are being applied according to the City Traffic Code. This report also notes that the Parking Violations Bureau is out of compliance with Section 15-32 of the Traffic Code, which requires them to submit an annual report to the Common Council each September.

The City Auditor's office believes these recommendations are realistic and achievable, and most importantly would make parking easier and more customer friendly. With the impending removal of I-81, now is the right time to begin a thoughtful discussion about how we all share the roads, improve service delivery, and enhance our revenue streams.

Background

The City of Syracuse maintains a website known as Open Data Syracuse located at data.syr.gov which provides information and maps about the City of Syracuse which users can download and use. According to the site, “Open Data Syracuse is the City of Syracuse’s central location for open data, maps, and visualizations to help you understand what is happening in the city.”

The website and its content are provided free of charge and users may download datasets at their convenience. The City recently released a new dataset dated January 8, 2024 titled “Parking Violations - 2023 – Present.” The data summary states the information is “Parking Violations since 2023 with Lat and Long Info.”



Parking Violations - 2023 - Present

admin Syracuse
Private Organization ⓘ

[View Map](#) [Download](#) [More ▾](#)

Summary

Parking Violations since 2023 With Lat and Long Info. - Updated 02/23/2024 04 AM






Dataset of Parking Violations in the City of Syracuse for 2023. If you are interested in viewing older parking violations, those can be viewed [HERE](#).

Important note: A lot of the addresses are not mapping right now. For the most complete tallies, please refer to the table view. We will continue to work on this and try to improve the amount of entries that can be mapped successfully.

Data Dictionary:

Label	Definition	Definition Source
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Details

-  **Dataset**
Feature Layer
-  **February 23, 2024**
Info Updated
-  **February 23, 2024**
Data Updated
-  **January 8, 2024**
Published Date
-  **Records: 73,492**
[View data table](#)

Users can download the full dataset, filter the data to view parsed results, and view a plot map of the violations (presumably arrived at using each datapoint’s latitudinal and longitudinal information). The City acknowledges not all addresses are mapping properly. The dataset has been updated since its initial release, and it continues to accumulate more recent violation data.

Our review began with downloading this information and using the online portal to manipulate it to the extent possible. We conducted a complimentary review of the City’s parking management systems to determine the accuracy of the information as presented. We also conducted physical observations of parking signage throughout the City.

Access to systems was used to verify the information. The Auditor's Office requested and was granted access to the City's Automated Issuance/Management System, known as AIMS. This parking management software system is operated by EDC Corporation, a company with local headquarters, with whom the City has maintained a relationship for a number of years. The program is used to track parking tickets issued and their eventual payments, adjudication, or status of collections.

To understand Parking Violations, it is a prerequisite to understand the parking rules and penalties in the City of Syracuse. In the next section, this report will outline what public parking is, what the rules are, and what penalties can be assessed for not following those rules. Following that, we outline the findings from our review. Finally, we make 16 recommendations about parking in Syracuse which cover administrative topics, enforcement, fines, and adjudication. We believe these measures are reasonable and attainable and would deliver better customer service.

Public Parking in Syracuse

About The Parking Business

The City of Syracuse owns and maintains parking assets throughout the City. In addition to the hundreds of miles of on-street spaces (all with varying parking rules) the City also owns several public parking garages with thousands of spaces, owns or operates multiple parking lots, and manages a network of nearly 2,000 metered parking spaces. Failing to abide by the posted rules can earn a motorist a parking violation.

The City's meters, lots, and garages are a multi-million-dollar business, with millions more generated annually from the revenue from parking violations. From July 2022 to June 2023, City parking fees, fines, and penalties, plus surcharges, totaled more than \$8 million, with fines and penalties representing the largest amount.

Additionally, privately held lots and garages make millions more. Some of the largest users of parking in the City include non-profit hospitals and universities, as well as the also-exempt County and State governments. City code section 27-17 requires new parking garages to pay a \$100.00 registration fee, and then any facility which is at least five (5) years old shall be required to have an operating certificate with an annual fee of \$300.00. All revenues from daily, hourly, and monthly parking fees are kept by the private operators.

City of Syracuse Parking Revenues (July 2021 – June 2023)					
Fiscal Year	Parking Meters *	Parking Lots **	Parking Garages ^	Fines, Penalties, and Surcharges ^^	Total Parking Revenue
2022	\$2,077,501	\$26,846	\$2,421,191	\$3,081,930	\$7,607,468
2023	\$2,203,309	\$19,905	\$2,569,900	\$3,540,534	\$8,333,648

Notes on Parking Revenues

These revenues do not factor in any fees or charges the City pays for credit card processing.

* Parking Meters includes coins inserted into physical parking meters and all credit card payments taken at parking meters or paid electronically through the Flowbird parking app, plus text to pay transactions.

** Parking Lots includes monthly parking permit revenue which is generated from City Lot #2 on Pearl Street and City Lot #4 on N. State Street only.

^ Parking Garages includes revenue from the MONY/AXA Parking Garage beneath the Equitable Towers on Madison Street. The City no longer has an interest in that garage and it no longer receives any revenues from the facility.

^^ Fines, Penalties, and Surcharges includes more than \$700,000 in annual revenue collected for New York State surcharges for parking tickets. According to the original law, any funds collected were to be remitted to the State Comptroller monthly. Additional surcharges apply to accessible parking violations and the City should remit half those revenues to the County, who is charged with creating a disability awareness program. We did not investigate whether or not the City is making proper payments to the State Comptroller or Onondaga County, or if the County has developed a program. We do note, however, the 2008 City Budget book states, "Highlights on the revenue side of this proposal include: ... \$240,000 from the change in the State's distribution formula for parking ticket surcharges. As of 1/1/08, the City will retain 100% of the surcharges, rather than transmitting 50% to the state." We were not able to find any other information regarding this. We make recommendations on this matter later in the report.

The Traffic Code

Parking violations in the City of Syracuse derive from the rules established in the Traffic Code, Chapter 15 of the Miscellaneous Ordinances of the City of Syracuse. The Traffic Code contains the official wide-ranging City laws how cars, trucks, buses, pedestrians, bicycles, and even railroads can function and operate on City streets and sidewalks.

The Traffic Code:

- Establishes the rules for speed, signs, and traffic devices, including the “Green on Top” signal;
- Dictates rules for cars and trucks, bicycles, pedestrians, and even railroads;
- Sets parking rules, allows for parking meters, and establishes fines for violations;
- Lays out who administers and enforces traffic and other “rules of the road;”
- Develops adjudication rules and creates the Parking Violations Bureau.

Parking rules vary widely depending on the location, levels of vehicular traffic, road width, and economic development priorities. Some City blocks have no posted parking rules while others are designated as “No Parking Anytime” or as paid parking meter zones. City motorists must pay careful attention to the unique parking rules and signage around the City; rules can and do change from block to block.

Parking Signs in Syracuse



The traffic code also establishes the famous “Green on Top” traffic light in Tipperary Hill.

The intersection of Tompkins Street, Milton Avenue and Burnet Park Drive in a section of the city known as "Tipperary Hill" where the green signal shall be on top and the red signal shall be at the bottom. (Section 15-95.)

In addition to paying homage to Syracuse's rich Irish history, the Traffic Code also creates the City's parking rules and fines. It establishes No Parking zones, loading zones, fire zones, and accessible parking zones, creates Odd/Even parking, and designates metered parking areas. It sets parking rates, and rules for collection, and creates a fine schedule for violations.

The Code gives broad powers to the Commissioner or Public Works to dictate traffic and parking and parking meters have been placed in business districts and other high traffic areas near hospitals and universities, including downtown and parts of Westcott Street, James Street, Waverly Ave. Parkers must pay a set hourly rate during established hours.

Many neighborhoods and side streets operate on Odd/Even parking whereby every day, vehicles must be moved to the opposite curb as the day before to assist in street cleaning and plowing, and to keep streets clear for emergency vehicles.

Parking Meters

The Code designates the Commissioner of Public Works as the City official responsible for parking meters, and that duty is overseen by the Department of Public Works (DPW) Division of Transportation. The Division is responsible for the installation, operation, maintenance, and use of meters and must ensure they are in good workable order. Traffic Code states there shall be a legend stating the parking time limit for that zone, the coins to be deposited in the meter, and the hours during which the parking time is enforceable.



Typical parking meter in Syracuse



Display screen of meter on N State St.

"Transportation" or "DOT," as the Division is sometimes known, is responsible not only for parking meters. Tasked with "assuring municipal transportation in the most convenient and safe manner with

minimum interference and congestion” the Division handles the administration and operation of much of the City Traffic Code, overseeing meters and other city parking assets including lots and garages, as well as all the City’s streetlights, traffic lights, signs, and crosswalks.

The hourly rate to park in metered zones was last modified by the Common Council in 2019. As of that September, all metered parking in the City of Syracuse is charged hourly at a rate of \$2.00 per hour with a minimum charge of \$0.25. City law designates the authority for setting parking rates is vested with the Common Council, upon recommendation from the Commissioner of Finance.

Per the Traffic Code, parking meters shall be operated in parking meter zones during the prescribed hours every day except Sundays and holidays. The Code specifically identifies parking meter holidays as New Year’s Day, Martin Luther King Jr., Washington’s Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day, and Christmas Day.

Other than specifically stating that meters are not to be operated on Sundays and holidays, the Code is silent on the “prescribed hours” and does not specify the hours in which paid parking is in effect or enforced. Only signage, at meters and on poles, indicates required payment times and the length someone can pay to park at a given meter. This signage is established and maintained by the Commissioner of Public Works.

Most metered spaces state that paid parking is required from 9:00 AM – 6:00 PM, and most all metered spaces are available for two (2) hours. There are some anomalies. 30-minute parking zones still exist outside the former City Hall Commons. Marshall Street is designated one-hour parking, and signs in the 300 block of N. State Street show parking is permitted for four hours.



While signs indicate four hours, meters in the 300 block of N. State Street only allow for two (2) hours of parking. Additionally, there are parcel pick up zones throughout the city where payment is required but motorists may only park for between 12 and 20 minutes.

Motorists may pay for parking by using a credit or debit card, coins (bills are not accepted), or by using the Flowbird app for Android and Apple smartphones. Flowbird is an option at an additional cost of \$0.35 per transaction.



The Flowbird app is available at the App Store or on Google Play

Fines, Penalties, and Surcharges

Failure to abide by parking rules in the City of Syracuse can earn motorists a parking ticket. The Traffic Code states the Commissioner of Finance, with the approval of the Common Council, shall designate fines for parking violations, and those fines shall be satisfied through the Parking Violations Bureau.

Most people are familiar with common parking violations including Overtime and Odd/Even. Overtime violations occur when someone pays for parking but remains parked in the space after the expiration of their paid parking time. Odd/Even violations occur when a motorist parks their vehicle on the incorrect side of a road which utilizes Odd/Even parking.

Other parking violations include having an unregistered or uninspected vehicle, blocking fire hydrants and fire lanes, and illegally using designated accessible parking spaces. Unlike traffic tickets which are issued to specific motorists, parking tickets are issued to the vehicle and are logged against the vehicle's license plate number.

Parking fines are set locally. Effective October 1, 2020, the City of Syracuse revised their Parking Ticket Fine Schedule to increase fines for many parking violations. The 2020 schedule increased the fine for Overtime tickets from \$15.00 to \$25.00, and for more serious violations such as obstructing traffic or a fire hydrant, penalties increased from between \$25.00 and \$40.00 to \$60.00. Illegal use of an accessible parking space was already the most expensive fine at \$75.00 but increased to \$100.00.

City of Syracuse Parking Violation Fine Schedule		
Violation	Rate Before October 1, 2020	Rate Effective on October 1, 2020
Overtime	\$15.00	\$25.00
Odd/Even Parking (April—October)	10.00	25.00
Odd/Even Parking (November—March)	15.00	60.00
No Parking	25.00	25.00
No Standing	25.00	25.00
No Standing 4:00—6:00 p.m.	25.00	25.00
Blocking/Obstructing Driveway	25.00	60.00
Fire Hydrant	40.00	60.00
Fire Lane	40.00	60.00
Loading Zone/Noncommercial Plates	25.00	25.00
Tow Away Zone	25.00	25.00
Here to Corner	25.00	25.00
Blocking/Obstructing Crosswalk	25.00	60.00
Sidewalk to Curb	25.00	60.00
Bus Stop Only	25.00	60.00
Taxi Stand Only	25.00	25.00
Double Parking	25.00	25.00
Blocking/Obstructing on Sidewalk	25.00	60.00
Angle Parking	25.00	25.00
12" to Curb	25.00	25.00
(Left) facing wrong way (Left wheel to curb)	25.00	25.00
Obstructing Traffic	25.00	60.00
Miscellaneous	25.00	25.00
Uninspected	25.00	25.00
Unregistered	25.00	25.00
Parked on Grass	25.00	25.00
None/one license plate	25.00	25.00
No permit (and/or limited parking)	25.00	25.00
Repeating/Harboring on a meter	25.00	25.00
Two (2) on a meter	25.00	25.00

Commercial/Residential	25.00	25.00
Handicap Parking Only*	75.00	100.00

*We refer to "Handicap Parking Only" violations throughout this report as Accessible Parking violations and urge the Common Council to update the Traffic Code and fine schedule to use more inclusive language.

While fines are set locally, the State receives revenue by tacking surcharges onto each ticket issued. These fees add \$15.00 per ticket for most violations, and \$30.00 for Accessible Parking Only spaces. We discuss this more in findings and recommendations.

Enforcement

Traffic Code gives the authority and the duty to enforce street traffic ordinances, laws, and regulations to the Syracuse Police Department (SPD), and it creates a Traffic Division. It also empowers the SPD to enforce all New York State vehicle and traffic laws.

Parking violations are typically written by sworn SPD officers or civilian Parking Checkers under the oversight of SPD. Parking Checkers are civilian parking enforcement employees who report to the SPD. Parking Checkers work schedules between 8:00AM to 5:00PM, Monday through Friday. The City budget authorizes up to nine (9) Parking Checkers. They are some of the lowest paid City employees. The City currently has seven (7) filled positions and recently released a job posting looking for two (2) additional Checkers.

Pursuant to the applicable provisions of the Municipal Home Rule Law of the State of New York, members of the Syracuse Fire Department (SFD) may also write notices for parking violations. The online dataset is unclear on who is issuing tickets and whether members of the SFD, or other agencies (including Onondaga County Sheriff's Department, Syracuse University Department of Public Safety, SUNY Upstate Police, the Veteran's Administration Police, or Le Moyne College Campus Safety) issue parking violations in the City. Tickets are either handwritten or generated using electronic AIMS parking management equipment, known as ticket guns.

Traffic Code requires parking violations to include the following information:

- Plate designation and plate type, as shown by the registration, and the expiration date
- Make or model, and the body type
- A description of the charged violation, including a reference to the applicable traffic rule
- Information as to the days and hours the traffic rule is in effect
- The date, time, and particular place of occurrence

The violation notice is to be served to the owner of the vehicle if possible, however, if the operator is not present, it may be affixed in a conspicuous place on the vehicle (most commonly under the windshield wiper).

Payments, Appeals, and Adjudication

Once a parking violation has been issued, the City generates a notice to the registered owner of the vehicle, notifying them they have 20 days to answer the charge by either paying the fine in full or filing an appeal. Failure to pay or appeal within 20 days will result in late additional penalties. Paying a ticket can be done in person at City Hall, online through a link available at the City's Parking Violation Bureau (PVB) website at <https://www.syr.gov/Departments/PVB>, at the City Hall dropbox, over the phone, or by mail.

Specific directions for each method vary, but directions are available on the PBV website. Credit cards are assessed a usage fee of 2.75% with a \$1.25 minimum charge

Appealing a ticket can be filed online through the "Hearing Request" form available at: <https://www.syr.gov/Departments/PVB/Dispute-a-Parking-Ticket> or in person at City Hall, at the City Hall drop box, over the phone, and by mail. Specific directions for each method vary, but directions are available on the PBV website.

According to the Traffic Code, any ticket not paid or appealed within 20 days of the first notice of violation is considered late and a penalty equal to the amount of the original fine (less the mandatory surcharge) is assessed. Recalling that fine amounts vary, this penalty could range from \$25.00 to \$100.00, depending on the severity of the violation.

Failure to answer the charge within 30 days will earn the vehicle's owner a second penalty, this time costing them \$20.00. Once 76 days has passed since the first notice, a third penalty is assessed, again in the amount of \$20.00. Not responding within ninety days is deemed an admission of liability for the charge. The motorist is required to pay all the fines and penalties assessed and is referred for collection. Continued failure to pay or answer to parking violations may subject a motorist to immobilization (booting) and additional fees.

Penalties for Failure to Respond to a Parking Violation	
Number of Days from Issuance of First Notice of Violation	Penalty in Addition to the Initial Fine and Mandatory Surcharge
1 through 20 days	No penalty; liable for the initial fine plus the \$5.00 mandatory surcharge
21st day	Total of above, plus first penalty equal to amount of initial fine
31 to 75 days, if a third notice of violation has been mailed	Total of above, plus second penalty of \$20.00
75 days or more	Total of above, plus third penalty of \$20.00

90 days	Total of above, plus deemed an admission of liability, subject to default judgment; and/or towing or immobilization, and fees.
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Parking Violations 2023

More Than 62,000 Parking Violations Were Issued In 2023

The data shows the city issued 62,424 parking violations in calendar year 2023. Dominated by Odd/Even and Overtime violations, which accounted for more than 55% of violations, followed by Uninspected and Unregistered which accounted for 15% more. Thousands of additional tickets were also written for No Stopping Anytime and No Parking Anytime.

2023 Parking Violations by Type	
Violation	Count
Overtime Parking (Mon-Sat 9AM-6PM)	13,403
Odd/Even Parking (Apr-Oct)	10,534
Odd/Even Parking (Nov-Mar)	10,456
Uninspected	5,869
Unregistered/Unaffixed	4,065
No Stopping Any Time	3,120
No Parking Any Time	2,532

No Stopping Here to Corner	1,575
Parked in Loading Zone	1,406
Handicap Parking On-Street*	1,282
Obstructing Traffic	1,175
None/One License Plate	1,118
Fire Hydrant	743
Miscellaneous	720
No Permit	703
Left Wheels To Curb	554
Parked 12 Inches From Curb	450
Limited Parking Only	437
Parked on Sidewalk	363
Parked on Grass	335
Handicap Parking Off-Street*	306
Parked Blocking Driveway	255
Fire Lane	175
Parked Between Sidewalk and Curb	15
Limited Parking Only (9AM-6PM)	141
No Parking Here to Corner	105
Overtime Parking (Mon-Sat 8AM-8PM)	104
Parked Blocking Crosswalk	75
All Other Violations (14 Different Violations)	269
Total Count	62,424

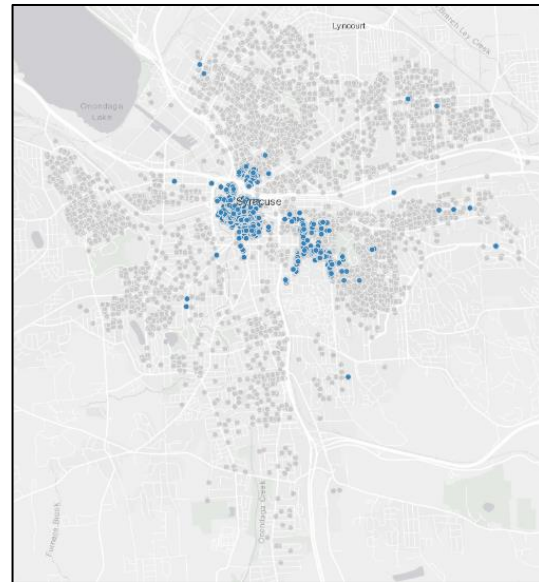
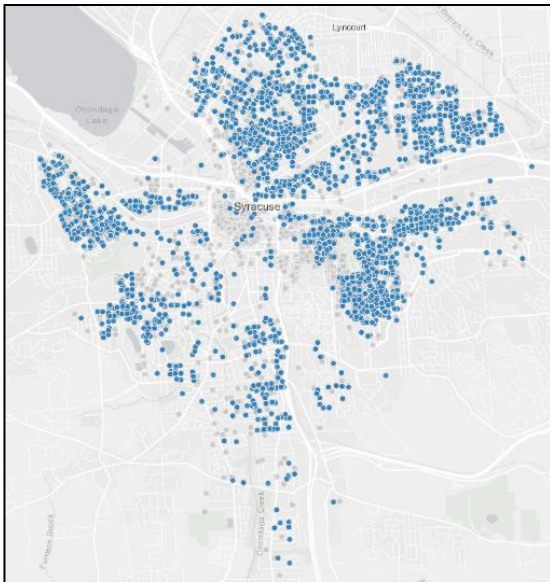
*We refer to "Handicap Parking Only" violations throughout this report as Accessible Parking violations and urge the Common Council to update the Traffic Code and fine schedule to use more inclusive language.

Odd/Even Tickets Are Written In Neighborhoods; Overtime Tickets Are Issued In Business Districts

Odd/Even violations are written throughout the City, with a heavier focus on Tipperary Hill, the Northside, Eastwood, and the University area. These tickets come with \$25 fines during warmer months and \$60 fines from November through March, plus state surcharges. Odd/Even Parking signs should be clearly displayed.

Overtime violations are concentrated in downtown, the university area and near hospitals. Overtime violations are written if a motorist's parking time has expired or if they have not paid to park in a Pay to Park zone during prescribed hours.

Some geographic coordinates are plotting in areas where signage is inconsistent with the violations. This raises questions about the quality of that data, or suggests tickets were incorrectly written.



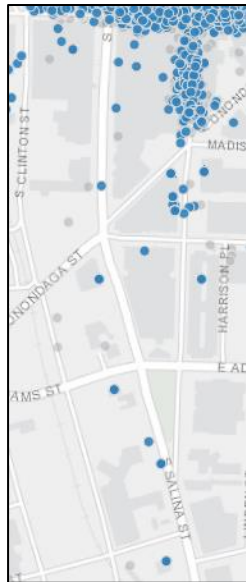
Odd/Even Violations (Left) and Overtime Violations (Right) using provided latitude and longitude information

Pay To Park Zones Are Not Equitably Enforced

The data shows not all Pay to Park zones are enforced equitably. Our review of the publicly-available data identified where Overtime tickets were written – and not written. Upon analysis, and confirmed through physical inspection, multiple blocks throughout the City are equipped with parking meters and Pay to Park signage, but based on tickets issued, we conclude parking enforcement is virtually non-existent in these areas.

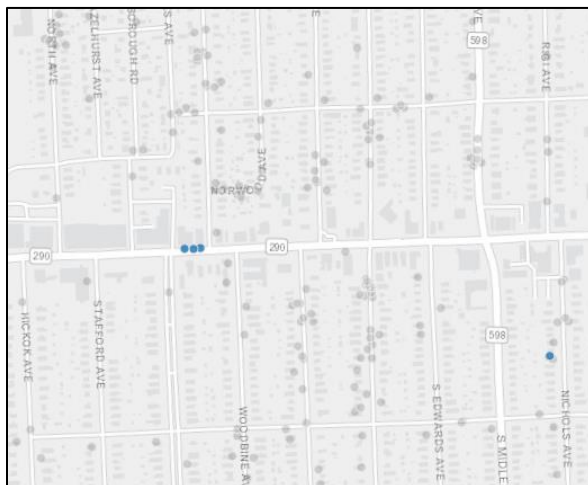
Specific examples include all of James Street and Franklin Square, and S. Salina Street south of Onondaga Street. Meters line the majority of the half-mile stretch of James Street from North Street to Nichols Avenue, yet only three (3) Overtime Violations were issued in 2023. Motorists are instructed to pay for parking along Plum Street in Franklin Square, yet not a single Overtime violation was issued there that year. And while enforcement along the 100-400 blocks of S. Salina Street is robust, the higher block numbers south are mostly ignored despite Pay to Park signage and the presence of meters.

Only a handful of these violations were written on S. Salina Street from Onondaga Street to New Street, despite regulations being in effect for nearly the entire stretch.



Only a handful of Overtime tickets seem to have been issued on S. Salina Street between Jefferson Street and New Street. The majority of this stretch is designated as Pay to Park. This sign is at S. Salina Street and S. Warren Street.

In Eastwood, James Street (Route 290) shows only three Overtime violations in 2023. The majority of the on-street parking between North Avenue and Nichols Street is pay to park.



Only three Overtime violations seem to have been written on James Street (Rt 290) in Eastwood during 2023. The majority of spaces between North Avenue and Nichols Street are designated as Pay to Park. This sign is near North Avenue.

Similarly in Franklin Square, no Overtime tickets were written despite 15-minute to 2-hour pay to park regulations in place along Plum Street from Solar Street to Evans Street.



Most Common Places To Receive A Ticket Are University Hill, Downtown, And The Airport

Our Office modified the dataset to create a clearer picture of where tickets were issued. We standardized street addressing to the extent possible, which provided additional details about where tickets were being issued. By standardizing street addressing and updating addresses to reflect their block number, we generated the following information which shows the most tickets are written on University Hill and downtown, and at the airport.

A caveat to this data is the large number amount of data without a street/block number or missing a directional qualifier (N, S, E, or W). The data below reflects confirmed addressing; those violations missing key data to sort location were omitted.

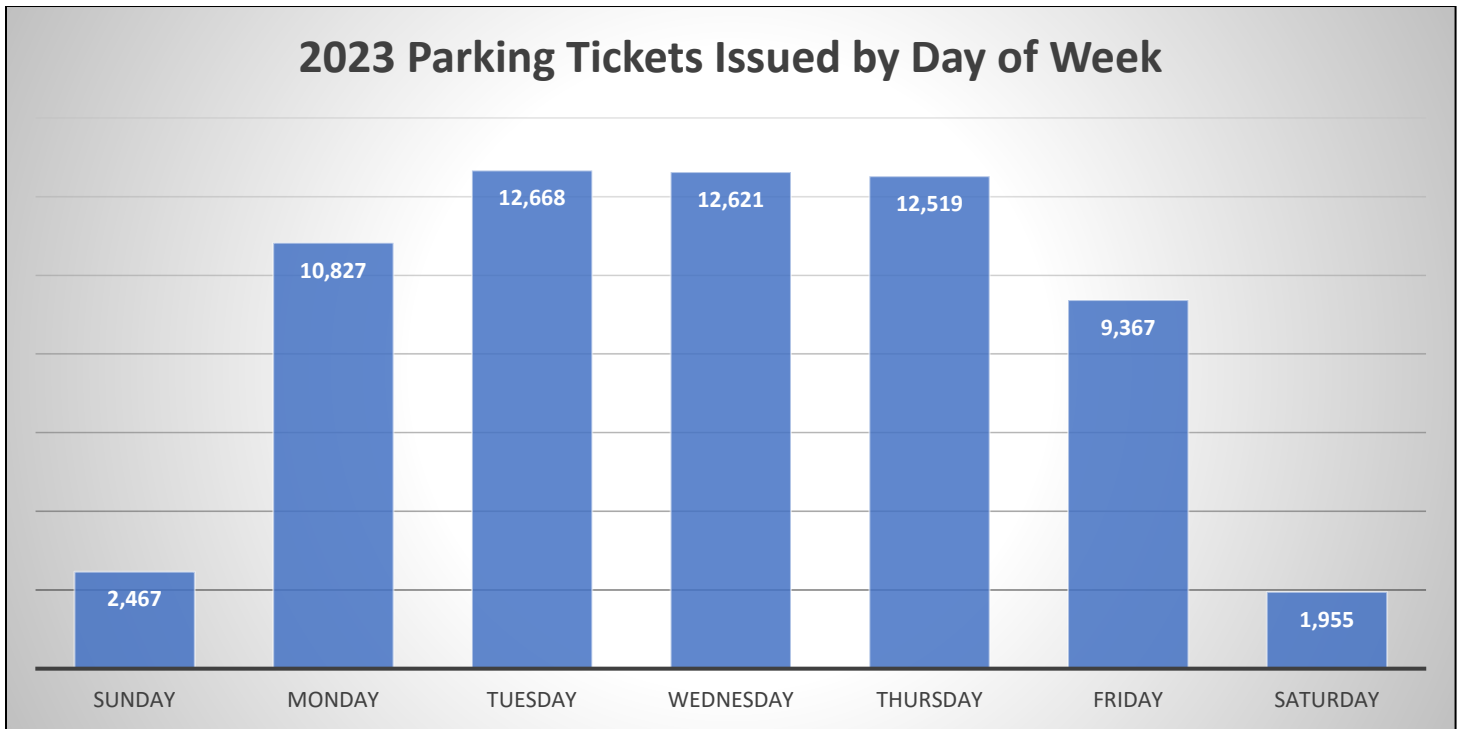
Most Common Place to Receive a Parking Violation		
RANK	BLOCK	VIOLATIONS ISSUED
1	300 Waverly Ave	1606
2	100 Marshall St	1146
3	300 Montgomery St	1024
4	1000 Eileen Collins Blvd (Airport)	900
5	300 Walnut Pl	856
6	City Lot 21 (W Washington & S Clinton)	794
7	300 Salina St S	752
8	900 Walnut Ave	704
9	200 Jefferson St E	696
10	200 Walnut Pl	689

Most Common Street to Receive a Parking Violation		
RANK	STREET	VIOLATIONS ISSUED
1	Madison St	2175
2	Warren St S	2113
3	Montgomery St	2049
4	Walnut Ave	2004
5	Marshall St	1997
6	Walnut Pl	1971
7	Waverly Ave	1702
8	Salina St S	1601
9	Crouse Ave S	1591
10	Comstock Ave	1571

Violations Are Issued Equitably Monday Through Friday, With A Noticeable Drop Off On Weekends

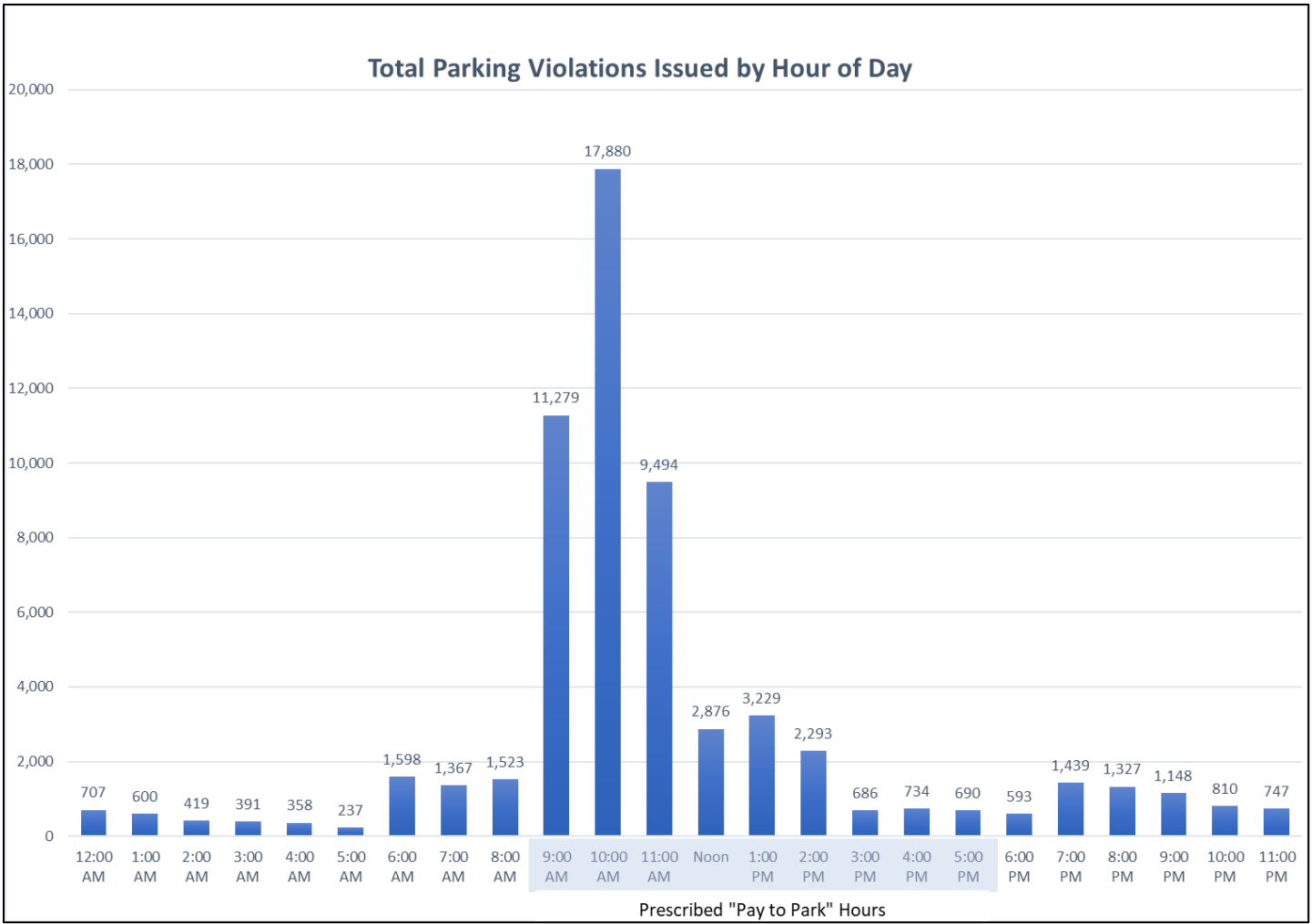
With Parking Checkers working a Monday-Friday schedule. It is to be expected that most tickets are written during the week. Tuesday is the most likely day to receive a parking violation; Saturday is the least likely.

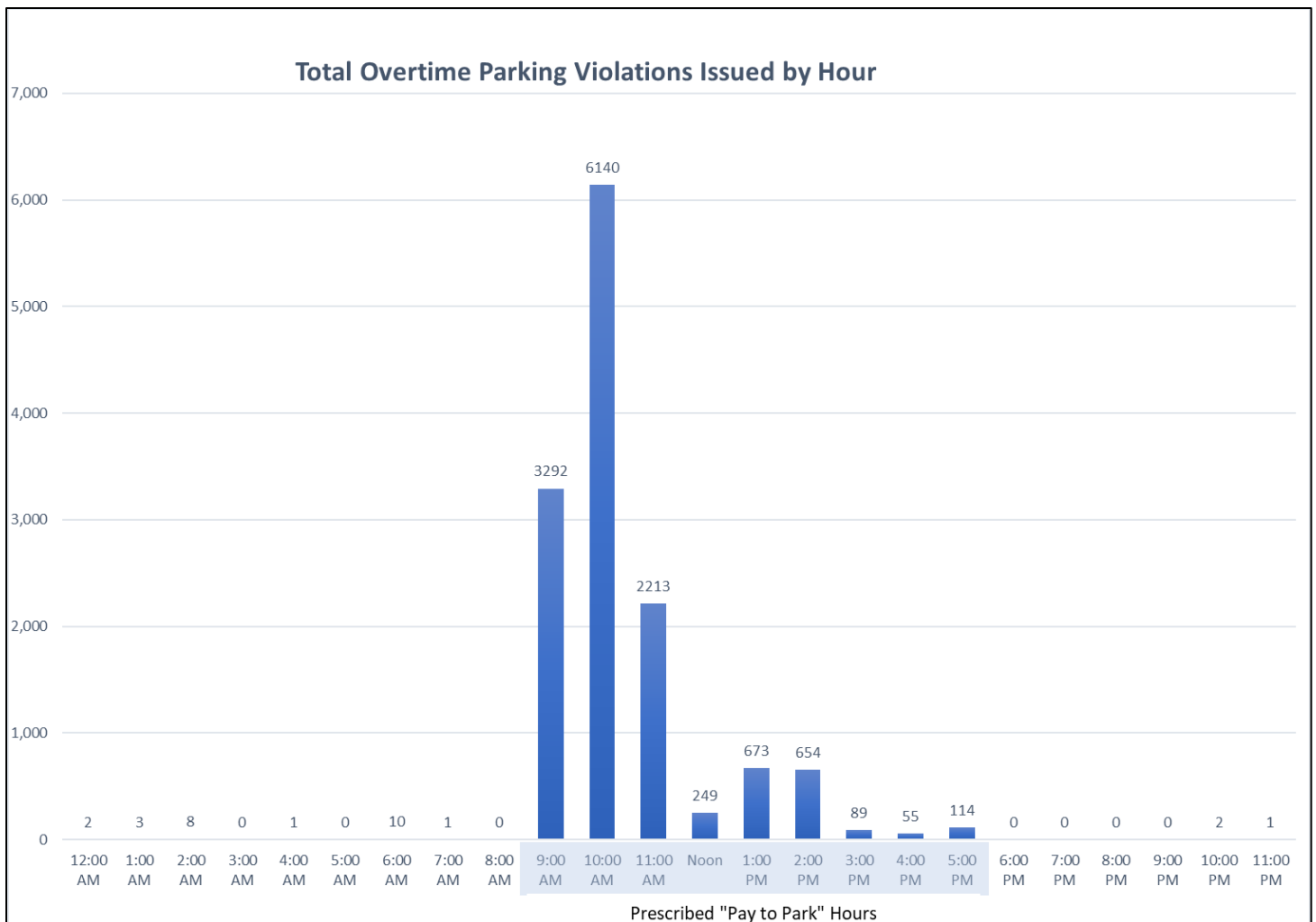
2023 Parking Tickets Issued by Day of Week



Violations Are Overwhelmingly Written From 9:00 AM To 12:00 PM

A substantial majority of violations, including Overtime violations, are written between 9:00 am and 12:00 pm despite Pay to Park regulations in effect from 9:00 AM to 6:00 PM.





Violation Writing Is Sometimes Inconsistent

In general, we noted several inconsistencies with ticket writing which should be standardized. The different types of errors make analysis more difficult, and incorrect details could lead to unnecessary dismissals for otherwise appropriate violations.

- We previously noted a number of pieces of data dated in the future.
 - o We opted to include these 40 records in our 2023 analysis, assuming a keying error.
 - o We note general concerns about hand-keying handwritten ticket data.
- Missing Officer Name and/or Badge Number
- Not identifying, improperly identifying, or inconsistently identifying the street directional [East, West, North, or South] on blocks requiring them. For example, these were all used:
 - o 100 Washington St E
 - o 113 E. Washington St
 - o 100 E Washington
 - o 100 Washington St

- Incorrect Street Name or Non-Existent Block Numbers. For example:
 - o 200 S Clinton Avenue (Instead of Clinton St S)
 - o 3300 Jefferson St W (There is no 3300 block of Jefferson St W)
 - o Madison Avenue (Instead of Madison St)
- Violations written at the airport almost always use 1000 Eileen Collins Blvd, however, tickets were also written using all of these variations of that address:
 - o Eileen Collins Blvd
 - o 0 Eileen Collins Blvd
 - o Co. Eileen Collins
 - o Col. Eileen Collins
 - o Col. Eileen Collins Blvd
 - o Co. Gleen Collins Blvd
 - o Collins Eileen Blvd

Many Violations Include Little Evidence

Our review of AIMS showed a limited amount of photographic evidence. Nearly all handwritten tickets included no photographic evidence, and we rarely encountered an image of an original violation.

AIMS-generated violation notices can include photos, however, too many we viewed failed to include a license plate, didn't clearly demonstrate the violation, or did not show the ticket displayed on the vehicle.

Our office understands that a migration from handwritten tickets to those produced by AIMS is in progress with the SPD. We encourage the department to speed up this transition to ensure violations written by sworn officers include photographic evidence of the alleged violation.

Some Violations Show Addresses Outside The City, Tickets Written on Private Property

Several tickets in our review appear to have been issued outside the City of Syracuse. Many of these tickets were issued for accessible parking space violations. Simple sorting of the raw data generated addresses including Target Fairmount Fair, Township Five, Walmart Camillus Commons, and Wegmans Onondaga Blvd. These addresses are all outside city limits. Other addresses on Onondaga Blvd outside the City were noted but no other specific street-by-street analysis was performed. In total, roughly one or two dozen tickets appear to have been issued to vehicles not parked in the City.

Additionally, the data reveals more than 200 tickets written at the Destiny USA mall. The Syracuse Police Department maintains a robust police presence there, including on duty and off duty officers, aiming to reduce retail theft and respond to potential violent incidents.

Parking Signage and Pavement Markings Are Inconsistent

Our review included a physical inspection of parking signs throughout the City to confirm the violations issued were for reasonable offenses. While generally well-maintained, we noticed several inconsistencies which should be remedied.

Parking signs which exist in both blue (various shades) and green lettering and are not consistent:



All five of these versions of "Pay to Park" signs were observed in the City

Physical Pay Stations are consistent in terms of branding and markings, but their signage is not, with most pay stations having no sign pole or signs indicating the location. Despite so few having signage, two different versions of signs exist, with one version appearing in both green and blue lettering. Two different versions of a sign were observed (with blue and green varieties of one) with the majority of pay stations not being marked by any sign at all.



Typical "Pay to Park" signs in Syracuse. The City should work to make signage more uniform.

Pavement markings which note Pay to Park areas are marked in various ways, including single stall markings and entire block outlines, however most Pay to Park zones contain no street markings at all.



State Surcharges and Late Fees May Not Be Accounted For Properly

This statement was included in the 2007-2008 City Budget Book, by then-Mayor Matthew Driscoll:

“Highlights on the revenue side of this proposal include...\$240,000 from the change in the State’s distribution formula for parking ticket surcharges. As of 1/1/08, the City will retain 100% of the surcharge, rather than transmitting 50% to the State.”

From the 2007-08 City Budget Book, Office of Mayor Matthew J. Driscoll

The City of Syracuse levies a \$15.00 to \$30.00 NYS Surcharge on top of each parking violation issued. These fees are established by New York State law and have changed over time. Surcharges for accessible parking space violations are supposed to be split with the home County, with a portion being applied toward disability awareness campaigns.

Additional references in City materials or other publications about cities being entitled to retain State parking surcharges could not be found. Our review did not investigate whether or not payments were being made to the State or County but we note separate accounts exist to make transfers more orderly.

Furthermore, a review of the AIMS system showed first violation fines of \$15.00 and \$75.00 which may be relics of old fines. We also noted third fines of \$30.00. Per Section 15-34 of Code, the first late fee assessed should be equal to the original fine, and the third fine should be \$20.00.

Some Signage Is In Poor Condition And In Need Of Replacement

We recognize that thousands of parking signs exist around the City, however we found signs which were in poor condition and in need of replacement. These signs showed a variety of damage including age-related wear, sun-damage, vehicular strikes, and graffiti/stickers.



More Precise Data Should Be Released

In addition to parking violations, the City uses AIMS to issue Code Violations, as our review found a mix non-parking violations in the data. These records shouldn't appear in a dataset marked Parking Violations. A total of 107 lines of data clearly indicated a code violation, including unacceptable waste or containers not pulled back. An additional 720 records were marked "MISC" with no clear violation. For purposes of this report, we included MISC in our review and considered them to be valid parking tickets because there is a Miscellaneous option in the Parking Violations fine schedule.

Non-Parking Violation Information in Dataset	
Violation	Count
Unacceptable Waste	57
Containers Not Pulled Back	28
Commercial Trash in Public View	8
Debris In Roadway	8
Excessive Trash on Vacant Property	4
Excessive Trash/Construction Debris	1
Zero Balance	1
Total Count	107

Additionally, while geographic coordinates are provided for most data, 17,959 out of 63,409 (more than 28%) records did not include this information, despite the summary stating this information was included. We also made no efforts to confirm the geographic coordinates of any violations. We accept the City's map as it is and do not use coordinates for any analysis, other than the maps displayed in other findings.

Furthermore, 40 of the records in the dataset showed dates which were in the future. We assume these violations were from 2023 (or before) and incorrectly keyed as 2024. We opted to include them in our review.

Recommendations

This analysis was not a formal audit; instead, it drew some general conclusions based on available data. Based on these conclusions and identifiable trends, the Office of the City Auditor can make a series of recommendations to improve parking management, increase compliance, generate more revenue, and improve fairness and transparency for motorists. These recommendations cover administrative matters; enforcement; fines, penalties and surcharges; and adjudication. Some recommendations have been part of public discussion previously and this analysis offers additional data that provides important context. Others are entirely new and, after reviewing available data, may be warranted.

Administrative Recommendations

1: Create A New Department of Parking and Mobility Charged with Creating A Comprehensive Parking Plan And Enforcement Strategy

Parking violations are not criminal in nature and assigning their enforcement to the police department diverts resources from fighting crime. Furthermore, parking is a massive City enterprise which is fragmented. DPW maintains our streets, lots, and meters but private operators collect meter revenue. Private operators also handle day-to-day operations at our parking garages. SPD, through sworn officers and civilian Parking Checkers, oversees parking enforcement, and the Parking Violations Bureau/Bureau of Administrative Adjudication handles violation adjudication. In total, more than a dozen City personnel work on parking-related issues, in addition to the employees of the private companies. In addition, the City contracts with three more private companies, one which provides our actual meters and mobile parking app, another which provides enforcement and violation management software, and yet another is contracted to handle vehicle booting. The authority to set parking rates is vested with the Common Council through the Commissioner of Finance, but the determination for hours and locations rests with the Commissioner of Public Works. The various operations which handle City parking largely work independently of one another and do not execute an overarching parking strategy.

Consolidating the City's various parking operations into a single department could help create clear parking objectives, achieve efficiencies, and improve customer service. And as vehicle charging infrastructure continues to rise, this department would be well-positioned to oversee that build-out, including any new infrastructure needed and any revenue opportunities which might arise from that equipment. Likewise, this would be a well-positioned department to address scooters, e-bikes, and other alternative means of transportation.

We note that until recently, Syracuse had a Parking Authority which was created by the New York State legislature. That legislation has sunset and was not renewed, effectively dissolving the Authority. A Parking Authority may be a useful tool to consolidate parking assets and organize functions; the City should reconsider this legislation.

2: Consider New Pricing Strategies Around Surge Pricing, Zone Pricing, And Special Events

A new consolidated Department of Parking & Mobility could be charged with reviewing overall parking pricing and strategy. Current law allows parking rates to be set by the Syracuse Common Council. Signage indicates motorists must pay from 9:00 AM to 6:00 PM, Monday through Saturday, and the rates are consistent at \$2.00 an hour regardless of time and location.

The Commissioner of Public Works, with the Common Council, should consider modifying prescribed parking hours and creating a model of "surge pricing," like is commonly used by ride hailing apps. Surge pricing could provide for higher rates when demand increases, generating additional revenue for the City. In a surge pricing program, parking charges could be extended beyond 6:00 pm in certain areas like the Central Business District and University Hill. Oftentimes, these areas are flush with activity after 6:00pm and on weekends, the result of sporting events, concerts, performances, and festivals.

3: Standardize And Update Public Parking Signage and Markings

The City should create and implement universal rules for parking signage and markings, as well as replace old or damaged signs as needed. Signage indicating "Pay to Park" zones, parking Pay Stations, and street markings were not consistent and several parking signs were in poor condition.

Ensuring all City signs are clear and consistent, and that they conform to the Federal Highway Administration's Manual on Uniform Traffic Control Devices should be a priority for the Division of Transportation. The City may also consider adding Parking Prohibited signage above or next to Parking Permitted signage to further clarify parking rules and prevent unnecessary dismissals. Parking should be easy, predictable, and convenient, and these steps can help ensure all three.

4: Update Accessibility Ordinances and Signage To Current State Standards

The City should work to ensure inclusivity and update the applicable sections of the Traffic Code to remove the word “Handicap” from law and replace it with “Accessible” when referring to ADA parking spaces. Furthermore, in 2014, New York State adopted the “dynamic, active-style wheelchair symbol” for use when depicting accessible parking spaces. A decade later, most City signs continue to feature the outdated style. The Division of Transportation should develop a plan to replace all remaining outdated accessibility signage with new active-style designs.



Accessibility signage pre- and post-2014 a state law requires the new Active-Style Wheelchair Symbol

5: Make Improvements to The Public Parking Dataset

This report is primarily based on information attained through the City of Syracuse open data portal, Open Data Syracuse. This portal is a crucial tool for independent analysis of municipal operations. The dataset that was released, however, contained some flaws that made analysis more challenging, including inconsistent labeling of violation addresses, and non-parking violation data combined within the dataset.

Finding ways to standardize ticket writing, and improve or reduce hand-keying of ticket data, can help reduce these errors. Simple checks of the content should be able to remove data which is not relevant to the topic.

6: Assess A Surcharge on Parking Revenues from Private Lots and Garages

The City requires parking garages which are more than five years old to register with the City, receive a license, and provide regular structural integrity condition reports. This annual fee is only \$300.00, regardless of the size of the facility.

With millions of dollars in revenue, private parking garages and parking lots represent an opportunity to raise additional City revenues through increased license fees or other surcharges which could be levied on daily or monthly users. These potential additional revenues could help support code enforcement efforts in these private facilities to ensure safety and security and to provide resources to help support on-street parking operations.

Enforcement Recommendations

1: Increase Parking Checkers, Stagger Schedules, And Improve Supervision

According to current signage, parking fees are levied between 9:00 am and 6:00 pm, Monday through Saturday. Parking Checkers, however, all appear to work the same general schedule: Monday through Friday, from roughly 8:00 am to 5:00 pm, and all take a lunch break at about the same time. This scheduling means several hours on weekdays – including peak lunchtime hours – and all of Saturdays, may be unenforced entirely, effectively forfeiting fines.

Schedules for Parking Checkers could be modified to a shift-based system with staggered and overlapping shifts to ensure consistent enforcement throughout prescribed pay to park hours. The Common Council could also authorize additional Parking Checkers to increase capacity and reduce the burden of ticket writing on SPD, who are best suited to handling criminal matters, not parking violations.

This is highlighted by the work of SPD officers issuing tickets at Destiny USA. SPD details at the mall should not be writing tickets and handling parking enforcement for a private entity; Destiny should employ adequate security patrols to address those matters.

Additionally, more supervision of Parking Checkers may be warranted. Data shows most parking violations are written between 9:00 am and 11:00 am, with a substantial drop off during afternoon hours.

Creating a new civilian position of Lead Parking Checker or Parking Checker Supervisor would help increase accountability and ensure parking rules are enforced equitably and consistently.

2: Ensure Violations Are AIMS-Generated with Adequate Evidence

The dataset included violations with missing information or errors which could lead to unnecessary dismissals. These unforced errors should be rare. Several violations indicated violation addresses outside the City – these should be dismissed on administrative error.

Officers and Parking Checkers should be properly trained on violation requirements and ensure they are properly documented. It would be prudent for the City to stop issuing handwritten tickets and institute clear rules for documenting violations, including simply taking multiple photos clearly showing the violation.

AIMS is an intuitive and well-maintained system, but improvements and consistencies in how data is collected and uploaded would make further analysis and public review easier while reducing the number of unnecessary dismissals.

3: Revisit Loading Zones and Loading Zone Permits

The City should revisit Loading Zones and Loading Zone Permits to generate new revenues but also to ensure the free flow of traffic throughout the City.

Trucks unloading and loading goods, particularly in business districts and during early morning rush hour, are often guilty of blocking parking spaces, bike lanes, and even entire lanes of traffic. Established Loading Zones are often occupied by passenger vehicles, leaving commercial drivers little choice. People

getting to work shouldn't be unfairly obstructed by people who start work a little earlier, and people trying to work shouldn't be obstructed by people who violate parking laws.

Our review did not investigate Loading Zone Permits or their revenues, but Section 15-329 of the Code of Ordinances establishes these permits and requires a \$25.00 charge, with up to two (2) permits issued to any given business.

The Commissioner of Public Works should work with the Chiefs of Police and Fire and the Directors of Economic Development and Permits to create a plan for Loading Zones, their permitting, striping and signage, and enforcement.

Fines, Penalties, and Surcharge Recommendations

1: Consider An Alternatives to Fines Program

Localities and court systems across the state and country are beginning to look at alternatives to fines and fees. These added costs can be particularly challenging for low-income communities.

Allowing drivers, especially first-time offenders, to participate an alternative to fines program to satisfy their parking violations is worthy of further exploration. Providing options like community service or driver education courses instead of paying a fine may result in higher levels of satisfaction and better parking compliance.

2: Establish A New "Blocking A Bicycle Lane" Violation

Bicycling is a growing mode of transportation for many Syracuseans, out of necessity and for recreation. The proof is in the City's development of a significant amount of bicycle infrastructure in recent years and its efforts to mark and even protect bicycle lanes for safety. And bicycling *should* be safe.

The Commissioner of Finance, with the approval of the Common Council, should establish a new specific violation for "Blocking a Bicycle Lane" punishable by a reasonable fine of similar value to other blocking or obstructing violations. Cars do not trump bicycles; they operate on a level playing field and should be treated equitably. Parking enforcement officials should ensure any enacted rule is enforced.



3: Increase Fines for Violations Impacting Public Safety and Accessibility

The City should be firm on issues which impact public safety and accessibility. Many elements of the Traffic Code were created in the name of public safety (Odd/Even, Blocking Fire Hydrants/Fire Lanes, Unregistered/Uninspected) and others recognize the importance of accessibility (Blocking a Crosswalk/Sidewalk, Accessible Parking Space violation).

As the City strives to be more inclusive and accessible, and while it spends millions on new sidewalk infrastructure, these violations should be prioritized and treated similarly. They should also be enforced adequately, especially during winter months.

4: Review State Surcharges and Late Fees

The City collected more than three quarters of a million dollars last year in New York State surcharges tacked on to parking tickets for various violations. The original laws required those funds to be assessed on certain parking violations and remitted to the State Comptroller monthly. Higher surcharges apply to accessible parking space violations with a portion of those proceeds supposed to be remitted to the County to use for, in part, disability awareness campaigns.

Our report did not review recent changes to this law but notes a 2007-2008 City of Syracuse budget book mention stating that the City now keeps funds it was previously sending to the State.

We encourage City officials to confirm the applicable sections of NYS Vehicle and Traffic Law which apply to surcharges and ensure they are being levied properly on the various violations. Officials should also review the requirements to remit these fees to other governments and ensure any monies due is paid in a timely manner. The City should also work with the County to ensure disability awareness programs are being implemented.

Additionally, we noted in findings that late charges may not comply with local laws. The PVB should ensure that late fees are being applied accurately, charged correctly, and within the rule of law.

Adjudication Recommendations

1: Improve Transparency with Public Portal and Other User Improvements

The City should be more transparent with motorists who receive a ticket. Motorists should be able to access more information about their alleged violation at their convenience, including information about who issued the ticket (name or badge number) and any photographic evidence taken of the violation. Currently, handwritten tickets include no photographic evidence and motorists must interact with a person to gather more information about their ticket. This evidence, or lack thereof, may impact whether a violation merits an appeal.

The City of Syracuse should prominently display the fines associated with different violations on the parking violations bureau website. Additionally, the City should make available online and at the PVB office information about how to appeal a ticket and what matters are grounds for dismissal. Motorists should have easy access to details of their ticket before making a decision about appeals. Many are doing this now without fully understanding their rights or the process. Making this information prominently available online and at the office would allow drivers to have all the information they need when making the decision to pay a ticket or engage in an appeal.

2: Increase Initial Payment Due Date From 20 Days To 30 Days

Currently, motorists are required to make a payment or appeal their violation within twenty days, and failure to pay will result in a penalty. Most invoices for goods and services are given “Net 30” terms, providing a full month to satisfy a debt. We also recognize many individuals residing in Syracuse are low-income or live paycheck-to-paycheck, and others may only be paid every other week. Providing an additional ten days to violators provides a fairer opportunity for those with low incomes to make a payment.

3: Ensure Compliance with Local Laws

The Parking Violations Bureau (PVB) is currently out of compliance with the City’s Miscellaneous Code of Ordinances §15-32D part Q, which requires an annual report from the Parking Violations Bureau, through the Finance Commissioner, to the Mayor and Common Council each September outlining “...an overall evaluation of the operation, number of tickets and notices issued, hearings held, appeals requested and revenue generated.”

While some of this information is provided during the annual budget process, the City’s Code requires this separate submission apart from the budget. The fines, penalties, and surcharges imposed through the PVB represent millions of dollars and more than 40% of City parking revenues; releasing this information is in the public interest and would present an opportunity for the Common Council to hold hearings.



OFFICE OF THE MAYOR

MAYOR BEN WALSH

Memorandum

TO: Alexander Marion, MPA, City Auditor
FROM: Frank Caliva, Chief Administrative Officer *FEC*
CC: Ben Walsh, Mayor; Sharon Owens, Deputy Mayor
DATE: 8 March 2024
RE: Syracuse Parking Violations Report

Thank you for the opportunity to respond to the recommendations made in the referenced report.

The Administration is very aware of the impact Parking Violations can have on motorists, taxpayers, City operations, and City finances. Your report has provided occasion to step back and consider these operations as a whole.

In general, you will find that the Administration agrees with most of the analysis provided by your report. Some recommended remediation is already underway, other steps will be taken in the near future.

Again, we appreciate the thoughtful and careful review on behalf of taxpayers.

CC: Corey Driscoll Dunham, Chief Operating Officer
Susan Katsoff, Esq., Corporation Counsel
Michael Cannizzaro, Director of Finance
Nico Diaz, Chief Data and Innovation Officer
Julie Shulsky, Deputy Chief of Police
Leah Witmer, Esq., Director Municipal Violations Bureau

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Administrative Recommendations

1: Create A New Department of Parking and Mobility Charged with Creating A Comprehensive Parking Plan And Enforcement Strategy

The Administration acknowledges that responsibility for parking operations resides across multiple departments. This poses challenges in terms of close coordination among staff, and the ability to implement a cohesive, comprehensive strategy for parking citywide. The Chief Operating Officer will convene a meeting with the involved departments to strategize solutions, including the feasibility of a stand-alone department. At a minimum, this group will be charged with identifying methods by which staff can work in closer alignment towards established shared goals.

The Administration carefully considered activating the Parking Authority at the time its charter was up for renewal but ultimately the decision was made to allow deauthorization.

2: Consider New Pricing Strategies Around Surge Pricing, Zone Pricing, And Special Events

The Administration agrees that a comprehensive review of parking pricing and strategy is overdue. The intent is to engage both the Chief Operating Officer group mentioned above and the Mayor's Revenue Enhancement Workgroup. The latter having been charged with coordinating an updated approach to all City fees, pricing, penalties, etc.

3: Standardize And Update Public Parking Signage and Markings

The Administration acknowledges that, over time, signage installations have become inconsistent including varied messaging. Now, with an updated sign shop at the Department of Public Works (DPW), the Administration can direct the DPW to begin planning for a comprehensive review and a strategy to budget for and install new signage and ensure more consistency across the city.

4: Update Accessibility Ordinances and Signage To Current State Standards

The Administration will review the relevant ordinances to confirm language that reflects greater inclusivity and ensure the removal of any outdated terminology, while also incorporating an update to accessibility signage as part of the comprehensive overhaul of signage citywide.

As noted, it is important for Syracuse to be as consistent as possible with New York State Vehicle and Traffic Laws (NYS VTL) rules, regulations, and vocabulary.

5: Make Improvements to The Public Parking Dataset

The amount and quality of information on the Open Data Portal has been a key focus of the Walsh Administration and the use of the platform has been greatly expanded. As noted in the portal's terms of use, the City makes every effort to publish reliable, timely and accessible datasets, but errors will occur. As users or data owners alert the team to quality issues, the data program manager will make corrections as quickly as possible.

In this case, the source system had recently been expanded beyond parking to include code enforcement. Code enforcement data has also been categorized as "open" following internal city processes. This was not data that was inappropriate to share, but it was inappropriately categorized as part of the 'parking violations' dataset.

The City data team has worked hand in hand with the vendor to improve the expanded system, including the way the database is structured. The identified dataset has also been reviewed and the non-parking related data has been deleted.

6: Assess A Surcharge on Parking Revenues from Private Lots and Garages

The Administration agrees that a review of current and potential revenues from parking lots and garages is in order. Again, the intent is to engage both the Chief Operating Officer group mentioned above and the Mayor's Revenue Enhancement Workgroup.

Enforcement Recommendations

1: Increase Parking Checkers, Stagger Schedules, And Improve Supervision

The Syracuse Police Department (SPD) is looking into the discrepancies noted in the report; specifically, the anomalies related to parking violations written during certain hours of the day. At the conclusion of this internal review, SPD will provide information related to the next steps. In the meantime, SPD is taking immediate action to ensure parking violations are enforced throughout the entirety of a Parking Checker's shift. This will include working with City Hall IT to implement the use of technology to better track location and productivity and hiring a supervisor to provide better oversight of the Parking Checker Unit.

2: Ensure Violations Are AIMS-Generated with Adequate Evidence

The Administration agrees with this recommendation and has been actively evaluating and addressing handwritten parking tickets. The Parking Violation Bureau (PVB) and SPD are working with City Hall and the AIMS vendor to conduct in-person training of AIMS mobile and create formal AIMS mobile training for Officers and Parking Checkers.

SPD has recently purchased 23 additional handheld devices with plans to purchase more under the FY24 and FY25 budgets. The new devices will be deployed across all ranks of SPD which will increase evidence-based violations and minimize human error.

3: Revisit Loading Zones and Loading Zone Permits

After soliciting input from the relevant subject matter experts in the Department of Transportation, the Administration will consider this recommendation during its comprehensive review of all City fees, pricing, penalties, etc.

Fines, Penalties, and Surcharge Recommendations

1: Consider Alternatives to Fines Program

The Administration continues to follow trends and models across the country regarding fine reductions and deterrent replacements. There are persuasive arguments to be made on both sides of the discussion. No change is immediately contemplated but, should a consensus best practice emerge, the City will work with the Common Council to implement a version that works for Syracuse.

2: Establish A New "Blocking A Bicycle Lane" Violation

The Administration agrees with this recommendation and will work with the relevant city departments to craft legislation for submission to the Common Council.

3: Increase Fines for Violations Impacting Public Safety and Accessibility

The Administration agrees with this recommendation as it furthers the work already underway to promote greater accessibility and create a more walkable community. The Administration has already crafted legislation to be submitted to Council in the coming months that increases penalties for blocking sidewalks during ongoing construction to limit the impact on accessibility surrounding a worksite. The Administration has also undertaken a more consistent, proactive approach to identifying and removing curb cuts within the city that often result in vehicles blocking sidewalks. An increase in fines is a natural next step as the City pursues the goal of Vision Zero.

4: Review State Surcharges and Late Fees

As recommended, Corporation Counsel and the Finance Department have been asked to review the applicable sections of NYS Vehicle and Traffic Law (NYS VTL) applying to surcharges.

As a result of those reviews, the Administration can confirm that the City appropriately retains the NYS surcharge portion of a parking ticket pursuant to §1809-a of NYS VTL, effective January 1, 2008.

The higher surcharges applied to accessible parking violations are split evenly with the County. The City remits the County portion via a monthly wire transfer.

PVB is also working with Corporation Counsel to ensure the City is in full compliance with NYS VTL regarding the assessment of penalties.

Adjudication Recommendations

1: Improve Transparency with Public Portal and Other User Improvements

The Administration agrees with this recommendation and is actively evaluating and addressing the accessibility of parking ticket information. As noted earlier in these responses, there are ongoing efforts to expand the use of handheld devices to replace handwritten tickets. This is the primary way to ensure corresponding evidence for violations.

Motorists can currently request to review evidence or contest a ticket in-person, over the phone, through email or mail. The Parking page of syr.gov (syr.gov/parking) provides step-by-step instruction on how to contest or pay for a parking ticket. Additional information is continuously being added to this page. As recommended, the fine/penalty schedule will be added as will instructional photographs and videos for common parking violations. Links to the applicable State and Local laws are also available on that page.

It is important to note that the PVB cannot provide legal advice and therefore encourages motorists to review the tools on the page and consult an attorney if they need further legal guidance.

2: Increase Initial Payment Due Date From 20 Days To 30 Days

The Administration agrees with this recommendation and will further review to ensure such a change complies with NYS VTL. The City currently offers payment plans for those eligible, which consist of monthly payments that do not exceed 2% of a person's monthly net income or \$25/month, whichever is greater.

3: Ensure Compliance with Local Laws

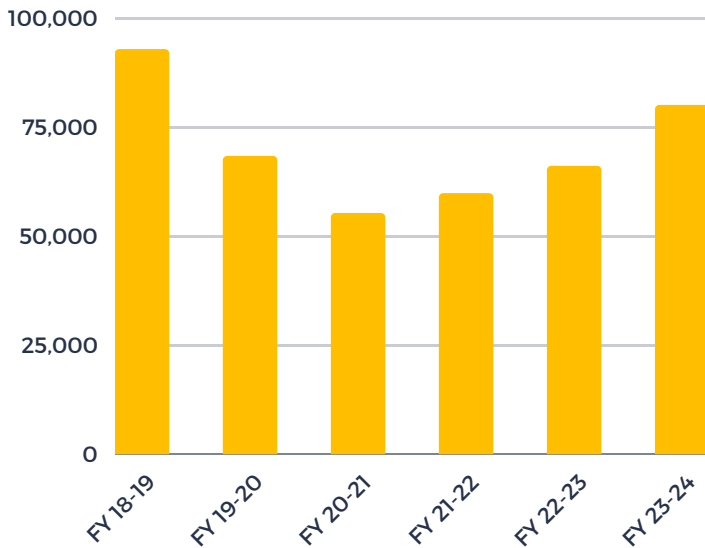
The Administration believes that PVB is compliant with the noted requirement. The Commissioner of Finance submitted an annual report to the Mayor and Common Council on September 28, 2023. A copy of that report is attached.



City of Syracuse

PARKING VIOLATIONS BUREAU

Annual Report - FY23 - Issued September 2023



TICKET OUTCOMES

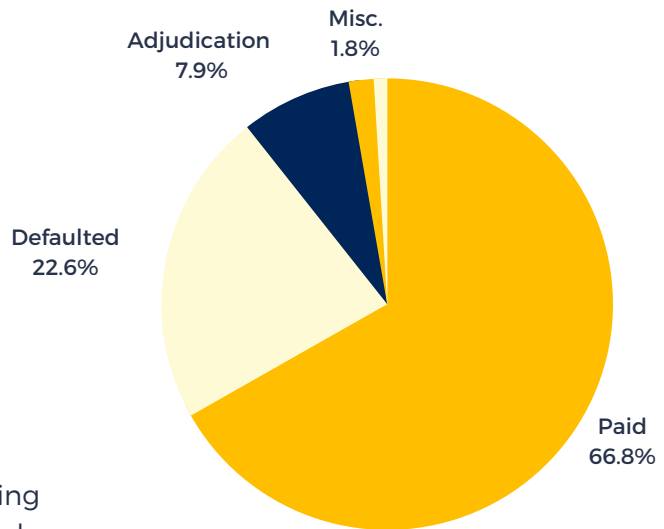
At the time of compilation, 66.8% of the tickets issued had been paid, 22.6% defaulted and incurred penalties, 7.9% were adjudicated, 1.8% were voided for administrative & technical issues. Less than 1% are within the initial 90 days to contest and still pending,

HEARINGS

5,186 tickets were adjudicated through in-person and ex-parte hearings by six (6) Hearing Examiners. Of these, 48 tickets were appealed and reviewed at two (2) Appeal Panels. As of 6/30/23, there were approximately 490 tickets pending adjudication.

TICKETS ISSUED

This FY there were 65,504 tickets issued. Next FY it is anticipated over 80,000 ticket will be issued. PVB is working with SPD to deploy additional handheld ticketing devices to departments beyond the parking checkers to minimize the manual ticket process.



97k+

of post-ticket notices issued

\$3,470,880

Revenue generated from fines and penalties collected this FY

249

Hearing Requests submitted via the City's website: syr.gov/parking

Appendix 1

Chapter 15 TRAFFIC CODE¹

BE IT ORDAINED, by the Common Council of the City of Syracuse, that the following ordinance, to be known as "Traffic Code of the City of Syracuse," is hereby adopted, as follows:

ARTICLE I. DEFINITIONS

Sec. 15-1. Generally.

The following words and phrases when used in this ordinance [sic] shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article:

- (1) *Authorized emergency vehicle*: Fire department, police, ambulances and emergency vehicles of municipal departments or public service corporations.
- (2) *Bicycle*: Every device propelled by the feet acting upon pedals, having wheels any two (2) of which are more than twenty (20) inches in diameter.
- (3) *Bus or coach*: Any motor vehicle equipped to carry ten (10) or more persons used for the transportation of passengers for hire.
- (4) *Central traffic district*: All streets and parts of streets within the territory bounded by the streets hereinafter named, including said streets:

On the east by North and South Townsend Street; on the south by East and West Adams Street, Oneida Street, West Onondaga Street; on the west by West Street Arterial; on the north by West Genesee Street and James Street to North Townsend Street.
- (5) *Chief judge*: The Chief Judge of the City Court of the city of Syracuse.
- (6) *City*: City of Syracuse.
- (7) *Commissioner*: The Commissioner of Public Works of the city of Syracuse.
- (8) *Commissioner of finance*: The Commissioner of Finance of the City of Syracuse.

¹Editor's note(s)—This chapter contains the city's traffic code, adopted by the common council on March 3, 1969, and approved by the mayor on March 6, 1969. The article arrangement in this chapter is that found in such traffic code. Except as otherwise noted, the catchlines for the sections in this chapter were contained in the traffic code.

Cross reference(s)—Traffic infractions, etc., at airport, Pt. O, § 3-8; vehicle traffic at airport, Pt. O, § 3-14 et seq.; removal of illegally parked vehicles at airport, Pt. O, Ch. 3 App., § 8.2 et seq.; special motor vehicle regulations for airport, Pt. O, Ch. 3 App., § 7.1 et seq.; outdoor storage of motor vehicles, Pt. O, § 16-51 et seq.; vehicular traffic in parks, playgrounds and public grounds, Pt. O, § 17-16 et seq.; traffic in regional market area, Pt. O, § 21-7 et seq.; street obstruction caused by vehicles, Pt. O § 24-11 et seq.; taxicabs, Pt. O, Ch. 25; conversion to city use of certain abandoned vehicles, Pt. L, Ch. 15.

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- (9) *Crosswalk or crossing*: Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings and the extension of the sidewalk space across intersecting streets.
 - (10) *Curb*: Boundaries of the roadway whether marked by curbstone or not so marked.
 - (11) *Driver*: A person who propels or operates or who is in charge of a vehicle.
 - (12) *Intersection*: Shall include the area bounded by the edgelines, real or projected, of two (2) or more public highways which meet or cross each other.
 - (13) *Loading zone*: A space adjacent to a curb for the exclusive use of commercial vehicles during the loading or unloading of freight.
 - (14) *Motorcycle*: Shall include every vehicle propelled by other than muscular power which is designed to travel on not more than three (3) wheels in contact with the ground, except tractors, invalid chairs, and vehicles in which the motive power is transmitted to the driving wheels by means of a differential mechanism.
 - (14a) *Motor driven cycle*: Every motorcycle including every motor scooter with a motor which produces not to exceed five (5) horsepower and every bicycle with motor attached.
 - (15) *Motor vehicle*: Every vehicle (except mechanically driven invalid chairs being operated or driven by an invalid) operated or driven on city streets by any power other than muscular power. The term "motor vehicle" shall exclude fire or police vehicles.
 - (16) *Official traffic signs and signals*: All signs, signals, markings and devices not inconsistent with this ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing, regulating, warning or guiding traffic.
 - (17) *One-way traffic*: Traffic restricted in one direction.
 - (18) *Operator*: Any person other than a chauffeur who operates or drives a motor vehicle or a motorcycle upon any street in the city of Syracuse.
 - (18a) *Chauffeur*: Any person who operates a bus, taxicab, tractor-trailer combination, or a truck-trailer combination, and any person who drives a truck having a maximum gross weight in excess of eighteen thousand (18,000) pounds.
 - (19) *Park or parking*: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
 - (20) *Parking meter*: Any mechanical device or meter placed or erected for the regulation of parking.
 - (21) *Parking space*: That part of any street designated by this ordinance as a place for the parking of one vehicle.
 - (22) *Pedestrian*: Any person afoot.
 - (23) *Roadway*: That part of the street intended for vehicular traffic.
 - (24) *Safety zone*: The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
 - (25) *Sidewalk*: That portion of a street between the curblines or the lateral lines of a roadway, whether paved or not, and the adjacent property lines intended for the use of pedestrians.
 - (26) *Stand or standing*: The stopping of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

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- (27) *Stop*: When required means complete cessation of movement.
- (28) *Street* or *highway*: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (29) *Taxicab*: A licensed public vehicle for hire, designated and constructed to seat not more than seven (7) persons, operating as a common carrier on call or demand.
- (30) *Traffic-control signals*: A signaling device either hand or electrically operated in which different colors become visible for periods of time during which traffic shall comply with the meaning conveyed by the colors shown.
- (31) *Traffic-control devices*: All signs, signals, markings and devices erected by authority of the commissioner of transportation for the purpose of regulating, warning or guiding traffic.
- (32) *Traffic infraction*: The violation of any provision of the state vehicle and traffic law or this ordinance where a penalty or other punishment is prescribed, and which is not expressly declared by said state law to be a misdemeanor or felony.
- (33) *Tractor*: A motor vehicle designed and used for drawing a semitrailer.
- (34) *Trailer*: Any vehicle not propelled by its own power, drawn on the public highways by a motor vehicle, except motorcycle side cars, vehicles being towed by a nonrigid support, and vehicles designed and primarily used for other purposes and only occasionally drawn by such a motor vehicle.
- (35) *Through traffic street*: A properly designated main artery of travel.
- (36) *Truck*: Every motor vehicle designed, used or maintained primarily for the transportation of property.
- (37) *Vehicle*: Every device in, upon or by which any person or property is or may be transported or drawn upon a street except devices moved by human power or used exclusively upon stationary rails or tracks.

(T.C. of 3-3-69, Art. I, § 1)

Editor's note(s)—Section 4 of L.L. No. 19-1986 amended all references to the commissioner of transportation to refer to the commissioner of public works.

Sec. 15-2. Applicability of Vehicle and Traffic Law.

All other words used herein shall have the meaning or meanings as used in the New York State Vehicle and Traffic Law.

(T.C. of 3-3-69, Art. I, § 2)

Editor's note(s)—The catchline for the above section has been supplied by the editor, none being present in the legislation from which it is derived.

Secs. 15-3—15-20. Reserved.

ARTICLE II. TRAFFIC ADMINISTRATION²

Sec. 15-21. Police administration.

There is hereby established in the police department of this city a traffic division to be under the control of an officer of police qualified therefor, appointed by and directly responsible to the chief of police.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-22. Duty of police department.

It shall be the duty of the police department to enforce the street traffic ordinances and regulations of this city and all of the state vehicle laws applicable to street traffic in this city, to make arrests for traffic violations, to investigate accidents and to cooperate with the commissioner of public works and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said division by this ordinance and the traffic ordinances of this city.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-23. Issuance of notice of traffic infractions.

- (a) Whenever any person is found by a police officer committing any traffic infraction, other than of speeding, contrary to the provisions of this ordinance, not causing or contributing to an accident resulting in injury or death to any person or causing property damage, such officer shall take the name, address and operator's license number of such person and the registration number of the motor vehicle involved and issue to him in writing, on a form provided by the commissioner of finance, a notice to answer to the charge against him during hours and at a place specified in the notice.
- (b) Whenever any person is found by a police officer committing a traffic infraction, causing or contributing to an accident resulting in injury or death to any person or causing property damage, or committing the traffic infraction of speeding contrary to the provisions of this ordinance, or committing any violation of the provisions of the Vehicle and Traffic Law of the State of New York or any other ordinance of the city pertaining to traffic which is expressly declared by such law or ordinance to be a misdemeanor, such officer shall issue a summons to such person for the appearance in traffic court at the next session thereof, or shall take such person in custody for arraignment in traffic court as the exigencies of the case may require.

(Gen. Ord. No. 4-1993, 1-11-93)

²Editor's note(s)—Gen. Ord. No. 4-1993, adopted January 11, 1993, substantially amended former Art. II, §§ 15-21—15-33, as herein set out. Former Art. II pertained to similar subject matter and derived from the traffic code of March 3, 1969, Art. II, §§ 1—13; and Gen. Ord. No. 35-1971, § 1.

Sec. 15-24. Answer traffic infraction notices.

- (A) A person who has received a notice of a traffic infraction, through the department of police, may within the time specified in such notice answer at the traffic violations bureau to the charges set forth therein, either in person or by power of attorney, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge and giving a power of attorney to the person in charge of the bureau to make such a plea and pay such a fine in court, or a person may answer said notice at said traffic violations bureau by depositing cash bail equal to double the prescribed fine for appearance in court at a time specified by the bureau. Acceptance of the prescribed fine and power of attorney by the bureau shall be deemed complete satisfaction for the infraction, and the violator shall be given a receipt which so states.
- (B) Any person who is charged with speeding contrary to the provisions of this ordinance, or who has been guilty of more than three (3) traffic infractions during the current calendar year, shall not be permitted to pay any fine at the traffic violations bureau, but must appear in court at the time specified by the bureau.
- (C) *Plea of not guilty by mail:* A person who has received a notice of a traffic infraction through the department of police, may enter a plea of NOT GUILTY by mail provided he is not charged with a misdemeanor or felony as defined in the New York State Vehicle and Traffic Law. Such person must attach the traffic ticket to form 25.4 and mail both form and traffic ticket to Traffic Court, 511 South State Street, Syracuse, New York by registered or certified mail, return receipt requested, within three (3) days after receipt of the ticket.

Upon receipt of the ticket and plea of NOT GUILTY, the court will advise said person by registered or certified mail, return receipt requested, of the trial date. Such trial date shall not be less than seven (7) days after such notice of trial is mailed. Such person has the right to be represented by counsel at such trial.

- (D) *Plea of guilty by mail:* A person who has received a notice of a traffic infraction through the department of police, may enter a plea of GUILTY by mail provided he is not charged with a misdemeanor or felony as defined in the New York State Vehicle and Traffic Law. No plea by mail may be entered if a person is charged with a second or subsequent speeding offense in eighteen (18) months or with the passing of a stopped school bus. The person who wishes to plead guilty by mail must fill out the form on the back of the traffic ticket and mail the ticket with Part 2 of his operator's license, to Traffic Violations Bureau, 511 South State Street, Syracuse, New York.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-25. Liable to arrest on failure to answer traffic violations notice.

Any person to whom a notice of traffic infraction has been personally delivered by a police officer and who fails to appear to answer such notice of traffic infraction, shall be subject to arrest upon a warrant issued pursuant to a sworn information or complaint setting forth the specific violation for which said notice of traffic infraction was originally issued.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-26. Police department to investigate accidents.

It shall be the duty of the police department to investigate traffic accidents and make a full and complete report, thereof and to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-27. Traffic accident studies.

Whenever the accidents at any particular location become numerous, the police department shall cooperate with the commissioner of public works in conducting studies of such accidents and determining remedial measures.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-28. Traffic accident reports.

- (a) The police department shall maintain a suitable system of filing traffic accident reports. Such reports shall be available for the use and information of the commissioner of public works and may be examined by any person having an interest therein or by such person's attorney or agent. The police department shall also, upon request, issue certified copies of reports of accidents for the fee prescribed in section 67a of the Public Officers Law.
- (b) The police department shall receive and properly file all accident reports made to it under state law or under any ordinance of this city.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-29. Drivers' files to be maintained.

- (a) The police department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.
- (b) Said department shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same.
- (c) Such records shall be maintained complete for at least the most recent five-year period.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-30. Police department to submit annual traffic safety report.

The police department shall annually prepare a traffic report which shall be filed with the mayor. Such report shall contain information on traffic matters in this city as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
- (2) The number of traffic accidents investigated and other pertinent traffic accident data;
- (3) The plans and recommendations of the division for future traffic safety activities.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-31. Emergency regulations.

The commissioner of public works in his discretion during the times of emergency, or other special conditions, and in the interest of public safety, temporarily direct, control, restrict, divert, exclude and regulate

traffic on the streets, either through the department of police or by means of posting temporary signs or signals. No such temporary regulation shall remain in effect for more than ninety (90) days without approval of the commons council.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-32. Temporary traffic regulations and experimental traffic control devices.

- (A) *Temporary traffic regulations.* The commissioner of public works, with the approval of the common council may adopt experimental one-way traffic regulations for a period not to exceed ninety (90) days.
- (B) *Experimental traffic control devices.* The commissioner may install a test traffic control device under actual conditions or traffic.

(Gen. Ord. No. 4-1993, 1-11-93)

ARTICLE IIA. PARKING VIOLATIONS BUREAU

Sec. 15-32A. Definitions.

Violation. The violation of any law, rule, regulation or ordinance providing for or regulating the parking stopping or standing of a vehicle within the city of Syracuse.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-32B. Terminology.

For the purposes of this article, the term "commissioner", unless specifically designated otherwise, shall refer to the commissioner of finance or his duly authorized deputy who is charged with the specific responsibilities or duties referred to in this article.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-32C. Establishment of parking violations bureau.

- (1) There is hereby created an administrative tribunal as authorized by Chapter 628 of the Laws of 2002 to be known as a "parking violations bureau" to have jurisdiction of traffic infractions which constitute a parking violation as herein defined. Such parking violations bureau shall hear and determine complaints of traffic infractions constituting parking, standing or stopping violations with the functions, powers and duties herein stated.
- (2) Officers and employees of bureau.
 - A. The head of such parking violations bureau shall be the director of parking enforcement, who shall be appointed and serve at the pleasure of the city of Syracuse's commissioner of finance, who has and possesses the authority of a commissioner of traffic pursuant to section 236 of the Vehicle and Traffic Law of the state of New York. The director may exercise or delegate any of the functions, powers and duties conferred upon him/her or the bureau by the commissioner to any officer or employee of the bureau deemed qualified by the director.

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- B. The commissioner of finance may appoint such number of deputy directors as the mayor may deem necessary, but in no event to exceed four (4), who shall serve at the pleasure of the commissioner; and said commissioner may employ such officers and employees as may be required to perform the work of the bureau, within the amounts available therefor in the city budget.
- (3) Hearing examiners.
- A. The commissioner of finance shall appoint supervising hearing examiners not to exceed six (6) in number and senior hearing examiners not to exceed six (6) in number who shall be residents of the city. Every supervising hearing examiner shall have been admitted to the practice of law in the state of New York for at least seven (7) years and every senior hearing examiner for at least six (6) years and shall receive such remuneration as may be fixed by the mayor. The duties of each supervising hearing examiner and senior hearing examiner shall include but not be limited to:
- (1) Presiding at hearings for the adjudication of charges of parking violations.
 - (2) The supervision and administration of the work of the bureau.
 - (3) Membership on the appeals board of the bureau, as here provided.
- B. The commissioner of finance shall appoint hearing examiners who shall preside at hearings for the adjudication of charges of parking violations. Hearing examiners shall be appointed and shall serve for such number of sessions as may be determined by the commissioner and shall receive therefor such remuneration as may be fixed by the mayor. Such hearing examiners shall not be considered employees of the city of Syracuse; and every hearing examiner shall have been admitted to the practice of law in New York State for at least five (5) years and shall be appointed from a list of eligible candidates who have satisfied the standards established by a duly constituted committee of the Onondaga County Bar Association. All such hearing examiners shall have a minimum of two (2) years' experience in the trial of issues in courts of record in the state of New York, exclusive of special term, or four (4) years of quasi-judicial experience appearing before governmental agencies. Such hearing examiners shall be bona fide residents of the city of Syracuse.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-32D. Duties of the parking violations bureau.

The parking violations bureau shall have the following functions, powers and duties:

- A. To accept pleas and to hear and determine charges of parking violations.
- B. To provide for penalties other than imprisonment for parking violations in accordance with a schedule of monetary fines and penalties; provided, however, that monetary penalties shall not exceed the maximum amount allowed by the New York State Vehicle and Traffic Law for each parking violation.
- C. To adopt rules and regulations, not inconsistent with any applicable provision of law, to carry out the purposes of article 2-B of the Vehicle and Traffic Law of the state of New York, including but not limited to rules and regulations prescribing the internal procedures and organization of the bureau, the manner and time of entering pleas, the conduct of hearings and the amount and manner of payment of penalties.
- D. To issue subpoenas to compel the attendance of persons to give testimony at hearings and to compel the production of relevant books, papers and other things.
- E. To enter judgments and enforce them, without court proceedings, in the same manner as the enforcement of money judgments in civil actions in any court of competent jurisdiction or any other place provided for the entry of civil judgment within the state of New York.

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- F. To compile and maintain complete and accurate records relating to all charges and dispositions and to prepare complete and accurate transcripts of all hearings conducted by the bureau and to furnish such transcripts to the person charged at said person's own expense upon timely request and upon said person complying with the regulations of the bureau.
 - G. To answer within a reasonable period of time all relevant and reasonable inquiries made by a person charged with a parking violation or their attorney concerning the notice of violation served on that person. The bureau must also furnish within a reasonable period of time to the person charged, on his request and upon complying with the regulations of the bureau, a copy of the original notice of violation, including all information contained thereon. Failure of the bureau to comply with the provisions of this subsection or any part of the provisions of this subsection within forty-five (45) days of such inquiry, forwarded to the bureau by certified or registered mail, return receipt requested, will result, upon the request of the person charged, in an automatic dismissal of all charges relating to and only to that notice of violation to which the inquiry was made.
 - H. To prepare and issue a notice of violation in blank to members of the police department and to such other officers and public servants as the bureau by regulation shall determine. The notice of violation or duplicate thereof, when filled in and sworn to or affirmed by such designated officers or public servants and served as provided in this article, shall constitute notice of the parking violation charged.
 - I. It shall keep an easily accessible record of all the violations of which each person has been guilty of during the current calendar year.
 - J. If a violator of a parking rule or regulation does not appear in answer to a notice of parking violation within fifteen (15) days of the date of the violation, the parking violations bureau shall send to the owner a second notice informing of the violation and warning him that he will be held responsible, as more fully set forth in section 15-34 of article IIA herein.
 - K. If the owner or violator does not respond to such second notice of violation the parking violations bureau shall have a third notice mailed to the owner requiring him to appear and answer to the charges against the owner or violator, as more fully set forth in section 15-34 of article IIA herein.
 - L. If any person who has had a third notice of a parking violation mailed to his last known address and fails to answer within the specified time, the parking violations bureau may forthwith enter a default judgment and impound or immobilize said vehicle as more fully set forth in section 15-34 of article IIA herein.
 - M. The bureau shall keep records and submit summarized monthly reports to the commissioner of finance of all notices issued and all fines collected by the parking violations bureau, and of the final disposition or present status of every case of parking violations. The bureau shall, when so directed by the commissioner of finance, prepare and submit such additional certifications and notices as may from time to time be required to conform to the provisions of the Vehicle and Traffic Law of the state of New York. These reports shall be public information.
 - N. Nothing in this article shall authorize the parking violations bureau to deprive a person of his right to counsel or to prevent him from exercising his right to answer, explain or defend any charge of a violation of any parking violation, ordinance, rule and regulation.
 - O. The bureau shall perform such other or additional duties and keep such other and additional records as shall be prescribed by the commissioner of finance.
 - P. The bureau shall keep and file a daily disposition report with the commissioner of finance. The daily disposition report shall indicate all monies collected from whatever source, all receipts issued, as well as all bank deposits made.

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- Q. The commissioner shall provide to the mayor and common council annually in September of each year, commencing in 2004, a report summarizing the activities of the parking violations bureau for the prior fiscal year, including but not limited to an overall evaluation of the operation, number of tickets and notices issued, hearings held, appeals requested and revenue generated.

(Gen. Ord. No. 1-2003, 1-6-03; Gen. Ord. No. 9-2003, § 1, 4-21-03)

Sec. 15-32E. Notice of violation.

- A. The notice of violation shall contain information advising the person charged of the manner and the time in which he may plead either guilty or not guilty to the violation alleged in the notice. Such notice of violation shall also contain a warning to advise the person charged that failure to plead in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon. The director shall prescribe the form and wording of the notice of violation. A duplicate of each notice of violation shall be served on the person charged in the manner hereinafter provided. The original or a facsimile thereof shall be filed and retained by the bureau and shall be deemed a record kept in the ordinary course of business and shall be prima facie evidence of the facts contained therein.
- B. A notice of violation shall be served personally upon the operator of a motor vehicle who is present at the time of service, and his name and address, together with the plate designation and the plate type as shown by the registration plates of said vehicle and the expiration date, the make or model and the body type of said vehicle; a description of the charged violation, including but not limited to a reference of the applicable traffic rule or provision of this chapter; information as to the days and hours the applicable rule or provision of this chapter is in effect, unless always in effect pursuant to rule or this chapter and where appropriate the word "ALL" when the days and/or hours in effect are everyday and/or twenty-four (24) hours a day; the meter number for a meter violation and space number, where appropriate; and the date, time and particular place of occurrence of the charged violation, shall be inserted therein. The notice of violation shall be served upon the owner of the motor vehicle or, if the operator is not present, by affixing such notice to said vehicle in a conspicuous place. Whenever so affixed, in lieu of inserting the name of the person charged with the violation in the space provided for the said person, the words "owner of the vehicle bearing license" may be inserted, to be followed by the plate designation and plate type as shown by the registration plates of said vehicle, together with the expiration date, the make or model and the body type of said vehicle. Service of the notice of violation or a duplicate thereof by affixation as herein provided shall have the same force and effect and shall be subject to the same penalties for disregard thereof as though the same was personally served with the name of the person charged with the violation inserted therein.
- C. For the purposes of this article, an operator of a vehicle who is not the owner thereof but who uses or operates such vehicle with the permission of the owner, express or implied, shall be deemed to be the agent of such owner to receive notice of violation, whether personally served on such operator or served by affixation in the manner aforesaid, and service made in either manner as herein provided shall also be deemed to be lawful service upon such owner.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-33. Issuance of notice of parking violation.

- A. Whenever any vehicle, without operator is found by a police officer, member of the police department or public servant, stopped, standing or parked in such a manner as to constitute a traffic infraction, such public servant, officer or member of the police department shall take any information displayed on the vehicle which may tend to identify its users, and if a motor vehicle or motorcycle, the registration thereof, and affix conspicuously to such vehicle a notice in writing, on a form provided by the commissioner of finance, for the

driver to answer the charge against him within fifteen (15) calendar days from the date of violation, during the hours and at a place specified in the notice.

- B. Whenever any public servant, police officer or member of the police department shall have issued or affixed any notice or summons of traffic infraction as above provided, such public servant, officer or member of the police department shall immediately send one copy or a report of such notice or summons to the parking violations bureau.

(Gen. Ord. No. 1-2003, 1-6-03; Gen. Ord. No. 9-2003, § 2, 4-21-03)

Sec. 15-34. Answer parking violation notices.

- A. The owner of a vehicle that has had a notice attached or affixed to their vehicle of a parking violation may, within the time specified in such notice, answer at the parking violations bureau to the charges set forth therein, either in person or by power of attorney, by paying a prescribed fine and applicable surcharge, and in writing, waiving a hearing, pleading guilty to the charge and giving power of attorney to the person in charge of the bureau to make such a plea and pay such fine to the bureau. Acceptance of the fine and surcharge and power of attorney by the bureau shall be deemed complete satisfaction of the violation and the violator shall be given a receipt.
- B. A plea shall be entered within fifteen (15) days after service of the notice of violation. A plea may be entered in person or by representative or by ordinary mail at such location of the bureau as from time to time shall be fixed by the commissioner of finance. Any plea entered by mail, if mailed in proper form within fifteen (15) days after service of the notice of violation shall be accepted by the bureau.
- C. Pleas by mail shall be made by:
- (1) Entering the desired plea on the plea form on the back of the notice of violation;
 - (2) Entering the name and address in the space provided on the plea form;
 - (3) Signing the plea form; and
 - (4) Mailing the notice of violation with the plea form completed, by appropriate form of mail, to the mailing address stated on the notice of violation.
- D. A plea of guilty shall be accompanied by a check or money order for the payment in full of the appropriate fines set forth on the notice of violation for the subject violation(s).
- E. A person pleading not guilty may request a hearing. This shall be done at the time of pleading by completing the reverse side of the notice of violation in accordance with the instructions thereon.
- F. If a plea of not guilty is made in person, an immediate hearing may be had on their request, if convenient to the bureau.
- G. Whenever a person charged with a parking violation enters a plea of not guilty, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.
- H. Whenever a plea of not guilty has been entered by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty relative to the subject parking violation to that person prior to the date of the hearing.

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- I. Where an operator or owner fails to enter a plea to a charge of a violation or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a default judgment in an amount provided by the rules and regulations of the bureau. However, after the expiration of the original date prescribed for entering a plea and before a default judgment may be rendered, in such case the bureau shall, pursuant to the applicable provisions of law, notify operator or owner, by such form of first class mail as the bureau may direct:
- (1) Of the violation charged;
 - (2) Of the impending default judgment;
 - (3) That such judgment will be entered in the city court of the city of Syracuse or other court of civil jurisdiction or any other place provided for the entry of civil judgments within the state of New York; and
 - (4) That a default judgment may be avoided by entering a plea or making an appearance within thirty (30) days of the sending of such notice.
- J. Pleas entered within that period shall be in the manner prescribed in the notice and not subject to such additional penalty or fee. In no case shall a default judgment be rendered or, where required, a notice of impending default judgment be sent, more than two (2) years after the expiration of the time prescribed for entering a plea.
- K. Failure to plea or respond.
- (1) Whenever a person has been issued a notice of violation and has not responded in the manner prescribed, a second notice of violation shall be provided by the city or bureau by regular first class mail in accordance with the following time periods:
 - (i) Within forty (40) days of the issuance of the first notice of violation if the motor vehicle is registered in New York State; or
 - (ii) Within forty (40) days of the time when the city or bureau received information on the ownership of the vehicle if the motor vehicle is registered in another state.
 - (2) The second notice shall include, at a minimum, the following information:
 - (i) The owner has twenty (20) days from the issuance of the second notice in which to respond to the notice of violation for a parking violation.
 - (ii) Failure to respond to the notice of violation for a parking violation may result in the suspension and non-renewal of the owner's registration.
 - (iii) Failure to respond to the notice of violation for a parking violation may subject the owner to additional penalties.
 - (iv) Failure to respond to the notice of violation for a parking violation shall subject the owner to a default judgment and additional penalties.
 - (v) Submission of a plea of guilty to the parking violation makes the owner liable for payment of the stated fine, additional penalties and the five dollar (\$5.00) mandatory surcharge as prescribed by the New York State Vehicle and Traffic Law.
 - (3) Whenever a person has been issued a second notice of violation for a parking violation and has not responded in a manner prescribed, a third notice shall be provided by the city or bureau by regular first class mail.

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- (4) The third notice shall include, at a minimum, the following information:
- (i) The owner has twenty (20) days from the issuance of the third notice in which to respond to the notice of violation for a parking violation;
 - (ii) In addition to those penalties imposed after the first and second notices are issued, failure to respond to the notice of violation of a parking violation may subject the owner to one or more of the following:
 - a. Default judgment;
 - b. Impounding and/or immobilizing the owner's motor vehicle; and
 - c. Any additional penalties prescribed by the New York State Vehicle and Traffic Law.
- (5) Additional penalties:
- (i) The failure to respond to the notice of violation for a parking violation may subject the owner to the additional penalties as follows:

Penalties for Failure to Respond to a Notice of Parking Violation		
	Number of Days from Issuance of First Notice of Violation	Penalty in Addition to the Initial Fine and Mandatory Surcharge
a.	1 through 20 days	No penalty; liable for the initial fine plus the \$5.00 mandatory surcharge
b.	21st day	Total of above, plus first penalty equal to amount of initial fine
c.	31 to 75 days, if a third notice of violation has been mailed	Total of above, plus second penalty of \$20.00
d.	75 days or more	Total of above, plus third penalty of \$20.00
e.	90 days	Total of above, plus deemed an admission of liability, subject to default judgment; and/or towing or immobilization, and fees.

(Gen. Ord. No. 1-2003, 1-6-03; Gen. Ord. No. 38-2007, 10-9-07)

Sec. 15-35. Default judgment.

- A. Where the city has given notice pursuant to section 15-32E of this article failure to respond to a notice of violation for parking violations within ninety (90) calendar days from the date of violation shall be deemed an admission of liability and shall subject the owner to a default judgment being entered thereon in amounts not greater than the amount of the original fine, applicable surcharges, accrued penalties and any other provisions provided in the New York State Vehicle and Traffic Law.
- B. Whenever a person fails to respond to five (5) separate notices of violation (five (5) separate parking violations) issued within a twelve-month period, a default judgment may be entered for an amount of the initial fine(s), plus accrued penalties and the mandatory surcharge. At a minimum, a person must be provided with a second notice for each parking violation and a final notice that a default judgment is being entered.

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- C. Notice of default judgment shall be reported to the department of motor vehicles in accordance with procedures established by the department of motor vehicles.
 - D. The notice to the department of motor vehicles shall certify that the owner of the motor vehicle or his or her representative failed to respond to five (5) separate notices of violation regarding parking stopping or standing violations within a twelve-month period. such notice to the department shall include any information deemed necessary by the department of motor vehicles.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-35A. Hearings; decisions and judgments; appeals.

(1) *Hearings.*

- A. All hearings will be held and payments are to be made in the city of Syracuse, New York, at room 116 at city hall or such other location as designated by the director. The director may designate one or more decentralized locations.
- B. All hearings shall be held Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m. or 4:00 p.m. and 7:00 p.m. on a schedule of hearing times to be determined by the director of parking enforcement. Hearings will not be held on Saturdays, Sundays or legal holidays.
- C. Every hearing for the adjudication of a charge of a violation shall be held before a hearing examiner, senior hearing examiner or supervising hearing examiner. All hearings shall be public. A person charged may be represented by legal counsel. The hearing examiner shall not be bound by the rules of evidence in the conduct of the hearing except rules relating to privileged communications. No charges may be established except upon proof by substantial evidence. All testimony shall be given under oath or affirmation.
- D. A record shall be made of every hearing on a plea of not guilty either by stenographic recordings or by mechanical or electronic methods as the director shall determine. A transcript of such record shall be supplied to a person charged upon application and the payment of a fee and the cost of such transcript. The hearing examiner may, in his discretion or at the request of the person charged, on a showing of good cause or in his own discretion, issue a subpoena to compel the appearance at a hearing of the officer who served the notice of violation or of other persons to give testimony, and he may issue a subpoena duces tecum to compel the production for examination or introduction into evidence, of any book, paper or other thing relevant to the subject parking violation(s).
- E. In the case of a refusal to obey a subpoena, the bureau may make application to the Supreme Court pursuant to section 2308 of the Civil Practice Law and Rules for an order requiring such appearance, testimony or production of evidence.
- F. The bureau may, with or without the request or consent of the person charged, consolidate for hearing or appeal one or more charges pending against such person. The person charged up to twenty-four (24) hours prior to the hearing may request an adjournment, but not more than two (2) adjournments shall be granted except under extraordinary circumstances.
- G. The hearing examiner shall not examine the prior violation record of a person charged before making a determination.

(2) *Decisions and judgments.*

- A. The hearing examiner shall make a determination on the charges, either sustaining or dismissing them. After a determination has been made sustaining the charges, the hearing examiner may examine person charged's [the charged person's] prior violations record prior to rendering a final determination.

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- B. Final determinations sustaining or dismissing the charges shall be entered on a final determination roll maintained by the bureau, together with the records showing payment or nonpayment of penalties. A copy of such record, or transcript thereof, may be filed in the office of the clerk of the city court of Syracuse and/or in the office of the clerk of the county of Onondaga and/or in such other county wherein the person charged resides or is employed.
 - C. A judgment entered pursuant to the provision of this subsection shall remain in full force and effect for eight (8) years notwithstanding any other provision of law.

(3) *Appeals.*

- A. There shall be an appeals board within the bureau, which shall consist of three (3) or more persons duly qualified as hearing examiners, excluding from the panel the hearing officer whose decision is the subject of the appeal.
- B. An appeal from a determination of any hearing examiner after a hearing on a plea denying liability, or from a determination denying a motion to reopen any matter filed in accordance with the rules and regulations of the bureau shall be submitted to the appeals board, which shall have the power to review the facts and the law and shall have power to reverse or modify any determination appealed from for error of fact or law.
- C. A party aggrieved by a final determination of a hearing examiner may obtain a review thereof by serving, either personally, in writing or by certified or registered mail, return receipt requested, upon the bureau, within thirty (30) days of the entry of such final determination, a notice of appeal setting forth the reasons why the final determination should be reversed or modified. Upon receipt of such notice of appeal, the bureau shall furnish to the appellant, at his request and at his own expense, a transcript of the original hearing. No appeal shall be conducted less than ten (10) days after the mailing of the transcript to the appellant or his attorney. When the questions presented by an appeal can be determined without an explanation of all the pleadings and proceedings, the appellant may prepare and submit a statement showing how the questions arose and were decided by the hearing examiner and setting forth only so much of the facts averred and proved or sought to be approved as are necessary to a decision of the questions. The notice of appeal shall be in such form as the director may prescribe. No appeal may be had where a plea of guilty was entered by the person charged at the hearing.
- D. Appeals shall be conducted in the presence of the appellant or his attorney, or both, if such right of appearance is expressly requested by the appellant in his notice of appeal and upon his complying with the regulations of the bureau and paying of fee. If the appellant elects to appear, the bureau, within thirty (30) days after the receipt of the notice of appeal, shall advise the appellant, either personally or by ordinary first class mail, of the date and time on which he shall appear. No appeal shall be conducted less than ten (10) days after the mailing of such notification. The appellant shall be notified in writing of the decision of the appeals board. Appellant shall provide, in writing, the address for the mailing of the decision, if different from original address on notice.
- E. The service of the notice of appeal shall not stay the enforcement of a judgment upon the determination appealed from unless the appellant shall have posted a bond in the amount of such determination at the time of or before the service of such notice of appeal unless the enforcement of such judgment shall have been stayed by the appeals board.
- F. The order of the appeals board shall be the final determination of the bureau. Judicial review may be sought pursuant to article 78 of the Civil Practice Law and Rules.

(Gen. Ord. No. 1-2003, 1-6-03; Gen. Ord. No. 9-2003, § 3, 4-21-03)

Sec. 15-36. Impounding and immobilizing vehicles.

- A. Any unattended vehicle found parked on a street or on any City of Syracuse owned property or property under the jurisdiction or control of the city or any vehicle identified as a public nuisance which is owned by or registered to a person against whom either (i) at least one (1) default judgment has been taken pursuant to section 15-35 or section 15-35A of this article in response to a complaint charging a violation of any state or local law, ordinance, or rule or regulation concerning parking, stopping or standing of vehicles which judgment has not been satisfied or (ii) has received notices of parking violations ("parking violation notices") required by sections 15-32E, 15-33 and 15-34H of this article for at least three (3) separate violations of a state or local law, ordinance, or rule or regulation concerning parking, stopping or standing of vehicles and the notices of parking violations for the three (3) separate violations remain unpaid or satisfied, may be impounded by or under the direction of an officer or member of the police department, giving authorization to a commercial towing or wrecker service to tow the vehicle and store in a safe place until claimed by the owner or may be immobilized by or under the direction of an officer or member of the police department or under the direction of the commissioner of finance or a designated employee of the City of Syracuse Department of Finance in such a manner as to prevent its operation.
- B. Notwithstanding section 15-36 A., any unattended vehicle bearing out-of-state license plates found parked upon a street or on any city-owned property or property under the jurisdiction or control of the city which is owned by or registered to a person against whom three (3) or more separate unpaid or unsatisfied parking violation notices issued pursuant to section 15-33 are outstanding may be immobilized by or under the direction of an officer or member of the police department or under the direction of the commissioner of finance or a designated employee of the City of Syracuse Department of Finance in such a manner as to prevent its operation.
- C. No vehicle may be impounded or immobilized because the owner of the vehicle has received notices of parking violations required by sections 15-32E, 15-33 and 15-34H of this article for at least three (3) separate violations of a state or local law, ordinance, or rule or regulation concerning parking, stopping or standing of vehicles and the notices of parking violations for the three (3) separate violations remain unpaid or satisfied unless (1) all three separate parking violation notices were issued after the effective date of the general ordinance authorizing the impounding or immobilizing of vehicles based on three (3) separate unpaid, unsatisfied parking violation notices or (2) the City or Bureau has provided the owner of the vehicle by regular first class mail with a notice of parking violation (i) advising the owner of the general ordinance authorizing the impounding or immobilizing of vehicles based on three (3) separate unpaid, unsatisfied parking violation notices and (ii) notifying the owner as to what actions the owner needs to take to avoid having the owner's vehicles being impounded or immobilized.
- D. No such vehicle shall be immobilized by means other than by the use of a device or mechanism, which will cause no damage to the vehicle unless it is moved while the device or mechanism is in place.
- E. It shall be the duty of the person immobilizing a vehicle, whether it be an officer or member of the police department, the commissioner of finance or a designated employee of the City of Syracuse Department of Finance, or a person immobilizing a vehicle under the direction of either a member or officer of the police department or the department of finance, to cause to be placed on such vehicle, in a conspicuous manner, notice sufficient to warn any individual that the vehicle has been immobilized and that any attempt to move the vehicle will result in damage to the vehicle.
- F. The city may contract with a third party to assist an officer or member of the police department in impounding or an officer or member of the police department or the department of finance in immobilizing a vehicle pursuant to this section, provided that the third party impounding or immobilizing a vehicle is acting under the direction of an officer or member of the police department or under the direction of the commissioner of finance or a designated employee of the department of finance.

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- G. The owner or person entitled to possession of such vehicle may secure the release of the vehicle by complying with the rules and regulations of the parking violations bureau concerning all outstanding judgments or parking violation notices against said person.
 - H. The owner or person entitled to possession of such vehicle may secure the release of the vehicle by payment of the accrued fines, penalties, surcharges and all removal and storage fees of the vehicle or of one thousand five hundred dollars (\$1,500.00), whichever is less.
 - I. If the owner or person entitled to possession of such vehicle fails to secure its release within twenty-four (24) hours after the vehicle is immobilized, the vehicle may be towed and impounded. Such vehicle shall not be released until the owner or person entitled to possession has complied with the rules and regulations of the parking violations bureau concerning all outstanding judgments or parking violation notices against said person and has paid the fee for the removal of the immobilization device or mechanism as stated above and all removal and storage fees.

(Gen. Ord. No. 1-2003, 1-6-03; Gen. Ord. No. 38-2007, 10-9-07; Gen. Ord. No. 9-2013, 4-1-13)

Sec. 15-37. Challenges to fees; hearing; appeals.

- (a) The city court traffic division shall hear and determine challenges to towing, immobilization and storage fees assessed against the owner or person entitled to possession of a vehicle pursuant to this article. Challenges to such fees must be submitted in person or in writing to the parking violations bureau within twenty (20) days after the immobilization or towing of a vehicle or within ten (10) days after mailing of a notice to a vehicle owner that a vehicle has been towed, whichever date is later. The parking violations bureau shall immediately notify city court traffic division of the filing of such a challenge.
- (b) Failure to challenge the fees in a timely manner or to appear at a scheduled hearing shall constitute a waiver of the right to challenge such fees and a forfeiture of a bond or of fees already paid.
- (c) Hearings shall be scheduled by city court within forty-eight (48) hours after a request is received by city court, exclusive of weekends and holidays.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-38. Presumptions.

Proof of the stopping, standing and/or parking on public streets of a motor vehicle or motorcycle contrary to the provisions of this article shall be presumptive evidence that the person in whose name such motor vehicle or motorcycle is registered is the person who so parked, stopped and left standing such motor vehicle or motorcycle contrary to such provisions.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-39. Certification of noncompliance; suspension of vehicle registration

(1) *Certification of noncompliance.*

- A. In the event the person charged shall have failed to comply with the provisions of this article in that he/she has failed to pay final determinations or judgments for parking violations entered against him/her on three (3) or more notices of violations served upon him/her within a period of eighteen (18) months, the bureau shall certify such fact to the commissioner of motor vehicles of the state of New York; and upon such certification, the bureau shall notify the person charged by registered or certified mail, return receipt requested, that such certification has been made and identifying the

judgments or final determinations covered. The notification shall further inform the person charged that the commissioner of motor vehicles will deny any registration or renewal of registration of the person charged's [charged person's] vehicle until proof is provided that the person charged has complied with the provisions of this article in connection with all judgments or final determination so certified.

- B. Upon payment by or on behalf of the person charged of all judgments or determinations covered by the certification to the motor vehicle commissioner or upon the giving of proof that such judgments have been paid, the bureau shall issue a certificate attesting to the fact that this chapter has been complied with and such certificate shall be delivered to the commissioner of motor vehicles.
- (2) *Suspension of motor vehicle registration.* Nothing in this section is deemed to preclude the use of other suspension and/or denial of registration or renewal provisions provided in the New York State Vehicle and Traffic Law, such as sections 401(a) and 510(4-b) of the Vehicle and Traffic Law.
- A. A default judgment entered pursuant to this Article shall result in a suspension of the owner's motor vehicle registration and a bar to renewal of said registration.
 - B. The suspension of the registration shall take effect no later than thirty (30) days from the date the owner of the motor vehicle is given notice of the suspension and the suspension shall remain in effect as long as the notices remain unanswered, or in the case of a bureau, the owner fails to comply with the rules and regulations following the entry of a final decision or decisions.
 - C. If the owner responds to the notice of suspension and satisfies the amounts owed as a result of the default judgment, the bureau or court shall provide prompt, timely notice to the department of motor vehicles that such notices have been answered. Such notice shall be in accordance with procedures established by the department of motor vehicles.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-40. Liability for ownership, leasing and operation of vehicles.

- (1) *Definitions.* Whenever used in this article, the following terms shall have the following meanings:
- A. *Owner* means any person, corporation, partnership, firm, agency, association, lessor, or organization whom at the time of issuance of a notice of violation in any city in which the vehicle is operated:
 - 1. Is the beneficial or equitable owner of such vehicle; or
 - 2. Has title to such vehicle; or
 - 3. Is the registrant or co-registrant of such vehicle which is registered with the department of motor vehicles of this state or any other state, territory, district, province, nation or other jurisdiction; or
 - 4. Uses such vehicle in its vehicle renting and/or leasing business; or
 - 5. Is an owner of such vehicle as defined by section 128 of the New York State Vehicle and Traffic Law or section 2100(a) of the New York State Vehicle and Traffic Law.
 - B. *Lessor* means any person, corporation, firm, partnership, agency, association or organization engaged in the business of renting or leasing vehicles to any lessee or bailee under a rental agreement, lease or otherwise, wherein the said lessee or bailee has the exclusive use of said vehicle for any period of time.
 - C. *Lessee* means any person, corporation, firm, partnership, agency association or organization that rents, bails, leases, or contracts for the use of one or more vehicles and has the exclusive use thereof for any period of time.

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- D. *Vehicle* means a vehicle as defined in section 159 of the New York State Vehicle and Traffic Law.
 - E. *Operator* means any person, corporation, firm, partnership, agency, association or organization or lessee that uses or operated a vehicle with or without the permission of the owner, and an owner who operates his own vehicle.
 - F. *Notice of violation* means a notice of violation as defined in section 237(9) of the State of New York Vehicle and Traffic Law.
 - G. *Fiscal year* means a period of one-year commencing on the first day of July and terminating on the thirtieth day of June.
 - H. *Primary filing* means the initial filing of registration plate numbers by a lessor prior to the commencement of each fiscal year.

(2) *Liability.*

- A. The operator of a vehicle shall be liable for the fines or penalties imposed pursuant to this article. Except as otherwise provided in paragraphs B. and E., of this subdivision, the owner of the vehicle, even if not the operator thereof, shall be jointly and severally liable with the operator thereof, if such vehicle was used or operated with the permission of the owner, express or implied, but in such case the owner may recover any fine or penalties paid by him from the operator.
- B. The lessor of a motor vehicle shall not be liable for fines or penalties imposed pursuant to this article if:
 - 1. Prior to the infraction, the lessor has filed with the bureau the registration plate number, plate type, and place of registration of the vehicle to which the notice of violation was issued and paid the required filing fee provided in paragraph F., of this subdivision; and
 - 2. Within thirty-seven (37) days after receiving notice from the bureau of the date and time of the violation, together with the other information contained in the original notice of violation, the lessor submits to the bureau the correct name and address of the lessee of the vehicle identified in the notice of violation at the time of such violation, together with such other additional information contained in the rental, lease or other contract document, as may be reasonably required by the bureau pursuant to regulations that may be promulgated for such purpose.
- C. If the lessor has complied with subparagraph one of paragraph B., of this subdivision, such lessor shall not be liable for any penalties in excess of the scheduled fine unless such lessor fails to appear within thirty-seven (37) days of actual receipt of a notice of violation pursuant to paragraph E., of this subdivision.
- D. If the lessor who has complied with subparagraph one of paragraph B., of this subdivision, has paid any fine or penalty for which he is liable and the bureau subsequently collects from the operator or lessee the amount of the scheduled fine and penalty owned by such person, or any portion thereof, the lessor shall be entitled to reimbursement from the bureau of the amount of the fine and penalty paid by the lessor, less the bureau's costs of collection.
- E. The lessor shall not be liable for any fines or penalties in connection with a notice of violation for vehicle whose registration plate number is filed and the fee therefor paid prior to the time of the issuance of notice of violation, unless the lessor shall receive notice from the bureau of the date and time of such violation, together with the other information contained in the original notice of violation, within ninety (90) days after service of the notice of violation, in accordance with section 15-32E of this article.
- F. The annual fee for filing a registration plate number with the bureau by lessors under this section shall be twelve dollars (\$12.00) per fiscal year. Lessors shall also provide the Bureau with such other additional information in such formal as the bureau, by regulation, may reasonably require. The

registration plate number shall not be considered filed with the bureau unless the annual filing fee provided for in this subdivision shall have been paid. Lessors shall not be entitled to a refund, reduction, credit or other consideration in connection with such annual filing fee in the event that such registration plate number is withdrawn from service, destroyed or surrendered during the fiscal year for which such registration plate number shall have been filed. In the event that a lessor files with the bureau registration plate numbers during the fiscal year, the annual filing fee for same shall be prorated on a monthly basis, in accordance with a schedule that the bureau shall promulgate by regulation for such purpose. The primary filing by each lessor for each fiscal year shall be made at least thirty (30) days prior to the commencement of the fiscal year.

- G. Where the United States postal authorities return to the bureau a delinquency notice forwarded by the bureau to a name and address of lessee furnished by a lessor in accordance with provisions of this section, such return notice shall be presumptive evidence of the furnishing of an incorrect name and address by the lessor. The lessor may however, conclusively rebut such presumption if within sixty days after receiving notification from the bureau of such returned mail notice, the lessor shall provide to the bureau a copy of the rental agreement or lease agreement for such lessee containing the name and address previously furnished to the bureau. In the event that a lessor shall fail to rebut the presumption established by this subdivision, the lessor shall be liable for the fines imposed pursuant to this article and in accordance with the rules and regulation promulgated by the bureau.
 - H. The bureau shall by rules and regulations prescribe the manner and method of giving notice of outstanding violations to the lessees, except that notices of impending default judgment shall be forwarded by first class mail, in accordance with section 249 of the New York State Vehicle and Traffic Law. All notices to lessors under this section shall be by first class mail to address on file with the bureau or by such other means as shall be provided for in the rules and regulation of the bureau.
 - I. A lessor shall cooperate with the bureau in the enforcement of judgments rendered against lessees or providing the bureau or its designated agents, with such other additional information as shall be contained in such lessor's rental or lease agreements with their lessees as shall be available to them.
- (3) *Stolen vehicles.* If any owner of a motor vehicle receives a notice of violation for a period during which the illegally parked vehicle was reported to any police department as having been stolen, it shall be a valid defense to any charge of a parking violation that the motor vehicle had been reported to the police as stolen prior to the time the violations occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the police report of the stolen vehicle be mailed to the bureau.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-41. Fines to be designated by commissioner of finance for parking violations.

The commissioner of finance shall designate the fines with the approval of the common council and the mayor to be paid for all parking violations which may be satisfied at the parking violations bureau as provided in this article, provided these fines are within the limits established as penalties for violations of traffic laws, ordinances, rules and regulations.

(Gen. Ord. No. 1-2003, 1-6-03)

Sec. 15-42. Payment of fines, penalties and other charges.

The commissioner of finance is authorized to accept payment of fines, penalties, surcharges, removal and storage fees and any other charges instituted by state law or this traffic code of the city of Syracuse by cash, check

or credit card, debit card or e-check, provided that credit card, debit card or e-check payments will only be accepted where the credit card, debit card or e-check payment is made through a third party who the commissioner of finance is authorized by an ordinance adopted by the common council and approved by the mayor to contract with and accept credit card, debit card and e-check payments on behalf of the city for the payment of fines, penalties, surcharges, removal and storage fees and any other charges instituted by state law or this traffic code of the city of Syracuse. The city shall not be charged any fees by an authorized third party relative to acceptance of credit card, debit card or e-check payments. Nothing herein shall be deemed to authorize the department of finance, including the parking violations bureau, to accept direct payments by credit card, debit card or e-check from any person.

(Gen. Ord. No. 38-2007, 10-9-07)

Secs. 15-43—15-50. Reserved.

ARTICLE III. TRAFFIC VIOLATIONS BUREAU³

Sec. 15-51. Traffic violations bureau to be established by supervising judge.

The supervising judge of city court shall establish a traffic violations bureau to assist the court on the disposition of offenses in relation to traffic violations. The bureau shall be in charge of such person or persons and shall be open at such hours as the supervising judge may designate.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-52. Fines to be designated by supervising judge for first, second and third offenses.

The supervising judge shall designate the fines to be paid for first, second and third traffic infraction, other than parking violations, which may be satisfied at the traffic violations bureau as provided in this ordinance, provided these fines are within the limits established as penalties for violations of the traffic laws, ordinances, rules and regulations.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-53. Duties of traffic violations bureau.

The duties of the traffic violations bureau shall be as follows:

- a. It shall accept designated fines, issue receipts and represent in court such violators as are permitted to plead guilty in accordance with the provisions of this ordinance and who desire to so plead guilty, waive court appearance and give power of attorney.

³Editor's note(s)—Gen. Ord. No. 4-1993, adopted January 11, 1993, substantially amended former Art. III, §§ 15-51—15-54, as herein set out. Former Art. III pertained to the same subject matter and derived from the traffic code of March 3, 1969, Art. III, §§ 1—4.

Gen. Ord. No. 1-2003, adopted Jan. 6, 2003, amended the title to Art. III to read as herein set out. The former title also pertained to the parking ticket bureau, the similar provisions for which can now be found in Art. IIA, §§ 15-32A—15-41, of this chapter.

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- b. It shall keep a record of all persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the apprehending officer and witnesses, if any, to be present.
 - c. It shall keep an easily accessible record of all the violations of which each person has been guilty of during the current calendar year whether such guilt was established in the court or in the traffic violations bureau.
 - d. If any person who has had notice of a traffic infraction mailed to his last known address fails to appear within the specified time, the traffic violations bureau shall forthwith have a complaint entered against him and secure a warrant for his arrest. The traffic violations bureau shall not accept fines or bail from such persons, but they shall be entirely under the jurisdiction of the court.
 - e. The bureau shall keep records and submit summarized monthly reports to the supervising judge, the chief of police and the commissioner of finance of all notices issued and arrests made for violations of traffic laws, ordinances, rules and regulations, and of all the fines collected by the traffic violations bureau or the Syracuse City Court, and of the final disposition or present status of every case of violation of the provisions of the traffic laws, ordinances, rules and regulations. The bureau shall, when so directed by the supervising judge, prepare and submit such additional certifications and notices as may from time to time be required to conform to the provisions of section 514(4) of the Vehicle and Traffic Law of the State of New York. These reports shall be public information.
 - f. All fines or forfeitures collected upon conviction or plea of guilty or upon the forfeiture of bail of any person charged with the violation of any of the provisions of title VII of the State Vehicle and Traffic Law, or this Traffic Code shall be paid to the commissioner of finance once in each month, together with an itemized statement of the same pursuant to the provisions of title IX of the State Vehicle and Traffic Law.
 - g. Nothing contained in this ordinance shall authorize the Traffic Violations Bureau to deprive a person of his right to counsel or to prevent him from exercising his right to appear in court to answer to, explain or defend any charge of a violation of any traffic law, ordinance, rule or regulation.
 - h. The bureau shall perform such other or additional duties and keep such other and additional records as shall be prescribed by the supervising judge.
 - i. The bureau shall keep and file a daily disposition report with the commissioner of finance and retain a copy for the supervising judge. The daily disposition report shall indicate all monies collected from whatever source, all receipts issued, as well as all bank deposits made.

(Gen. Ord. No. 4-1993, 1-11-93)

Sec. 15-54. Commissioner of finance to provide serially numbered notice of traffic infractions in triplicate.

The commissioner of finance shall provide, in triplicate, suitable serially numbered forms for notifying violators to appear and answer to traffic infractions, charges of violating the provisions of the traffic laws, ordinances, rules and regulations. Such forms shall be issued and receipted for by the chief of police or other person acting for him. The commissioner of finance each month shall report to the commissioner and supervising judge the disposal and accounting made by the police of all serially numbered forms issued to them. For this purpose, the commissioner of finance or his representatives shall have access to the necessary records of the police department and traffic violations bureau. These reports shall be public information.

(Gen. Ord. No. 4-1993, 1-11-93)

Secs. 15-55—15-57. Reserved.

Editor's note(s)—Gen. Ord. No. 1-2003, adopted Jan. 6, 2003, deleted §§ 15-55—15-57, which pertained to the parking ticket bureau, and derived from Gen. Ord. No. 4-1993, adopted Jan. 11, 1993. Similar provisions can be found in Art. IIA of this chapter.

Secs. 15-58—15-65. Reserved.

ARTICLE IV. ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

Sec. 15-66. Authority of police and fire department officials.

- (a) It shall be the duty of the officers of the police department to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city.
- (b) Officers of the police department are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- (c) Officers of the fire department, when at the scene of a fire, may direct, or assist the police in directing traffic thereat, or in the immediate vicinity.

(T.C. of 3-3-69, Art. IV, § 1)

Sec. 15-66.1. Authorization of officers and members of the department of fire to issue appearance tickets.

Pursuant to the applicable provisions of the Municipal Home Rule Law of the State of New York, the city of Syracuse authorizes the chief of fire, the first deputy chief of fire, deputy chiefs of fire and all officers and members of the department of fire, in whatever manner constituted, as set forth in Article V, Chapter 9 of the Charter of the city of Syracuse, as amended, to issue appearance tickets for violations of any statute, local law, ordinance, rule and/or regulation relating to the following:

- (1) Parking violations;
- (2) Fire code violations;
- (3) Licensing of occupations or businesses;
- (4) Fire prevention and safety;
- (5) Health and sanitation; and
- (6) building, zoning and planning.

Nothing in this section shall be construed to grant authority to the chief of fire, the first deputy chief of fire, deputy chiefs of fire and all officers and members of the department of fire to issue appearance tickets beyond what is allowed under § 10(4)(a) of the Municipal Home Rule Law of the State of New York.

(L.L. No. 8-2003, § 1, 9-8-03)

Sec. 15-67. Required obedience to traffic ordinance.

It is a traffic infraction for any person to do any act forbidden or fail to perform any act required in this ordinance.

(T.C. of 3-3-69, Art. IV, § 2)

Sec. 15-68. Obedience to police officials.

No person shall fail or refuse to comply with any lawful order or direction of a police officer.

(T.C. of 3-3-69, Art. IV, § 3)

Sec. 15-69. Persons propelling pushcarts or riding animals to obey traffic regulations.

Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

(T.C. of 3-3-69, Art. IV, § 4)

Sec. 15-70. Use of coasters, roller skates, skateboards and similar devices restricted.

No person upon roller skates, or riding, in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. Notwithstanding any provision herein contained, skateboards shall be permitted as set forth in section 16-14(a) of the Revised Ordinances of the City of Syracuse, as amended.

(T.C. of 3-3-69, Art. IV, § 5; Gen. Ord. No. 41-1989, 7-31-89)

Sec. 15-71. Public employees to obey traffic regulations.

The provisions of this ordinance shall apply to the driver of any vehicle owned or used in the service of the United States government, this state, county or city, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance or by state statute.

(T.C. of 3-3-69, Art. IV, § 6)

Sec. 15-72. Exemption to drivers of emergency vehicles.

The provisions of this ordinance shall not apply to emergency vehicles as defined in this ordinance, while the driver of any such vehicle is operating the same in an emergency in the necessary performance of his or her duties, provided that the horn, gong, siren or siren whistle of any such vehicle is continuously sounded and the vehicle displays a lighted red or white lamp, flashing or steady, visible from the front as a warning to others, but this shall not relieve the driver or owner of any such vehicle from liability for any injuries inflicted in consequence of the arbitrary or careless exercise of this right.

(T.C. of 3-3-69, Art. IV, § 7)

Sec. 15-73. Operation of vehicles on approach of authorized emergency vehicles.

- (a) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted red or white light, flashing or steady, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle and when the driver is giving audible signal by horn, gong, siren or bell:
 - (1) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and close as possible to, the right-hand edge or curb of the roadway, or to the edge of a one-way roadway, three (3) or more lanes in width, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- (b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(T.C. of 3-3-69, Art. IV, § 8)

Sec. 15-74. Immediate report of accidents.

The driver of a vehicle involved in an accident, resulting in injury to or death of any person or any property damage in excess of four hundred dollars (\$400.00) shall immediately or as soon as operator or owner is physically able, report such accident to the police department, if such accident occurs within the city.

(T.C. of 3-3-69, Art. IV, § 9; Gen. Ord. No. 2-1980)

Sec. 15-75. Clauses pertaining to construction work.

No concrete or any other material of construction shall be mixed, prepared, connected, processed or stored on any roadway within the central traffic district or on any through street.

Except in emergency or extraordinary conditions, and then only with the permission of the chief of police, no construction equipment or hoisting machinery shall be operated within the limits of any street in this city, excepting where such equipment is used in conjunction with a public improvement, or with construction or maintenance work of a public utility corporation under franchise or permit from the city or other public body, or in construction and maintenance of signs duly authorized by the common council or other public body. No such equipment or machinery shall be operated on any street within the central traffic district or on any through street between the hours of 7:00 a.m. to 9:00 a.m. and between the hours of 4:00 p.m. to 6:00 p.m. Monday through Friday, and during any other hours designated by the department of police, except by special permit issued by the chief of police with the concurrence of the commissioner.

No object, the width of which exceeds eight (8) feet or the height of which including height of vehicle exceeds thirteen and one-half (13.5) feet or the length of which exceeds fifty-five (55) feet shall be moved through the streets of this city without a revocable permit from the chief of police, which permit shall state the route to be followed and the hours during which such object may be moved.

(T.C. of 3-3-69, Art. IV, § 10)

Sec. 15-76. Streets not to be closed.

Except in case of emergency, and then only with the permission of the chief of police and the chief of the fire department, no street shall be closed to traffic to allow operations therein of equipment for any construction or demolition work, or other work on private property.

When streets are closed to traffic on account of any public improvement, or work by any public service corporation, previous notice thereof shall be given to the commissioner, the chief of police and the chief of the fire department.

(T.C. of 3-3-69, Art. IV, § 11)

Sec. 15-77. Parking area not to be blocked.

In connection with construction work on private property, no person shall place any barricades or other obstruction adjacent to the curblin in the traveled portion of the street to prevent parking or standing of vehicles, except in an emergency and then only with the consent of the chief of police.

The commissioner is hereby authorized upon request of owner of property or contractor, and his payment of cost of same, to place temporarily, signs banning parking or standing in roadways adjacent to construction or demolition work. Such signs shall remain the property of the city of Syracuse and shall be returned in good condition at the completion of the project for which they were issued.

In the event that it is necessary to remove or cover any parking meters at such construction work, all cost of removing and replacing any such meters shall be borne by the person requesting the temporary parking ban.

(T.C. of 3-3-69, Art. IV, § 12)

Secs. 15-78—15-90. Reserved.

ARTICLE V. TRAFFIC-CONTROL DEVICES

Sec. 15-91. Authority to install traffic control devices.

- (a) The commissioner is authorized to place and maintain traffic-control signs, signals and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinance and to carry out and enforce all duties imposed on or required of him by this ordinance and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under state law or to guide or warn traffic.
- (b) The commissioner is authorized to place and maintain miscellaneous informational signs in the city of Syracuse in accordance with the guidelines of the Manual of Uniform Traffic Control Devices of the State of New York.
- (c) The commissioner is also authorized and empowered to make and adopt regulations in regard to those matters in which he is specifically authorized by this ordinance to make regulations or determinations.

(T.C. of 3-3-69, Art. V, § 1; Gen. Ord. No. 18-1975)

Sec. 15-92. Manual and specifications for traffic-control devices.

All traffic-control signs, signals and devices shall conform to the manual and specifications approved by the state commission of transportation. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this ordinance shall be official traffic-control devices.

(T.C. of 3-3-69, Art. V, § 2)

Sec. 15-93. Obedience to official traffic-control devices.

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances of this city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

(T.C. of 3-3-69, Art. V, § 3)

Sec. 15-94. Authority to designate placing of traffic-control devices.

The commissioner is hereby authorized to determine by traffic surveys and engineering investigations, conditions affecting safe movement of vehicles and pedestrians at intersections and other locations and to designate and install traffic-control devices.

(T.C. of 3-3-69, Art. V, § 4)

Sec. 15-95. Traffic-control signal legend.

Whenever traffic is lawfully regulated by a traffic-control signal, the following colors shall be used and none other, and those colors when lighted shall be obeyed as required by this ordinance and in accordance with their meaning as set forth in this ordinance:

Red shall require that traffic shall stop and remain standing.

Green shall mean that traffic shall move.

Yellow, when used, shall mean that colors in the signal are about to change and shall require that traffic shall stop and remain standing unless the yellow is lighted too late to allow a stop to be made with safety.

Yellow, either fixed or flashing, when used in caution signals, shall mean proceed with caution.

Red when used in a flashing caution signal shall require that traffic shall stop and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

The foregoing meanings of yellow and red shall not apply to authorized emergency vehicles when on emergency trips provided such vehicles are driven with caution and adequate warning sounded.

The colors in any such traffic-control signal shall be placed and shall show, with relation to each other, as follows:

Red shall be at the top, green shall be at the bottom and yellow when used, shall be in the center, or if such signal is horizontal, red shall be at the left, green at the right, and yellow, when used, shall be in the center.

One exception is made to the above for historical reasons:

All the intersection of Tompkins Street, Milton Avenue and Burnet Park Drive in a section of the city known as "Tipperary Hill" where the green signal shall be on top and the red signal shall be at the bottom.

At all intersections where traffic is controlled by traffic-control signals, movement shall be made on the green only, except as otherwise directed by a peace officer. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(T.C. of 3-3-69, Art. V, § 5)

Sec. 15-96. Pedestrian "Walk" and "Don't Walk" signals.

Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows:

- (a) *Walk*—Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
- (b) *Don't Walk*—No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "Walk" signal shall proceed to a sidewalk or safety zone while the "Don't Walk" signal is showing.

(T.C. of 3-3-69, Art. V, § 6)

Sec. 15-97. Display of unauthorized signs, signals or markings.

- (a) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- (b) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the chief of police is hereby empowered to remove any such prohibited sign, signal or marking, or cause it to be removed without notice.

(T.C. of 3-3-69, Art. V, § 7)

Sec. 15-98. Interference with official traffic-control devices or railroad signs or signals.

No person shall without lawful authority attempt to, or in fact, alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

(T.C. of 3-3-69, Art. V, § 8)

Sec. 15-99. Commissioner of public works to designate crosswalks, establish safety zones and mark traffic lanes.

The commissioner is hereby authorized without formal designation of the common council:

- (1) To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections, where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;
- (2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians;

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- (3) To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic ordinances of this city and the laws of the state of New York.

(T.C. of 3-3-69, Art. V, § 9)

Sec. 15-100. Ordinance to be printed and distributed.

The commissioner is authorized to have booklets containing this ordinance, printed in sufficient numbers, and is further authorized to supply one to each member of the police department, members of the bar of Onondaga County, public officers requiring same, without charge, and any person requesting copy at a charge to be established by the commissioner.

(T.C. of 3-3-69, Art. V, § 10)

Secs. 15-101—15-115. Reserved.

ARTICLE VI. SPEED REGULATIONS

Sec. 15-116. Speed limit signs.

Speed limit signs shall be posted on every main highway entering the city and also on every main highway within the limits of said city where the rate of speed changes, strictly in accordance with the provisions of section 1643 of the Vehicle and Traffic Law of the State of New York.

(T.C. of 3-3-69, Art. VI, § 1)

Sec. 15-117. Drive within speed limit.

The driver of any vehicle shall not drive or operate such vehicle on any of the public streets of this city at a rate of speed greater than thirty (30) miles per hour except as otherwise provided in the following sections.

(T.C. of 3-3-69, Art. VI, § 2)

Sec. 15-118. Changes in speed limit.

On the streets shown in Schedule I, no driver of any vehicle shall drive or operate such vehicle at a rate of speed greater than that indicated in such schedule for any particular street or part of street.

(T.C. of 3-3-69, Art. VI, § 3)

Sec. 15-119. Decrease of speed limit at certain intersections.

The commissioner is authorized after engineering and traffic investigation to designate the safe rate of speed for approaching and crossing intersections where physical or traffic conditions create a hazard to vehicular traffic, and to post such speeds at points within one hundred (100) feet of such intersections at every entrance thereto. When such intersections are properly posted, no driver of any vehicle shall approach or cross such intersections at a rate of speed greater than that shown.

(T.C. of 3-3-69, Art. VI, § 4)

Sec. 15-120. Duty of driver to reduce speed.

The driver of every vehicle shall drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow and winding roadway, and when any special hazard exists with respect to pedestrians or other traffic by reason of weather or highway conditions.

(T.C. of 3-3-69, Art. VI, § 5)

Secs. 15-121—15-135. Reserved.***ARTICLE VII. TURNING MOVEMENTS*****Sec. 15-136. Required position and method of turning at intersections.**

The driver of a vehicle intending to turn at any intersection shall do so as follows:

- (a) The driver of a vehicle turning to the right from the roadway shall approach and turn the corner as near the right-hand curb as practicable.
- (b) The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close as to constitute an immediate hazard, unless otherwise directed by a police officer.

(T.C. of 3-3-69, Art. VII, § 1)

Sec. 15-137. Authority to place and obedience to markers.

- (a) The commissioner is authorized to paint lines, place devices, markers, buttons or signs within, between or adjacent to intersections indicating the course to be traveled by vehicles.
- (b) When authorized markers, buttons, signs, pavement markings or other indications are placed between, adjacent to or within an intersection indicating the course to be traveled by vehicles therein, no driver of a vehicle shall disobey the directions of such indications.

(T.C. of 3-3-69, Art. VII, § 2)

Sec. 15-138. Authority to place restricted turn signs.

The commissioner is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted. Nothing herein shall be construed to impair existing franchise rights of public bus corporations.

(T.C. of 3-3-69, Art. VII, § 3)

Sec. 15-139. Obedience to "No Turn" signs.

Whenever authorized signs are erected indicating that no right or left, or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

(T.C. of 3-3-69, Art. VII, § 4)

Sec. 15-140. Limitations on turning around.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the central traffic district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

(T.C. of 3-3-69, Art. VII, § 5)

Secs. 15-141—15-155. Reserved.***ARTICLE VIII. ONE-WAY STREETS AND ALLEYS*****Sec. 15-156. Authority to sign one-way streets and alleys.**

Whenever any ordinance of this city designates any one-way street or alley the commissioner shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. Upon those streets and parts of streets and in those alleys described in Schedule II, traffic shall move only in the direction designated.

(T.C. of 3-3-69, Art. VIII, § 1)

Sec. 15-157. Authority to establish lanes for mass transit vehicles.

- a. The commissioner may, from time to time, designate a traffic lane closest to the curb on streets used for transportation of passengers for hire over a defined route or routes in the city of Syracuse (hereinafter referred to as mass transit vehicles) by erecting appropriate signs for the days indicated. Passenger cars and taxicabs may enter and leave such lane for the sole purpose of taking on or discharging a passenger or passengers but the operator thereof shall, for such purpose, enter and leave such lane at the nearest point to such loading and unloading point and shall remain within such lane only long enough to so load and unload and provided further that any vehicle may enter such lane within one hundred (100) feet of the approach to an intersection for the sole purpose of making a right turn at such intersection unless such turn is prohibited and so indicated by an official traffic control device; and provided further that no mass transit vehicle, except those engaged in express service, shall leave such reserved lane, except to make a turn or to pass a vehicle which is disabled or illegally blocking passage of such mass transit vehicle.
- b. The burden of proof shall be upon the driver of a vehicle other than a mass transit vehicle entering such lane to show that he entered such lane for the purpose of taking on or discharging a passenger or passengers or of making a right turn, as the case may be, and the burden of proof shall be upon the driver of a mass transit vehicle leaving such lane, except one engaged in express service, to show that he left such lane for the purpose of making a turn or of passing a vehicle which was disabled or illegally blocking passage of his vehicle.

c. This ordinance shall take effect immediately.

(T.C. of 3-3-69, Art. VIII, § 2; Ord. of 9-14-70)

Secs. 15-158—15-170. Reserved.

ARTICLE IX. SPECIAL STOPS REQUIRED

Sec. 15-171. Through traffic streets.

Those streets and parts of streets described in Schedule III are hereby declared to be through traffic streets.

(T.C. of 3-3-69, Art. IX, § 1)

Sec. 15-172. Authority to erect traffic signals, stop signs, flashing signals or yield signs.

When any ordinance of this city designates and describes a through traffic street, it shall be the duty of the commissioner to place and maintain traffic signals, stop signs, flashing signals or yield signs on each and every street intersecting such through traffic street or portion thereof so designated.

- (a) *Flashing signals or yield signs*—Where specified entrances are not otherwise designated by law, the commissioner is hereby authorized to determine and designate by regulation adopted in accordance with this code specified entrances of streets intersecting through traffic streets or portions thereof on which he deems traffic conditions also require flashing signals or yield signs or both to be placed and maintained.

(T.C. of 3-3-69, Art. IX, § 2)

Sec. 15-173. Intersections where hazard exists.

The commissioner is hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets, and to determine and limit the rate and extent of speed to be observed by motor vehicles and motorcycles at such dangerous intersections, and the commissioner shall erect a suitable sign or signs indicative of such limitations at each entrance to such intersections.

- (a) Authority to designate stop intersections or yield intersections, and order signs and signals therefor—The commissioner is hereby authorized to determine and designate, by regulation adopted in accordance with this code, where particular hazards or conditions exist, any street or intersection as a stop intersection or yield intersection. It shall be the duty of the commissioner to place and maintain suitable stop signs, flashing signals or yield signs at one or more entrances to such intersection so designated.

(T.C. of 3-3-69, Art. IX, § 3)

Sec. 15-174. Vehicles to stop at "Stop" signs.

When "Stop" signs are erected as herein provided at or near the entrance to any intersection, every driver of a vehicle approaching a "Stop" sign shall stop such vehicle at such sign or at a clearly marked stop line before entering the intersection and after having stopped shall yield the right-of-way to any vehicle which has entered the

intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within such intersection.

(T.C. of 3-3-69, Art. IX, § 4)

Sec. 15-175. Emerging from alley or private driveway.

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

(T.C. of 3-3-69, Art. IX, § 5)

Sec. 15-176. Stop when traffic obstructed.

No driver shall enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

(T.C. of 3-3-69, Art. IX, § 6)

Sec. 15-177. Obedience to signal indicating approach of railroad train.

- (a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
- (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
 - (2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
 - (3) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.
- (b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

(T.C. of 3-3-69, Art. IX, § 7)

Secs. 15-178—15-190. Reserved.

ARTICLE X. MISCELLANEOUS DRIVING RULES

Sec. 15-191. Drive on right side.

All vehicles shall be driven upon the right side of the roadway except:

- (a) When overtaking and passing another vehicle, pedestrian, or substantial object in the same traffic lane;

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- (b) When the right half of the roadway is closed to traffic while under construction or repair;
 - (c) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon;
 - (d) Upon a roadway designated and signed for one-way traffic.

(T.C. of 3-3-69, Art. X, § 1)

Sec. 15-192. Overtaking.

The driver of a vehicle overtaking another vehicle proceeding in same direction shall pass to the left at a safe distance and shall not again drive to the right until safely clear of the overtaken vehicle, and it shall be the duty of the driver of the overtaken vehicle to facilitate such passing.

(T.C. of 3-3-69, Art. X, § 2)

Sec. 15-193. Limitations on passing.

No vehicle shall be driven to the left side of the center of the road to overtake and pass another vehicle unless such left side is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or with the overtaken vehicle or vehicles.

The driver of any vehicle shall not attempt to overtake and pass another vehicle where the driver's view ahead along the roadway is obstructed, or where official signs or pavement markings are in place directing traffic to keep right.

(T.C. of 3-3-69, Art. X, § 3)

Sec. 15-194. Approaching or entering intersection.

When two (2) vehicles are approaching the intersection from different roadways approximately at the same time the vehicle on the left shall yield the right-of-way to the vehicle on the right, except where movement is otherwise directed by a police officer, traffic-control signal or other official device.

(T.C. of 3-3-69, Art. X, § 4)

Sec. 15-195. Signals to be given before stopping or turning.

Except in case of emergency, no driver or operator of a vehicle shall stop or turn such vehicle without giving the proper signal either by a suitable mechanical device or by proper hand signaling performed as follows:

Before making a left turn, extend left hand and arm horizontally; before making right turn, extend left hand and arm upward; before slowing down or stopping extend left hand and arm downward and show back of whole hand. Drivers of vehicles pulling from curb to join the flow of traffic must first indicate their intention to do so by extending left arm in the manner required for left turns or by operating an adequate mechanical signal device.

(T.C. of 3-3-69, Art. X, § 5)

Sec. 15-196. Driving across private or public property prohibited.

It shall be unlawful for any person to drive any motor vehicle upon or across any private or public property for the purpose of evading the provisions of this ordinance relative to traffic signs or signals or other traffic-control devices.

(T.C. of 3-3-69, Art. X, § 6)

Sec. 15-197. Excess load.

It shall be unlawful for any person hauling trash, refuse, ashes, dirt, sand, gravel, stone, coal, brick, steel shavings or other material to do so in such a manner as to cause material to be scattered over any street or streets of this city.

(T.C. of 3-3-69, Art. X, § 7)

Sec. 15-198. Unsafe substances in streets.

No person shall scatter, deposit or leave in any street of this city, any mud, snow, debris, thing or substance which might tend to make the surface of the street unsafe for vehicular traffic, or which might cause damage to other city property. If any such mud, snow, debris, thing or substance shall be scattered, deposited or left in any street of this city it shall be the duty of the driver and owner of the vehicle depositing, scattering or leaving such mud, debris, thing or substance forthwith to completely remove the same from the street or pavement.

(T.C. of 3-3-69, Art. X, § 7a)

Sec. 15-199. Following fire apparatus prohibited.

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than two hundred (200) feet or drive into or park such vehicle within one block where fire apparatus has stopped in answer to a fire alarm.

(T.C. of 3-3-69, Art. X, § 8)

Sec. 15-200. Crossing fire hose.

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, or streetcar track, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

(T.C. of 3-3-69, Art. X, § 9)

Sec. 15-201. Driving through funeral or other procession.

No driver of a vehicle, except authorized emergency vehicles, shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(T.C. of 3-3-69, Art. X, § 10)

Sec. 15-202. Drivers in a procession.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

(T.C. of 3-3-69, Art. X, § 11)

Sec. 15-203. Funeral processions to be identified.

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle visible from either side for a distance of one hundred (100) feet of a conspicuous pennant or other identifying insignia or by such other method as may be determined and designated by the police department.

(T.C. of 3-3-69, Art. X, § 12)

Sec. 15-204. When permits required for parades.

No person, society or organization of any name or nature shall assemble, congregate or march in or through any of the streets of the city except in accordance with a permit issued by the chief of police, pursuant to section 16-35 of the Revised General Ordinances of the City of Syracuse. Application for such permit shall be obtained not less than forty-eight (48) hours preceding the event.

(T.C. of 3-3-69, Art. X, § 13)

Sec. 15-205. Motor vehicles shall not be driven on a sidewalk.

No person shall ride, drive or operate any motor vehicle or motorcycle along any public sidewalk or footpath intended for the use of pedestrians.

(T.C. of 3-3-69, Art. X, § 14)

Sec. 15-206. Limitations on backing.

Before backing any vehicle the driver shall see that the way is clear and shall give adequate warning, and shall, while backing, exercise due vigilance to prevent accident.

(T.C. of 3-3-69, Art. X, § 15)

Sec. 15-207. Riding on motorcycles.

A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto or carry any other person, nor shall any other person ride upon such motorcycle other than upon a firmly attached seat to the rear or side of the operator.

(T.C. of 3-3-69, Art. X, § 16)

Sec. 15-208. Clinging to motor vehicles.

- (a) No person riding upon any bicycle, motorcycle, coaster, sled, snowmobile, roller skates, or any toy vehicle shall attach the same or himself to any moving vehicle upon any roadway and no vehicle operator shall knowingly permit any person to attach any such device or himself to such operator's vehicle.
- (b) No person shall attach himself to any moving vehicle other than in a seat provided for passengers.

(T.C. of 3-3-69, Art. X, § 17)

Sec. 15-209. Crossing painted lines.

No person shall drive a vehicle over freshly painted lines marked by warning cones placed or installed upon a street or highway by the department of transportation.

(T.C. of 3-3-69, Art. X, § 18)

Sec. 15-210. Motorcycle helmets.

It shall be unlawful for any person to operate or ride upon a motorcycle unless he wears a protective helmet of a type approved by the Commissioner of Motor Vehicles of the State of New York. The chief of police may issue a permit exempting members of organizations sponsoring or conducting parades or other public exhibitions from the provisions of this section while such members are participating in such parades or public exhibitions.

(T.C. of 3-3-69, Art. X, § 19)

Secs. 15-211—15-225. Reserved.***ARTICLE XI. OPERATION OF TRUCKS*****Sec. 15-226. Through freight motor truck routes.**

Those routes including streets and parts of streets as may be periodically designated by regulation of the commissioner and filed with the city clerk, are hereby declared to be through freight motor truck routes.

No through freight motor truck having a gross weight of vehicle plus load in excess of five (5) tons or ten thousand (10,000) pounds, said weight to be ascertained by computing the entire weight of a vehicle or truck plus load, or in the event that said vehicle is a tractor-trailer then by computing the entire weight of the tractor and trailer plus load, shall be permitted, driven or operated on any public streets of the city of Syracuse other than those established by ordinance as through freight motor truck routes; provided however, that adequate visible signs shall be posted at intersections marking the street so designated. The provisions hereof shall not be construed to prevent deliveries of merchandise or other property along any public street from which such vehicles are excluded.

(T.C. of 3-3-69, Art. XI, § 1)

Sec. 15-227. Local motor truck routes.

Those routes including streets and parts of streets as may be periodically designated by regulation of the commissioner and filed with the city clerk, are hereby declared to be local motor truck routes.

No local motor truck having a gross weight of vehicle plus load in excess of five (5) tons or ten thousand (10,000) pounds, said weight to be ascertained by computing the entire weight of the vehicle or truck plus load, or in the event that said vehicle is a tractor-trailer then by computing the entire weight of the tractor and trailer plus load, shall be permitted, driven or operated on any of the public streets of the city of Syracuse other than those designated by regulation of the commissioner; provided however, that adequate visible signs shall be posted at intersections marking the streets so designated. The term "local" as applied to the trucks and routes provided for under this section, shall mean such trucks operated intracity, or to or from points within the city from or to points outside the city, as distinguished from through trucks passing through the city from and to points outside the city.

Through freight motor trucks for which provision is made in the preceding section 1 [section 15-226 hereof], shall not be permitted on streets forming part of local motor truck routes.

The provisions hereof shall not be construed to prevent delivery of merchandise or other property along any public street from which said vehicles are excluded.

(T.C. of 3-3-69, Art. XI, § 2)

Sec. 15-228. Motor trucks not to be parked.

No motor truck or tractor-trailer in excess of thirty-five (35) feet in length shall be parked or left standing on any street of this city for any purpose except the expeditious loading and unloading of freight or merchandise, except in case of emergency or when otherwise directed by a police officer.

(T.C. of 3-3-69, Art. XI, § 3)

Sec. 15-229. Trucks not to stand on sidewalk.

No freight motor vehicle shall be parked or left standing on a sidewalk at any time except in case of emergency.

(T.C. of 3-3-69, Art. XI, § 4)

Sec. 15-230. Trucks to park parallel to curb.

When loading or unloading, a truck shall park or stand parallel to curb with wheels on curb side of vehicle not more than twelve (12) inches from curblines.

(T.C. of 3-3-69, Art. XI, § 5)

Sec. 15-231. Tractors not to be disconnected.

No trailer section of a tractor-trailer vehicle or any other trailer shall be parked or left standing on any street or public place of this city unless connected to a tractor section or towing vehicle and in condition to be moved at any time.

(T.C. of 3-3-69, Art. XI, § 6)

Secs. 15-232—15-245. Reserved.

ARTICLE XII. RAILROAD TRAINS

Sec. 15-246. Railroad trains not to block streets.

It shall be unlawful for the directing officer or the operator of any railroad train to direct operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

(T.C. of 3-3-69, Art. XII, § 1)

Secs. 15-247—15-260. Reserved.

ARTICLE XIII. PEDESTRIANS' RIGHTS AND DUTIES

Sec. 15-261. Pedestrians subject to traffic-control signals.

At intersections where traffic is controlled only by traffic-control signals, pedestrians shall cross the roadway only on a green or "Walk" signal, and operators of vehicles shall yield the right-of-way to pedestrians who are crossing or who have started to cross roadway on green or "Walk" signal.

(T.C. of 3-3-69, Art. XIII, § 1)

Sec. 15-262. Right-of-way at crossings.

The operator of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any crossing at any intersection except at intersections where the movement of traffic is regulated by a peace officer or traffic-control signal. This provision shall not relieve the pedestrian from the duty of exercising due care for his safety.

(T.C. of 3-3-69, Art. XIII, § 2)

Sec. 15-263. Vehicles not to pass at crosswalks.

Whenever any vehicle is stopped at a marked crossing or at any intersection to permit a pedestrian to cross a roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass such stopped vehicle.

(T.C. of 3-3-69, Art. XIII, § 3)

Sec. 15-264. Yield right-of-way.

Every pedestrian crossing a roadway at any point other than within a marked or unmarked crossing shall yield the right-of-way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle from the duty of exercising due care for the safety of pedestrians.

(T.C. of 3-3-69, Art. XIII, § 4)

Sec. 15-265. Vehicles yield right-of-way on "Go" signal.

Except as otherwise provided in Article V, section 6 [section 15-96 hereof], at intersections where traffic is controlled by traffic-control signals or by a peace officer, operators of vehicles shall yield the right-of-way to pedestrians crossing or those who have started to cross the roadway on a green or "Go" signal, and in all other cases, pedestrians shall yield right-of-way to vehicles lawfully proceeding directly ahead on a green or "Go" signal.

(T.C. of 3-3-69, Art. XIII, § 5)

Sec. 15-266. Driving through safety zones prohibited.

No vehicle shall at any time be driven through or within a safety zone.

(T.C. of 3-3-69, Art. XIII, § 6)

Secs. 15-267—15-280. Reserved.***ARTICLE XIV. REGULATIONS FOR BICYCLES⁴*****Sec. 15-281. Where applicable.**

The regulations set forth in this article shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

(T.C. of 3-3-69, Art. XIV, § 1)

Sec. 15-282. Traffic laws apply to persons riding bicycles.

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this article and except those provisions of laws and ordinances which by their nature can have no application.

(T.C. of 3-3-69, Art. XIV, § 2)

⁴Editor's note(s)—Section 10 of article XIV of the traffic code was repealed by Gen. Ord. No. 41-1971.

Sec. 15-283. Obedience to traffic-control devices.

- (a) Any person operating a bicycle shall obey instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the directions of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

(T.C. of 3-3-69, Art. XIV, § 3)

Sec. 15-284. Riding on bicycles.

- (a) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.
- (b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(T.C. of 3-3-69, Art. XIV, § 4)

Sec. 15-285. Riding on roadways and bicycle paths.

- (a) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (b) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on the paths or parts of roadways set aside for the exclusive use of bicycles.
- (c) Whenever a usable path for bicycles has been provided adjacent to roadway, bicycle riders shall use such path and shall not use the roadway.

(T.C. of 3-3-69, Art. XIV, § 5)

Sec. 15-286. Carrying articles.

No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

(T.C. of 3-3-69, Art. XIV, § 6)

Sec. 15-287. Parking.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

(T.C. of 3-3-69, Art. XIV, § 7)

Sec. 15-288. Riding on sidewalks.

No person shall ride a bicycle upon a sidewalk within the central traffic district.

(T.C. of 3-3-69, Art. XIV, § 8)

Sec. 15-289. Equipment of bicycles.

- (a) Every bicycle when in use during the period from one-half hour after sunset to one-half hour before sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector, at least three (3) inches in diameter, on the rear and of a type approved by the state commissioner of motor vehicles, which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible to the rear may be used in addition to the red reflector.
- (b) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.
- (c) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(T.C. of 3-3-69, Art. XIV, § 9)

Secs. 15-290—15-300. Reserved.

ARTICLE XV. METHOD OF PARKING

Sec. 15-301. Standing or parking close to curb.

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within twelve (12) inches of the curb or edge of the roadway except in such parts of streets as may be designated for angle parking by official signs.

Those streets and parts of streets as may be periodically designated by regulation of the commissioner and filed with the city clerk, are hereby declared to be streets where angle parking, i.e. parking in a position otherwise than parallel to the curb, is permitted.

When any street is designated for angle parking the commissioner shall erect proper signs indicating that such parking is allowed.

(T.C. of 3-3-69, Art. XV, § 1)

Sec. 15-302. Permit for loading or unloading at angle to curb.

The chief of police is authorized to issue special revocable permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials where reasonably necessary and same will not interfere with traffic or public safety, and subject to such reasonable terms and conditions as the chief of police may set forth. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle, and shall grant to such person the privilege as therein stated and authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

Such permits shall be issued to cover only extraordinary or emergency conditions, and shall not be construed to apply at any one location in the ordinary conduct of business.

(T.C. of 3-3-69, Art. XV, § 2)

Secs. 15-303—15-315. Reserved.

ARTICLE XVI. STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES

Sec. 15-316. Standing or parking prohibited.

- (a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer or traffic-control device, in any of the following places:
1. On a sidewalk or between a sidewalk and curb on any street;
 2. In front of a public or private driveway;
 3. Within an intersection;
 4. Within ten (10) feet of either side of the point on the curb adjacent to a fire hydrant;
 5. On a crosswalk;
 6. Within ten (10) feet of a crosswalk at an intersection;
 7. Within thirty (30) feet of any flashing beacon, "Stop" sign or traffic-control signal located at the side of a roadway;
 8. Between a safety zone and the adjacent curb or within twenty-five (25) feet of points on the curb immediately opposite the ends of a safety zone, unless the commissioner has indicated a different length by signs or markings;
 9. Within fifty (50) feet of the nearest rail of a railroad crossing;
 10. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly signposted;
 11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 12. On the roadway side of any vehicle stopped, left standing or parked at the edge or curb of a street;
 13. Upon or under any bridge or other elevated structure upon a highway or within a highway tunnel;
 14. At any place where duly authorized official signs prohibit stopping, standing or parking;
 15. On bare ground or grassed or vegetated areas, as prohibited by part C, section III, article 2, paragraph 1, subparagraph (4) of the zoning rules and regulations of the city of Syracuse; and
 16. Upon any area located between a street right-of-way and the required setback other than the driveway specifically leading to an off-street parking facility (open area or garage) as prohibited by part C, section III, article 2, paragraph 1, subparagraph (6b) of the zoning rules and regulations of the city of Syracuse.

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- (b) Those vehicles illegally parked in areas designated by paragraphs (4), (10), (15) and (16) of subsection (a) shall be towed away by the police at the owner's expense.
 - (c) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.
 - (d) A driver may, for the purpose of getting away from the place of standing, move another vehicle which is so placed that he cannot get his vehicle out; provided however, that immediately thereafter he shall reset the brakes and, if on a grade, turn the front wheels to the curb or side of the highway. This privilege is subject to the limitations of subsection (c) of this section.
 - (e) Notwithstanding any provision contained in this code no person should stand or park a vehicle except in compliance with the direction of a police officer in any of the following places:
 - (1) Stadium Place—entire length of street including both sides of the street.
 - (2) Raynor Avenue between Stadium Place and Irving Avenue—both sides of the street.
- (T.C. of 3-3-69, Art. XVI, § 1, Gen. Ord. No. 29-1980, 8-18-80; Gen. Ord. No. 77-1989, 12-26-89)

Sec. 15-317. Free flow of traffic not to be obstructed.

No vehicle shall be stopped, left standing or parked in any roadway unless close to the curb thereof or in designated parking spaces, except in an emergency or in obedience to lawful traffic regulations.

(T.C. of 3-3-69, Art. XVI, § 2)

Sec. 15-318. All night parking prohibited.

No vehicle shall be parked upon any street in the city of Syracuse in the central traffic district between the hours of 12:00 midnight of any day to 7:00 a.m. following.

- (a) *Certain night parking permitted*—Except as otherwise prohibited or restricted by other provisions of this traffic code now or hereafter adopted, the provision of this section shall not be deemed or construed:
 - (1) To prevent parking of vehicles between the hours of 12:00 midnight of any day and 7:00 a.m. following on streets of the city outside the central traffic district on the even-numbered side of a street on nights of even-numbered calendar days; and on the odd-numbered side of a street on nights of odd-numbered calendar days and such limited parking is hereby permitted. For the purpose of this subsection a night shall be deemed even-numbered if that portion thereof prior to midnight was part of an even-numbered day and odd-numbered if that portion thereof prior to midnight was part of an odd-numbered day; or
 - (2) To prevent parking of vehicles for twenty-four (24) hour periods outside the central traffic district on odd or even days of the month starting at 6:00 p.m. respectively when suitable signs are erected so indicating. Those streets and parts of streets as may be periodically designated by regulations of the commissioner and filed with the city clerk are hereby declared to be streets where parking for twenty-four (24) hour periods is permitted. When any street or part of a street is so designated, the commissioner of transportation shall erect proper signs indicating that such parking is allowed.
- (b) *Parking of commercial vehicles in residential areas prohibited.* No motor truck or commercial vehicle shall be parked or left standing unattended in or upon any street in a residential zone of the city as such zones are defined by the Zoning Rules and Regulations of the City of Syracuse approved and

adopted by the common council January 30, 1922, as amended, for any purpose except the expeditious loading or unloading of freight or merchandise, except in case of emergency or when otherwise directed by a police officer, during or between the following hours:

- (1) 6:00 p.m. and 8:00 a.m. Monday through Friday.
- (2) 1:00 p.m. on Saturday to 8:00 a.m. Monday.
- (3) 12:01 a.m. on each holiday until the following day at 8:00 a.m.

(T.C. of 3-3-69, Art. XVI, § 3; Gen. Ord. No. 12-1971)

Sec. 15-319. Parking or standing for certain purposes prohibited.

No person shall leave a vehicle parked or standing upon any roadway for the principal purpose of:

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

(T.C. of 3-3-69, Art. XVI, § 4)

Sec. 15-320. Parking or standing adjacent to schools.

- (a) The commissioner is hereby authorized to erect signs indicating no parking or standing upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
- (b) When official signs are erected indicating no parking or standing upon the side of the street adjacent to any school property no person shall park or leave standing a vehicle in any such designated place.

(T.C. of 3-3-69, Art. XVI, § 5)

Sec. 15-321. Public parks; "No Parking" signs.

A suitable sign shall be posted and maintained at every roadway entrance to every public park in the city indicating that parking is prohibited in the park except during designated hours and in designated spaces.

(T.C. of 3-3-69, Art. XVI, § 6)

Sec. 15-322. Parking or standing prohibited on narrow streets.

- (a) The commissioner is hereby authorized to erect signs indicating no parking or standing upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of the street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.
- (b) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park or leave standing a vehicle upon any such street in violation of any such sign.

(T.C. of 3-3-69, Art. XVI, § 7)

Sec. 15-323. No stopping, standing or parking near hazardous or congested places.

- (a) The commissioner is hereby authorized to determine by regulation and designate by proper signs, places in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

(T.C. of 3-3-69, Art. XVI, § 8)

Sec. 15-324. Vehicles may be parked without lights on certain streets.

Except as otherwise prohibited or restricted by the provisions of this ordinance, a motor vehicle or motorcycle may be parked without lights on any street or part of a street one-half hour after sunset to one-half hour before sunrise.

(T.C. of 3-3-69, Art. XVI, § 9)

Sec. 15-325. Streets cleared of vehicles.

It shall be the duty of all owners of vehicles to remove them from streets which by police order are directed to be cleared at a certain hour for any special purpose. Any vehicle which is not removed by the owner or person in charge thereof before the hour designated for the street to be cleared may be removed by police to a convenient parking place and said removal shall be done at the risk and expense of the owner.

(T.C. of 3-3-69, Art. XVI, § 10)

Sec. 15-326. Removal and impounding of vehicles.

- (a) The department of police of the city of Syracuse is hereby authorized to remove or cause the removal of any vehicle left parked or standing on any street in violation of any provision of the traffic ordinance of the city or rules or regulations adopted pursuant to the provisions thereof.
- (b) When any such vehicle is so removed it shall be transported to a suitable storage space or garage within the city, a record shall be made of the license number of the vehicle, the location at which the vehicle is stored, and the owner thereof shall, with due diligence, be notified by the department of police of the place where said vehicle is located.
- (c) The cost of removal or towing shall not exceed one hundred fifty dollars (\$150.00) when the vehicle is towed between 8:00 a.m. and 5:00 p.m. Monday through Friday, and one hundred seventy-five dollars (\$175.00) when the vehicle is towed between 5:00 p.m. and 8:00 a.m. Monday through Thursday or from 5:00 p.m. on a Friday until 8:00 a.m. on a Monday including storage up to twenty-four (24) hours, and the cost of storage shall not exceed forty dollars (\$40.00) per day or fraction thereof for each day after the said twenty-four (24) hours, and such cost of removal or towing and storage shall be a charge against the owner of such vehicle, including the following fees: flatbed, or four wheel drive vehicle, or dolly fee, twenty-five dollars (\$25.00); winching fee (not to include winching onto a flatbed), fifty dollars (\$50.00) for the first thirty (30) minutes and twenty-five dollars (\$25.00) for each additional fifteen (15) minutes thereafter; and extenuating circumstances pertaining to extra cleanup/oil dry charge forty dollars (\$40.00) per thirty (30) minutes, and vehicle without keys available prior to tow shall have a fee of twenty-five dollars (\$25.00). Before the owner or person in charge of such vehicle shall be entitled to remove the same he shall pay the towing or storage

charges, furnish evidence of his identity and ownership and give a proper receipt thereof. In the event the owner or person in charge of such vehicle has not paid any of the aforementioned fees, the cost of the removal of any vehicle to which a ticket has been affixed pursuant to section 16-54 of the Revised General Ordinances of the city of Syracuse, as amended, shall be sixty dollars (\$60.00) for a normal tow and sixty-five dollars (\$65.00) for a tow which would qualify for any of the additional fees set forth above.

- (d) The owner or keeper of any garage or other storage space where such vehicle shall be stored shall have a lien upon the same for his towing and storage charges at not to exceed the rates above described.
- (e) The removal and storage of such vehicle shall in no way prevent prosecution for the violation of any provision of the traffic ordinance upon which such removal was based.
- (f) Any person engaged in the business of removal or towing of vehicles who removes or tows a vehicle situated on public or private property within the city of Syracuse without the written consent of the registered owner shall notify the chief of police or his designee with the information hereinafter enumerated within sixty (60) minutes from the time control over the vehicle is obtained; i.e., affixes a hook or other equipment onto the vehicle to be towed or physically takes control of the vehicle by any other means. The chief of police or his designee shall be provided with the following:
 - (1) Date, time and location, from where the said vehicle was removed;
 - (2) Make, model, year, color and registration number of the said vehicle;
 - (3) The name and address of the towing company, individual or corporation;
 - (4) The name of the individual operating the tow truck or vehicle;
 - (5) The reason for the towing or removal of said vehicle; and
 - (6) The location where the vehicle can be claimed.

(T.C. of 3-3-69, Art. XVI, § 11; Gen. Ord. No. 8-1971; Gen. Ord. No. 10-1980; Gen. Ord. No. 13-1981, 5-11-81; Gen. Ord. No. 15-1982, 6-14-82; Gen. Ord. No. 18-1987, 4-27-87; Gen. Ord. No. 10-1991, 4-8-91; Gen. Ord. No. 1-2000, 1-24-00; Gen. Ord. No. 38-2003, 12-1-03; Gen. Ord. No. 3-2008, 2-4-08; Gen. Ord. No. 20-2019, 4-22-19)

Sec. 15-327. Parking unlicensed vehicles.

It shall be unlawful to park or stand any unregistered or unlicensed motor vehicle or motorcycle in any street, upon a sidewalk, or between sidewalk and curb, in this city.

(T.C. of 3-3-69, Art. XVI, § 12)

Sec. 15-328. Stopping for loading or unloading only.

Those locations as may be periodically designated by regulation of the commissioner and filed with the city clerk are hereby declared to be loading zones for the purpose of this section. Whenever the commissioner designates a loading zone, he shall designate the limits of such loading zone and the times during which such loading zone shall be used therefor, and the commissioner shall place and maintain suitable signs indicating such loading zones.

(T.C. of 3-3-69, Art. XVI, § 13)

Sec. 15-329. Standing in loading zone.

Provisions of this section shall apply to business persons with noncommercial license plates in possession of a valid loading zone permit issued by the department of public works. Applications for such permit shall be made to the commissioner who shall require such information as is necessary to determine the applicant's eligibility for such a permit. The permit must be conspicuously displayed in the lower right-hand portion of the windshield of the vehicle visible from the outside. Each permit issued will expire one year from the date of issuance. The loading zone permit is twenty-five dollars (\$25.00) per vehicle per year. A maximum of two (2) vehicles per business per year may receive permits. An additional fifteen dollars (\$15.00) fee will be imposed for a lost/damaged permit or if vehicle data should change. The commissioner has the authority to revoke the permit of anyone who abuses or allows to be abused the provisions of this section; and

No person shall stop, stand or park a vehicle for any purpose or length of time, other than for the expeditious unloading and delivery or pick-up and loading of materials by a vehicle with commercial license plates in any place marked as a loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

(T.C. of 3-3-69, Art. XVI, § 14; Gen. Ord. No. 25-1996, 7-1-96; Gen. Ord. No. 42-2014, 10-14-2014)

Sec. 15-330. Stopping, standing or parking in loading, parcel pick-up or handicapped zone.

No person shall stop, stand or park a vehicle for the purpose of conducting any retail business in any location where parking, stopping or standing is prohibited or in any area designated as a loading zone, parcel pick-up zone, or area designated for use by the handicapped.

(T.C. of 3-3-69, Art. XVI, § 14A; Gen. Ord. No. 29-1978, 7-31-78)

Editor's note(s)—The catchline for the above section has been supplied by the editor, no catchline being present in the original.

Sec. 15-331. Designation of bus stops.

The commissioner is hereby authorized to determine by traffic surveys and engineering investigations conditions affecting the operation of buses on city streets, and to designate by regulation, bus stops at locations where such surveys and investigations indicate the need for bus stops for the accommodation of passengers and the proper control of traffic movement. The locations duly designated as bus stops by the commissioner, are hereby declared to be bus stops for the purpose of this traffic code [chapter].

Whenever any such regulation of the commissioner designates a bus stop, it shall be the duty of the commissioner to place and maintain appropriate signs designating the limit of such bus stops.

It shall be unlawful for any bus to stop within an intersection or a crosswalk for the purpose of receiving or discharging passengers.

(T.C. of 3-3-69, Art. XVI, § 15)

Sec. 15-332. Designation of taxicab stands.

Those locations as may be periodically designated by regulation of the commissioner and filed with the city clerk are hereby declared to be taxicab stands for the purpose of this section.

Whenever any regulation of the commissioner designates a taxicab stand, it shall be the duty of the commissioner to place and maintain appropriate signs designating the limits of such stand and the number of taxicabs allowed in the particular stand.

(T.C. of 3-3-69, Art. XVI, § 16)

Sec. 15-333. Parking of buses and taxicabs regulated.

- (a) No driver of a bus which is parked in a private or public parking lot and which is adjacent to property used for residential purposes or which is within four hundred (400) feet of property used for residential purposes shall permit the motor of said bus to run in excess of three (3) minutes while said bus is in a standing-stopped position.
- (b) Excepting in an emergency no driver of a bus shall park or stand a bus on any street at any place other than at a bus stop, and no driver of a taxicab shall park or stand a taxicab at any place other than a taxicab stand, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other standing or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

(T.C. of 3-3-69, Art. XVI, § 17; Gen. Ord. No. 18-1985, 4-15-85)

Sec. 15-334. Restricted use of bus and taxicab stands.

No person shall stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such bus stop or taxicab stand has been officially designated and appropriately signed, except in an emergency or in compliance with directions of a police officer or traffic-control device.

(T.C. of 3-3-69, Art. XVI, § 18)

Sec. 15-335. Taxicab not to be left unattended.

No taxicab shall be parked or allowed to remain in a designated taxicab stand without the driver thereof in attendance.

(T.C. of 3-3-69, Art. XVI, § 19)

Sec. 15-336. Authority to establish no parking at entrances to hotels, theaters, churches, etc.

The commissioner is hereby authorized upon application therefor to erect signs indicating no parking within fifteen (15) feet of either side of the entrances to a hotel, theater, auditorium, church, funeral home or other building where large assemblages of persons are held. When such signs are erected, no person shall stop, stand or park a vehicle within the restricted area except for the expeditious loading and unloading of persons from a passenger vehicle.

(T.C. of 3-3-69, Art. XVI, § 20)

Sec. 15-337. Designation of emergency snow routes; restrictions pertaining thereto.

Those streets described in Schedule IV are hereby designated and declared to be emergency snow routes for the purpose of this section. It shall be unlawful to park or stand a motor vehicle, except for the expeditious loading

or unloading of passengers, upon any portion of an emergency snow route during the period of time the mayor or acting mayor has declared that a snow emergency exists.

(T.C. of 3-3-69, Art. XVI, § 21)

Sec. 15-338. Special parking permits for physically disabled persons.

- A. The commissioner shall issue a special parking permit to any physically disabled person as herein defined:
 - (1) Who holds a valid New York State motor vehicle license and who owns a motor vehicle other than a commercial vehicle; or
 - (2) Who has a need to be driven by another person to a destination in a motor vehicle and who does not hold a valid operator's license whether or not he owns a motor vehicle.
- B. Applications for such special parking permit shall be made to the commissioner on forms prepared and provided by the commissioner who shall require such information as is necessary to determine the applicant's eligibility for such a permit, and shall be accompanied by:
 - (1) A certificate from a licensed physician describing the extent of the applicant's disability; and
 - (2) Payment of a permit fee of one dollar (\$1.00).
- C. Only one special parking permit may be issued to any one eligible applicant. Each permit issued pursuant to this section shall expire on December thirty-first of the year of its issue.
- D. A permit holder shall have the privilege to park during the hours prescribed in areas specifically designated by the commissioner through the use of official control signs marked for parking for disabled persons only.
- E. (1) Pursuant to subsection D., the commissioner is authorized to establish a limited number of specifically designated areas for parking of vehicles displaying the permit authorized in this section in the central business district and other business and commercial areas in the city.
 - (2) Parking in such designated areas by vehicles not displaying such a permit is unlawful and will subject such illegally parked vehicles to being towed away by the police at the owner's expense.
- F. This section shall only be effective to holders who conspicuously display their special parking permit in the lower right-hand portion of the windshield of their vehicle visible from the outside when using the privileges of this section.
- G. The term "physically disabled person" as employed in this section is defined as "any person who has sustained an amputation or material disability or who is disabled in any manner rendering it difficult and burdensome for him to walk".
- H. The granting of a special parking permit pursuant to this section shall be in the discretion of the commissioner of transportation, and the commissioner has the authority to revoke the permit of anyone who abuses or allows to be abused the provisions of this section.

(T.C. of 3-3-69, Art. XVI, § 22)

Sec. 15-339. Reserved.

Editor's note(s)—Ord. No. 43-2018, adopted October 22, 2018, repealed § 15-339, which pertained to designation of mobile vendor standards. See Code Comparative Table for complete derivation.

Sec. 15-340. Reserved.

Editor's note(s)—Ord. No. 43-2018, adopted October 22, 2018, repealed § 15-340, which pertained to mobile vendor stands within special assessment district. See Code Comparative Table for complete derivation.

Sec. 15-341. Reserved.

Editor's note(s)—Ord. No. 43-2018, adopted October 22, 2018, repealed § 15-341, which pertained to mobile vendor stands outside the special assessment district. See Code Comparative Table for complete derivation.

Sec. 15-342. Designation of places for law enforcement vehicles only.

The commissioner, in conjunction with the chief of police, is hereby authorized to determine by regulation and designate by proper signs places in which the stopping, standing or parking of vehicles is prohibited except for vehicles of the Syracuse Police Department or Onondaga County Sheriff's Department.

(Ord. No. 30-1988, 5-31-88)

Secs. 15-343—15-360. Reserved.

***ARTICLE XVII. STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED
ON CERTAIN STREETS***

Sec. 15-361. Application of article.

The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

(T.C. of 3-3-69, Art. XVII, § 1)

Sec. 15-362. Regulations not exclusive.

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

(T.C. of 3-3-69, Art. XVII, § 2)

Sec. 15-363. Parking prohibited at all times on certain streets.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets as may be periodically designated by regulation of the commissioner and filed with the city clerk.

(T.C. of 3-3-69, Art. XVII, § 3)

Sec. 15-364. Stopping, standing or parking prohibited during certain hours on certain streets.

When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle between the hours specified as may be periodically designated by regulation of the commissioner and filed with the city clerk.

(T.C. of 3-3-69, Art. XVII, § 4)

Sec. 15-365. Limited parking.

When signs are erected giving notice thereof, no person shall park a vehicle within the district or upon any of the streets, except in accordance with the restrictions on such signs and pursuant to the regulations adopted by the commissioner and filed with the city clerk.

(T.C. of 3-3-69, Art. XVII, § 5)

Sec. 15-366. Parking signs required.

Whenever by this ordinance [chapter], or any ordinance of this city, or any regulation of the commissioner filed with the city clerk, any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the commissioner of transportation to erect appropriate signs giving notice thereof, and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense. Such signs shall be posted not more than three hundred (300) feet apart in any block and at least one sign shall be posted in each block on the side or sides of the street where parking is prohibited.

(T.C. of 3-3-69, Art. XVII, § 6)

Secs. 15-367—15-380. Reserved.***ARTICLE XVIII. PARKING METERS*****Sec. 15-381. Parking meter zones.**

Those streets and parts of streets as may be periodically designated by regulation of the commissioner and filed with the city clerk are hereby established as parking meter zones, and in said zones and such other parking meter zones as may hereafter be created by ordinance of the city of Syracuse or regulation of the commissioner, there shall be installed parking meters in accordance with the provisions of law.

(T.C. of 3-3-69, Art. XVIII, § 1)

Sec. 15-382. Responsibility for meters; specifications; time limits.

The commissioner shall have charge of the installation, regulation, control, operation, maintenance and use of the parking meters provided for herein and shall maintain said meters in good workable condition. There shall be displayed on each parking meter or on the post supporting the meter, in a prominent place, a legend stating the parking time limit established for the particular zone in which the meter is located, the coin or coins to be deposited in the meter to cause its operation during the total time limit or prescribed fractions thereof, and the hours during which the parking time limit is enforceable. Each meter shall be equipped with a device which shall show the time allowed upon deposit of a legal coin or coins and shall by its device clearly set out its continued

operations from the time of depositing such coin or coins until the expiration of the lawful time established. Each meter shall be also so arranged that upon expiration of said parking limit it will indicate by a mechanical operation and the display of a proper visible signal that the lawful parking period has expired and in such cases the right to such vehicle to occupy such space shall cease and the driver, operator, owner, possessor or manager thereof shall be subject to penalty.

Parking meters shall be operated in parking meter zones during the prescribed hours every day except Sundays and holidays; provided, however, that with the meaning of this ordinance, the term "holiday" shall include the following days only: The first day of January, known as New Year's Day; the third Monday in January, known as the birthday of Martin Luther King, Jr.; the third Monday in February known as Washington's Birthday; the last Monday in May, known as Memorial Day; the fourth day in July, known as Independence Day; the first Monday of September, known as Labor Day; the second Monday in October, known as Columbus Day; the eleventh day of November, known as Veterans Day; the fourth Thursday in November, known as Thanksgiving Day; and the twenty-fifth day of December, known as Christmas Day; or any other day proclaimed a meter holiday by the Mayor. When any of the aforementioned holidays fall on a weekend day and are observed as official holidays by the City of Syracuse on the following Monday, those Mondays on which the holiday is observed shall also be parking meter holidays and parkers shall not be required to pay the meter. Notwithstanding any provision to the contrary within the Traffic Code of the City of Syracuse, parking meters should not be operated in parking meter zones on Saturdays commencing at 11:00 a.m. from May 3, 1975 through August 30, 1975 on the following streets:

Clinton St. from Adams St. to Herald Place.

Salina St. from Adams St. to Herald Place.

Warren St. from Adams St. to Willow St.

(T.C. of 3-3-69, Art. XVIII, § 3; Gen. Ord. No. 48-1972; Gen. Ord. No. 17-1975, 4-21-75; Gen. Ord. No. 3-1996, 1-22-96; Gen. Ord. No. 9-2017, 4-10-17)

Sec. 15-383. Operation of parking meters.

When any vehicle shall be parked or left standing in any parking space alongside or next to which a parking meter is located, upon entering such space, the driver shall immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required and designated by proper directions on the meter, and when required by said directions, after depositing proper coin, shall also set in operation the timing mechanism of such meter; and failure to deposit such proper coin and to set the timing mechanism in operation, when required, shall constitute a traffic infraction. Upon the deposit of such coin and the setting of timing mechanism in operation when so required, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed, provided that any person placing a vehicle in a parking meter space adjacent to a meter⁵ by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of said space does not exceed the indicated unused parking time. If such vehicle shall remain parked or left standing in any parking space beyond the time limit set for such parking space and if the meter shall indicate such illegal parking, then in that event such vehicles shall be considered as parking or standing overtime and beyond the period of legal parking or standing time and such parking or standing shall be deemed a traffic infraction. It shall be unlawful and a traffic infraction for any person to keep, allow, permit or suffer any such vehicle registered in his name to be parked or left standing overtime or beyond the lawful period of time set for such space. It shall be unlawful and a traffic infraction for any person to leave a vehicle parked or permit it to remain parked or standing in any space alongside of or next to which any parking meter is placed while said meter is displaying a signal showing that such

⁵Editor's note(s)—Apparently the phrase "in which a proper coin was deposited," or words of similar import, should be inserted.

vehicle shall have already been parked beyond the period of time prescribed for such space. Vehicles parked or left standing in any parking meter zone shall be parked or standing, with the front bumper of such vehicle alongside or next to the parking meter.

It shall be unlawful and a traffic infraction for any person, to keep, allow or permit any vehicle registered in his name to be parked or left standing in any parking space alongside or next to which a parking meter is located for the purpose of conducting any retail business from any such vehicle, except as permitted in section 23 and 24, Article XVI, herein [sections 15-339 and 15-340 hereof].

(T.C. of 3-3-69, Art. XVIII, § 3, Gen. Ord. No. 29-1978, 7-31-78)

Sec. 15-384. No extending of parking or standing time.

It shall be unlawful and a traffic infraction for any person to deposit or cause to be deposited in a parking meter a coin with the purpose of extending parking or standing for a vehicle occupying a metered parking space beyond the maximum legal time designated for parking or standing, except as permitted in section 23, article XVI herein [sections 15-339 hereof].

(T.C. of 3-3-69, Art. XVIII, § 4; Gen. Ord. No. 29-1978, 7-31-78)

Sec. 15-385. No deposit of slugs, etc.

No person shall deposit or cause to be deposited in a parking meter any slug device or metal substitute for a lawful coin of the United States, and no person shall deface, injure, tamper with, open or wilfully break, destroy or impair the usefulness of any parking meter installed under the terms of this ordinance. Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be subject to a fine not to exceed one hundred dollars (\$100.00) or imprisonment not to exceed thirty (30) days, or both such fine and imprisonment.

(T.C. of 3-3-69, Art. XVIII, § 5)

Sec. 15-386. Collection.

The commissioner shall assign or cause to be assigned a competent person, persons or collection agency to make regular collection from all city parking meters. The person or persons making such collections shall, upon completing the collections for the scheduled run for that particular day, deposit the receipts in a specified bank under the supervision of a designated employee from the department of finance. The bank is to furnish such employee with a deposit slip, to be returned to the commissioner of finance, who shall then establish from the monies derived from said parking meters such fund or fund as convenience or necessity may require.

(T.C. of 3-3-69, Art. XVIII, § 6)

Sec. 15-387. Reservation of powers.

Nothing in this article shall be construed as prohibiting the city of Syracuse from providing bus stops, taxicab stands and other areas of a similar nature including the loading or unloading of trucks, vans or other commercial vehicles.

(T.C. of 3-3-69, Art. XVIII, § 7)

Sec. 15-388. Presumptive evidence.

It shall be presumptive evidence that any vehicle found parked or standing next to a meter showing that the parking time has expired has been illegally parked or left standing overtime, and the indication of said meter shall be presumptive evidence that the meter is in good working order and the expired time shall be presumed to be as indicated.

(T.C. of 3-3-69, Art. XVIII, § 8)

Sec. 15-389. Parking meter charge—One hour.

Notwithstanding any ordinance, rule or regulation heretofore adopted, effective September 1, 2019, the parking meter rate relative to one hour parking shall be increased from one dollar and twenty-five cents (\$1.25) to two dollars (\$2.00), with a minimum purchase of twenty-five cents (\$.25).

(Gen. Ord. No. 18-1995, 6-5-95; Gen. Ord. No. 18-2009, 5-11-09; Gen. Ord. No. 32-2019, 6-17-19)

Secs. 15-390—15-400. Reserved.***ARTICLE XIX. CONVICTIONS AND PENALTIES; DIRECTORY PROVISIONS*****Sec. 15-401. Speeding violations.**

The violation of any of the provisions of sections 2, 3 or 4 of Article VI of this ordinance [sections 15-117, 15-118, 15-199 hereof] shall be punishable by a fine not exceeding one hundred dollars (\$100.00) or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment for a conviction of a first offense; by a fine of not more than two hundred dollars (\$200.00) or by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment for conviction of a second offense committed within a period of eighteen (18) months; by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding one hundred eighty (180) days or by both such fine and imprisonment for conviction of a third or subsequent offense committed within a period of eighteen (18) months.

(T.C. of 3-3-69, Art. XIX, § 1)

Sec. 15-402. Other violations.

Any person violating any other provision of this ordinance may upon conviction be punishable for a first offense by a fine not exceeding fifty dollars (\$50.00) or by imprisonment not exceeding fifteen (15) days or by both such fine and imprisonment; and by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for not more than forty-five (45) days or by both such fine and imprisonment for a conviction of a second offense committed within an eighteen (18) month period; a third or any subsequent offense committed within an eighteen (18) month period may be punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment.

(T.C. of 3-3-69, Art. XIX, § 2)

Sec. 15-403. Suspension of operator's license.

In addition to such penalties, the operator's license of a person convicted of violating any of the provisions of this ordinance may in the discretion of a judge of city court be suspended, pursuant to section 510 of the New York Vehicle and Traffic Law.

(T.C. of 3-3-69, Art. XIX, § 3)

Sec. 15-404. General repealer.

General Ordinance adopted February 14, 1949, known as the Traffic Ordinance, as amended is hereby superseded and repealed.

This ordinance shall also supersede and take precedence over all city ordinances repugnant to or inconsistent herewith. Any reference herein to this ordinance shall be deemed to include schedules referred to in the ordinances and adopted as a part thereof and regulations duly promulgated in accordance therewith. Nothing herein, however, shall be construed as repealing or superseding ordinances adopted September 11, 1944, relative to reckless driving, driving while intoxicated, leaving the scene of an accident or amendments thereof.

(T.C. of 3-3-69, Art. XIX, § 4)

Sec. 15-405. Severability.

If any subdivision, section, article or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid and unconstitutional such judgment or decision shall not affect, annul, repeal, impair or invalidate the remainder thereof but shall be confined in its operation to the subdivision, section or article or part thereof directly involved in the controversy or proceeding in which such judgment shall have been rendered.

(T.C. of 3-3-69, Art. XIX, § 5)

Sec. 15-406. Effective date.

This ordinance [chapter] shall take effect immediately.

(T.C. of 3-3-69, Art. XIX, § 6)

Secs. 15-407—15-415. Reserved.***ARTICLE XX. PARKING REGULATIONS SUPERSEDED*****Sec. 15-416. Generally.**

Notwithstanding any provision contained, vehicles shall be permitted to park upon any street within the special assessment district of the city of Syracuse, as defined by Chapter 38 of the Revised General Ordinances of the City of Syracuse, as amended, irrespective of signage prohibiting the same, except at fire hydrants, crosswalks, bus stops, areas designated "No Parking Here to Corner," and areas designated "Reserved for Handicapped," between the hours of 6:00 p.m. of any day to 2:00 a.m. the following day. This ordinance to take effect immediately.

(T.C. of 3-3-69, Art. XX, § 1; Gen. Ord. No. 46-1977; Gen. Ord. No. 14-1979)

Editor's note(s)—The catchline for the above section has been supplied by the editor, no catchline being present in the original.

ARTICLE XXI. AMNESTY PROGRAM

Sec. 15-417. Program instituted.

The commissioner of finance is hereby authorized to institute an amnesty program upon the following conditions:

- (a) *Term.* The period of amnesty will commence on November 18, 1996 and terminate on December 17, 1996.
- (b) *Qualifications.* All outstanding unpaid traffic parking ticket(s) issued by the Syracuse Police Department prior to November 18, 1996 may be paid during the amnesty period to obtain the penalty forgiveness.
- (c) *Amnesty payment.* The amnesty payment required in order to qualify for the amnesty program shall be equal to the unpaid outstanding parking tickets issued prior to October 1, 1996 and payment of the related New York surcharge(s) thereto.
- (d) *Penalties forgiven.* The commissioner of finance is authorized to accept the amnesty payment and discharge the outstanding unpaid parking ticket(s) covered by the amnesty payment without payment penalties.
- (e) *Place of payment.* The amnesty payment may be made at the Syracuse Parking Violations Bureau, Public Safety Building, Syracuse, New York or any other location designated by the commissioner of finance.
- (f) *Condition.* The amnesty program is conditioned upon the approval of the chief judge of city court of Syracuse who will issue the required order of city court.

(Gen. Ord. No. 41-1996, § 1, 10-15-96)

ARTICLE XXII. AMNESTY PROGRAM 2003

Sec. 15-418. Program instituted.

The commissioner of finance is hereby authorized to institute an amnesty program upon the following conditions:

- A. *Term.* The period of amnesty will commence on March 3, 2003 and terminate on March 14, 2003.
- B. *Qualifications.* All outstanding unpaid traffic parking ticket's issued by the Syracuse police department prior to January 1, 2003 may be paid during the amnesty period to obtain the penalty forgiveness.
- C. *Amnesty payment.* The amnesty payment required in order to qualify for the amnesty program shall be equal to the unpaid outstanding parking tickets issued prior to January 1, 2003 and payment of the related New York surcharge's thereto.

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- D. *Penalties forgiven.* The commissioner of finance is authorized to accept the amnesty payment and discharge the outstanding unpaid parking ticket's covered by the amnesty payment without payment of penalties.
 - E. *Place of payment.* The Amnesty payment may be made at the Syracuse Parking Violations Bureau, Public Safety Building, Syracuse, New York, or any other location designated by the commissioner of finance.
 - F. *Condition.* The Amnesty Program is conditioned upon the approval of the chief judge of city court of Syracuse who will issue the required order of city court.

(Gen. Ord. No. 5-2003, § 1, 2-3-03)

ARTICLE XXIII. AMNESTY PROGRAM—2020

Sec. 15-419. Program instituted.

The commissioner of finance is hereby authorized to institute an amnesty program upon the following conditions:

- (a) *Term.* The period of amnesty will commence on September 8, 2020 and terminate on September 25, 2020. Amnesty requests must be received during the period of amnesty to be considered for inclusion in the Amnesty Program.
- (b) *Qualifications.* All outstanding unpaid traffic parking tickets issued by any public servant, police officer or member of the police department prior to September 8, 2020 for which a civil judgment has not been entered nor which have been included in a bankruptcy proceeding may be paid during the amnesty period to obtain penalty forgiveness. Parking tickets for which civil judgment has been entered may be considered for eligibility under the Amnesty Program at the discretion of the commissioner of finance.
- (c) *Amnesty payment.* The amnesty payment required in order to qualify for the amnesty program shall be equal to the unpaid outstanding parking tickets issued prior to September 8, 2020 and payment of the related New York surcharges thereto.
- (d) *Penalties forgiven.* The commissioner of finance is authorized to accept the amnesty payment and discharge the outstanding unpaid parking tickets covered by the amnesty payment without payment of penalties.
- (e) *Method of payment.* The amnesty payment may be made at the drop box on the Market Street side of City Hall, by mail, by phone, or online, as designated by the commissioner of finance.
- (f) *Condition.* The Amnesty Program is conditioned upon the approval of the chief judge of the city court of Syracuse who will issue any necessary order of city court to the extent necessary for any outstanding parking tickets that pre-date the establishment of the Syracuse Parking Violations.

(Gen. Ord. No. 29-2020, 8-24-20)

ARTICLE XXIV. PROHIBITION OF OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF SYRACUSE

Sec. 15-420. Legislative findings, intent and purpose.

The mayor and the common council of the city of Syracuse find that despite the clear prohibition in Section 2403 of Article 48-c of the New York State Vehicle and Traffic Law "Rules for Operation of All Terrain Vehicles," the number of incidents involving the illegal operation of ATVs and dirt bikes in the city of Syracuse and across New York State have steadily increased. The operation of illegal, unregistered dirt bikes, ATVs, and other non-street legal vehicles on the streets and parks in the city of Syracuse impact the public safety and quality of life of those who live and work in the city of Syracuse. These off-road vehicles pose a danger to the drivers and passengers of the legal vehicles operating on city streets, the public at large, and the patrons of city parks. Furthermore, the excessive noise created by the operation of these vehicles, which are not designed for use within city limits, often occurs late at night, disturbing the peace and quiet of city neighborhoods.

The purpose of this legislation is to strengthen the ability of the Syracuse Police Department to ensure public safety and the general welfare of the city of Syracuse and its citizens by providing a local law to deter the illegal operation of off-road vehicles in the city of Syracuse and in city parks by imposing a fine or imprisonment, impoundment of the off-road vehicle being operated illegally, and allowing for a redemption fee to be charged by the Syracuse Police Department in addition to the separate fees to be paid to the towing company who stores the impounded vehicle for the Syracuse Police Department.

(L.L. No. 3-2021, § 1, 7-12-21)

Sec. 15-421. Definitions.

For purposes of this article, the following terms shall be defined as follows:

Off-road vehicles: All-terrain vehicles (sometimes referred to as ATVs) as that term is defined in Section 2281(1) of the New York State Vehicle and Traffic Law; Off-highway motorcycles as that term is defined in Section 125-a of the New York State Vehicle and Traffic Law; Motocross or dirt bikes; dune buggies; go-carts; and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles.

Operate: To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle in any manner, whether or not said off-road vehicle is under way.

Operator: Every person who operates or is in actual physical control of an off-road vehicle.

Public highway: Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

(L.L. No. 3-2021, § 1, 7-12-21)

Sec. 15-422. Restrictions.

- (a) *Public property.* No person shall operate an off-road vehicle on a public highway or on any public property in the city of Syracuse. Use of off-road vehicles is also prohibited in all city parks pursuant to section 17-21A of chapter 17 of the Revised General Ordinances of the city of Syracuse, as amended.
- (b) *Private property.* No person shall operate an off-road vehicle off a public highway on private property in the city of Syracuse unless such person has first obtained the express consent of the owner or occupant of such property to operate the off-road vehicle on the property. There shall be a rebuttable presumption that the operator of an off-road vehicle on private property in the city of Syracuse lacks consent to operate the off-road vehicle on private property.

(L.L. No. 3-2021, § 1, 7-12-21)

Sec. 15-423. Penalties for offenses, impoundment and redemption.

- (a) The first time any person is found to be operating an off-road vehicle in violation of the provisions of section 15-422(a) or (b) of this article or in violation of section 17-21A of the Revised General Ordinances of the city of Syracuse, as amended, it shall be punishable as a violation with a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed fifteen (15) days or both. The second time any person is found to be operating an off-road vehicle in violation of the provisions of section 15-422(a) or (b) of this article or section 17-21A of the Revised General Ordinances of the city of Syracuse, as amended, it shall be punishable as a violation with a fine not to exceed seven hundred fifty dollars (\$750.00) or imprisonment not to exceed fifteen (15) days or both. For the third and all subsequent violations of the provisions of section 15-422(a) or (b) or section 17-21A of the Revised General Ordinances of the city of Syracuse, as amended, the person shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment not to exceed one year or both.
- (b) Any violation of the provisions of section 15-422(a) or (b) of this article or of section 17-21A of chapter 17 of the Revised General Ordinances of the city of Syracuse, as amended, shall apply towards the escalation of penalties for any future violations of either this article or section 17-21A.
- (c) In addition to the penalties set forth in subsection (a) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of section 15-422(a) or (b) of this article or of section 17-21A of chapter 17 of the Revised General Ordinances of the city of Syracuse, as amended. The city of Syracuse utilizes various towing companies to assist with the towing and storage of vehicles seized and impounded by the Syracuse Police Department. Off-road vehicles impounded pursuant to this subsection shall be stored at the towing company assigned by the Syracuse Police Department, pending the identification of the owner of such off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent a notice of impoundment at the address on file with the New York State Department of Motor Vehicles by certified mail within five (5) days after the impoundment. Neither the police department impounding such off-road vehicle, nor the city of Syracuse, nor any agent nor any employee thereof, shall be liable for any damages arising out of the provision of an erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of section 15-422(a) or (b) of this article or of section 17-21A of chapter 17 of the Revised General Ordinances of the city of Syracuse, as amended may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of two thousand dollars (\$2,000.00). Satisfactory proof of ownership shall be consistent with the documentation that is required by the New York State Department of Motor Vehicles to register the off-road vehicle. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney.

(L.L. No. 3-2021, § 1, 7-12-21)

Sec. 15-424. Enforcement.

The chief of police is charged with the enforcement of the provisions of this article.

(L.L. No. 3-2021, § 1, 7-12-21)

Sec. 15-425. Severability.

If any clause, sentence, paragraph or part of this article or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons or circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons or circumstances directly involved in the controversy in which the judgment shall be rendered.

(L.L. No. 3-2021, § 1, 7-12-21)

TRAFFIC SCHEDULES

SCHEDULE I: SPEED LIMITS

20 miles per hour:

South Salina Street: Onondaga Street to Water Street.

25 miles per hour:

East Genesee Street: 250 feet more or less west of old Kimber Road to 250 feet more or less east of Sunnyside Road. (8:00 a.m. to 4:00 p.m. school days only.)

Jamesville Avenue: East Colvin Street to Comstock Avenue.

Robinson Street: Teall Avenue to Henninger School parking lot.

Salt Springs Road: Bruce Street to Demong Drive.

Seneca Turnpike, West: Smith Street to city line, westbound only.

35 miles per hour:

Hiawatha Boulevard, West: North Salina Street to Erie Boulevard, West.

James Street: Lodi Street to Grant Boulevard.

On the southbound roadway of West Street between the center of the bridge over West Genesee Street and Shonnard Street, a distance of 0.8 miles.

40 miles per hour:

Bear Street: Spencer Street to Clinton Street.

Erie Boulevard, East: Teall Avenue to city line at Thompson Road (North and South Drive).

60 miles per hour

On Interstate Route 690—On the eastbound roadway one hundred (100) feet, plus or minus, west of Lodi Street Bridge to Midler Avenue Bridge.

—On the westbound roadway from Midler Avenue Bridge to six hundred (600), plus or minus, feet east of Lodi Street.

(T.C. of 3-3-69, Sch. I; Ord. of 5-12-69; Ord. of 6-9-69; Ord. of 9-2-69; Gen. Ord. No. 15-1974; Gen. Ord. No. 7-2002, 2-25-02)

Part M - MISCELLANEOUS
Chapter 15 - TRAFFIC CODE
- TRAFFIC SCHEDULES
SCHEDULE II: ONE-WAY AND TWO-WAY STREETS

SCHEDULE II: ONE-WAY AND TWO-WAY STREETS

The following streets, avenues and boulevards are hereby designated one-way streets:

Adams Street: W. Onondaga to Walnut Avenue, eastbound.

Audubon Parkway: A street divided by a median one-way northbound from the median crossover between 630 Audubon Parkway and 623 Audubon Parkway to 500 Fayette Boulevard and one-way southbound on the even-numbered side from 600 Audubon Parkway to the median crossover at 630 Audubon Parkway and two-way traffic with southbound traffic on the even-numbered side of Audubon Parkway to Salt Springs Road and northbound traffic on the even-numbered side of Audubon Parkway from Salt Springs Road to the median crossover at 630 Audubon Parkway with all northbound traffic proceeding through the median crossover at 630 Audubon Parkway to the northbound lane on the odd-numbered side of Audubon Parkway.

Bank Street: East Jefferson Street to East Washington Street, northbound.

Briggs Street (100 block): Wadsworth Street to Butternut Street, westbound.

Bryant Avenue: Wilbut Avenue to Avery Avenue, westbound.

Burnet Avenue: North State Street to North Townsend Street, eastbound.

Cannon Street: West Colvin Street to West Newell Street, southbound.

Cedar Street: State Street to Montgomery Street, westbound.

Clinton Street: 181 off-ramp to Tallman Street, southbound.

Coleridge Avenue (100 block): South Wilbur Avenue to South Lowell Avenue, westbound.

College Pl.: University Place to Euclid Avenue, southbound.

Commonwealth Avenue: Carbon Street to Washington Square, southbound.

Comstock Avenue: Euclid Avenue to Harrison Street, northbound.

Court Terrace: Danforth Street to Court Street, westbound.

East Adams Street: Walnut Avenue to Ostrom Avenue, eastbound.

East Genesee Street: Forman Avenue to Almond Street, westbound.

East Genesee Street: S. State Street to Montgomery Street.

East Jefferson Street: S. State Street to Montgomery Street, eastbound.

East Jefferson Street: Almond Street to Forman Avenue, eastbound.

East Onondaga Street: S. Salina to Warren Street, eastbound.

East Onondaga Street: State Street to Warren Street, westbound.

Euclid Avenue: College Place to Comstock Avenue, eastbound.

Gebhart Avenue: E. Division Street to Catawba Street, northbound.

Genant Street: Bear Street to Franklin Street, southbound.

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Genant Drive: Court Street to N. Franklin Street, southbound.

Harrison Street: S. Salina Street to Almond, westbound.

Isabella Street: Lodi Street to N. Salina Street, westbound.

Kirkpatrick Street: N. Salina Street to N. State Street, westbound.

Kirkwood Place: W. Colvin Street to W. Beard Avenue, southbound.

Lacy Place: Washington Square to Carbon Street, northbound.

Lemoyne Avenue: Around Washington Square, northbound.

Lock Alley: Catawba Street to W. Division Street, southbound.

Lombard Avenue: Columbus Avenue to Cherry Street, westbound.

Madison Street: State Street to S. Warren Street, eastbound.

Market Street: E. Washington Street to E. Water Street, northbound.

Marnell Avenue: N. Franklin Street to Clinton Street, eastbound.

Marshall Street: S. Crouse Avenue to Walnut Avenue, eastbound.

McCormick Avenue: W. Street Service Road to Granger Street, eastbound.

Mechanic Street: Franklin Street to Wallace Street, westbound.

Michael Avenue: Kirkpatrick Street to Court Street, westbound.

Montgomery Street: Adams Street to Madison Street, southbound.

Montgomery Street: Erie Boulevard East to E. Jefferson Street, southbound.

Neutral Court; May Street to Pond Street, northbound.

North Geddes Street: Van Rensselaer Street to point 250 feet more or less, north of Pulawski Street.

North McBride Street: Lodi Street to Butternut Street, southbound.

Old Hiawatha Blvd: Solar Street to Genant Street, eastbound.

Park Street: Around Washington Square.

Sand Street: W. Belden Avenue to W. Genesee Street, southbound.

Seymour Street: S. Geddes Street to W. Onondaga Street, eastbound.

Shonnard Street: S. Geddes Street to W. Onondaga Street, eastbound.

South Crouse Avenue: University Place to E. Genesee Street, northbound.

South Warren Street: 600 block, between Harrison Street and East Adams Street, one-way northbound except for a designated southbound bus-only lane which will be properly marked as such by the department of public works and such southbound bus-only lane shall in no event be available for use by passenger cars, taxicabs or other motor vehicles under the terms of section 15-157 of the traffic code.

Steuben Street: Kirkpatrick Street to Pond Street, southbound.

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SCHEDULE II: ONE-WAY AND TWO-WAY STREETS

Strand Place, 100 block: Starting at the Mary Street intersection and exiting on Park Street.

Tennyson Avenue: Avery to Wilbur Avenue, eastbound.

Townsend Place: Ash Street to Butternut Street, southbound.

Union Avenue: Starting 100 feet from the Union and Townsend Street intersection heading towards Union and Prospect Avenue and flowing south on Prospect to Hickory and Prospect Avenue intersection.

Union Place: N. State Street to N. Salina Street, eastbound.

University Place: Comstock Avenue to College Place, westbound.

Walnut Avenue: University Place to Erie Boulevard East, northbound.

Walnut Place: Harrison Street to University Place, southbound.

Warren Street: S. Salina Street to E. Willow Street, northbound.

Water Street: S. Clinton Street to S. Warren Street, eastbound.

West Colvin Street: S. Salina Street to South Avenue, westbound.

West Water Street: S. Clinton Street to S. Franklin Street, westbound.

Whittier Avenue: Coleridge Avenue to Wilbur Avenue, eastbound.

One-Way Streets—As determined by the Commissioner of Transportation. The commissioner of transportation shall determine the direction of traffic, the days of the week and hours of the day of one-way traffic on the following streets:

Jamesville Avenue between Ainsley Drive and the city line.

Two-way streets. The following streets, avenues and boulevards are hereby designated two-way streets:

The traffic pattern for Walnut Avenue will be converted from one-way traffic operation to two-way traffic operation between Erie Boulevard East and Harrison Street.

The direction of vehicular traffic on the 500 block of South Warren Street between Harrison Street and East Onondaga Street (one block) is hereby changed from a one-way street to a two-way street traffic pattern.

(T.C. of 3-3-69, Sch. II; Ord. of 5-26-69; Gen. Ord. No. 16-1971; Gen. Ord. No. 26-1971; Gen. Ord. No. 53-1972; Gen. Ord. No. 37-1973; Gen. Ord. No. 43-1975; Gen. Ord. No. 30-1976; Gen. Ord. No. 22-1977; Gen. Ord. No. 13-1979; Gen. Ord. No. 20-1979; Gen. Ord. No. 41-1979; Gen. Ord. No. 58-1979; Gen. Ord. No. 30-1980, 8-18-80; Gen. Ord. No. 37-1981, 10-13-81; Ord. No. 38-1988, 10-3-88; Gen. Ord. No. 52-1989, 9-18-89; Gen. Ord. No. 27-1992, 7-27-92; Gen. Ord. No. 33-1992, 10-19-92; Gen. Ord. No. 20-1996, 6-3-96; Gen. Ord. No. 21-1996, 6-3-96; Gen. Ord. No. 36-1996, 9-3-96; Gen. Ord. No. 39-1998, 12-21-98; Gen. Ord. No. 20-2000, 6-19-00; Gen. Ord. No. 45-2000, 10-23-00; Gen. Ord. No. 32-2003, 9-22-03; Gen. Ord. No. 6-2005, § 1, 1-24-05; Gen. Ord. No. 18-2007, § 1, 5-7-07; Gen. Ord. No. 37-2007, 9-24-07; Gen. Ord. No. 33-2009, 11-23-09; Gen. Ord. No. 6-2010, 2-8-10; Gen. Ord. No. 19-2010, 6-7-10; Gen. Ord. No. 16-2013, 4-29-13; Gen. Ord. No. 35-2015, 9-14-2015)

SCHEDULE III: THROUGH STREETS

Adams Street, East: Salina Street to Walnut Avenue.

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SCHEDULE III: THROUGH STREETS

Avery Avenue: Milton Avenue to Velasko Road.

Ballantyne Road: Valley Drive to S. Salina Street.

Bear Street: Grant Boulevard to Spencer Street.

Beech Street: Erie Boulevard to Westcott Street.

Bellevue Avenue: City line to Midland Avenue.

Brighton Avenue, E. and W.: South Avenue to city line.

Broad Street: Lancaster Avenue to Nottingham Road.

Buckingham Avenue: Colvin Street to Meadowbrook Road.

Burnet Avenue: State Street to Thompson Road.

Burns Avenue: Burnet Avenue to Sunnycrest Road.

Butternut Street: N. Franklin Street to Hillside Street.

Castle Street, E.: S. Salina Street to Renwick Avenue.

Collect Pl.: University Pl. to Euclid Avenue.

Comstock Avenue: Harrison Street to Thurber Street.

Colvin Street: Strathmore Drive to city line.

Court Street: N. Salina Street to city line.

Crouse Avenue, S.: University Pl. to Erie Boulevard E.

Darlington Avenue: Grant Boulevard to city line.

Delaware Street: S. Wilbur Avenue to W. Onondaga Street.

Dorwin Avenue: Valley Drive to S. Salina Street.

Elmhurst Avenue: South Avenue to Onondaga Creek Boulevard.

Erie Boulevard, E. and W.: City line to city line.

Euclid Avenue: College Pl. to Kimber Road.

Fayette, E. and W.: W. Genesee Street to Glenwood Avenue.

Geddes, N. and S.: Bear Street to Glenwood Avenue.

Genesee Street, E. and W.: City line to city line.

Glenwood Avenue: South Avenue to Bellevue Avenue.

Grand Avenue: Velasko Road to S. Geddes Street.

Grant Boulevard: Hiawatha Boulevard to James Street.

Harrison Street: S. Salina Street to Walnut Avenue.

Hiawatha Boulevard, E. and W.: Erie Boulevard W. to Seventh North Street.

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Hillside Street: Butternut Street to Darlington Road.

James Street: Salina Street to city line.

Jefferson Street: Armory to S. State Street.

Kirkpatrick Street: N. Geddes Street to N. Salina Street.

Lemoyne Avenue: Stedman Street to city line.

Lodi Street: Burnet Avenue to Hiawatha Boulevard.

McClure Street: S. Salina Street to S. State Street.

Meadowbrook Drive: Buckingham Avenue to E. Genesee Street.

Midland Avenue: W. Onondaga Street to Seneca Tpk.

Midler Avenue: Erie Boulevard E. to city line.

Milton Avenue: Avery Avenue to Tompkins Road.

Montgomery Street: Erie Boulevard E. to E. Adams Street.

Newell Street, W.: Valley Drive to S. Salina Street.

Nottingham Road: City line to Meadowbrook Drive.

Oak Street: Lodi Street to Grant Boulevard.

Onondaga Avenue: South Avenue to W. Onondaga Street.

Onondaga Creek Boulevard: Cherry Street to Altantic Avenue.

Onondaga Street, W.: S. Salina Street to city line.

Park Avenue: S. Geddes Street to West Street.

Park Street: Oak Street to E. Hiawatha Boulevard.

Peat Street: Burnet Avenue to E. Genesee Street.

Plymouth Drive: James Street to Burnet Avenue.

Salina Street, N. and S.: I-81 to city line.

Salt Springs Road: E. Genesee Street to Springfield Road.

Seeley Road: Salt Springs Road to Erie Boulevard.

Seneca Tpk., E. and W.: City line to city line.

Seventh North Street: City line to Court Street.

Seymour Street: S. Wilbur Avenue to W. Onondaga Street.

Shonnard Street: S. Wilbur Avenue to W. Onondaga Street.

Shotwell Park: James Street to Sunnycrest Road.

Spencer Street: Hiawatha Boulevard to N. State Street.

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State Fair Boulevard: W. Hiawatha Boulevard to W. Genesee Street.

State Street, N. and S.: Lodi Street to E. Brighton Avenue.

Stedman Street: Grant Boulevard to Seventh North Street.

Strathmore Drive: Glenwood Avenue to Colvin Street.

Sunnycrest Avenue: Shotwell Park to Burns Avenue.

Tallman Avenue: W. Onondaga Street to Salina Street.

Teall Avenue: E. Genesee Street to Grant Boulevard.

Thurber Street: E. Brighton Avenue to Comstock Avenue.

Townsend Street: Lodi Street to E. Adams Street.

University Avenue: Erie Boulevard E. to Waverly Ave.

Valley Drive: South Avenue to city line.

Velasko Road: Avery Avenue to Glenwood Avenue.

Walnut Avenue: University pl. to Erie Boulevard E.

Washington Street, E. and W.: West Street to Walnut Avenue.

West Street: Erie Boulevard W. to W. Onondaga Street.

Westcott Street: E. Genesee Street to Broad Street.

Wilbur Avenue, S.: W. Genesee Street to Glenwood Avenue.

(Gen. Ord. No. 19-2010, 6-7-10)

*SCHEDULE IV: 1969 EMERGENCY STREET
SYSTEMS SNOW REMOVAL*

Adams Street E.—Salina Street to Crouse Avenue.

Adams Street W.—Salina Street to Onondaga Street.

Almond Street—Van Buren Street to Erie Boulevard E.

Avery Avenue—Milton Avenue to Grand Avenue.

Ballantyne Road—South Salina Street to Valley Drive.

Beech Street—Erie Boulevard, to E. Genesee Street.

Bellevue Avenue—Geddes Street to city line.

Bellevue Avenue—South Geddes Street to Midland Avenue.

Brighton Avenue E.—Salina Street to Seneca Turnpike.

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Brighton Avenue W.—Salina Street to Clyde Avenue.
Broad Street—Berkeley Drive to Nottingham Road.
Bryant Avenue—Wilbur Avenue to Avery Avenue.
Buckingham Avenue—Colvin Street to Meadowbrook.
Burnet Avenue—North Townsend Street to city line.
Butternut Street—North Salina Street to Grant Boulevard.
Castle Street E.—Salina Street to Renwick Avenue.
Catherine Street—Erie Boulevard, East to James Street.
Clinton Street N.—Belden Avenue to Erie Boulevard.
Clyde Avenue—West Brighton Avenue to Glenwood Avenue.
College Place—University Place to Euclid Avenue.
Columbus Avenue—Erie Boulevard to E. Genesee Street.
E. and W. Colvin Street—South Avenue, East to city line.
West Colvin Street—Strathmore Drive to South Avenue.
Comstock Avenue—University Place to Thurber Street.
Cortland Avenue—South Salina Street to South Avenue.
Court Street—Solar Street to city line.
Crouse Avenue—Erie Boulevard, East to Lodi Street.
Crouse Avenue—University Place to Washington Street.
Delaware Street—Grand Avenue to Onondaga Circle.
Erie Boulevard E.—Salina Street to Thompson Road.
Erie Boulevard W.—Salina Street to Willis Avenue.
Euclid Avenue—College Place to Kimber Road.
Fayette Street E.—Salina Street to Seeley Road.
Fayette Street W.—Salina Street to West Genesee Street.
Geddes Street N.—Erie Boulevard to Bear Street.
Geddes Street S.—Erie Boulevard to Glenwood Avenue.
Genesee Street E.—Salina Street to city line.
Genesee Street W.—Salina Street to city line.
Glenwood Avenue—Bellevue Avenue to South Avenue.
Grand Avenue—Velasko Road to Geddes Street.

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Grant Boulevard—Hiawatha Boulevard to James Street.

Harrison Street—South Crouse Avenue to Ostrom Avenue.

Harrison Street—Salina Street to Crouse Avenue.

Hiawatha Boulevard E.—Salina Street to Seventh North Street.

Hiawatha Boulevard W.—Salina Street to Erie Boulevard West.

Irving Avenue—Washington Street to Van Buren Street.

James Street—Salina Street to Thompson Road.

Jefferson Street—Clinton Street to Montgomery Street.

Kimber Road—Meadowbrook Drive to city line.

Lemoyne Avenue—Wadsworth Street to city line.

Linden Street—New Street to deadend.

Lodi Street—Erie Boulevard E. to Hiawatha Boulevard.

Marshall Street—Crouse Avenue to University Avenue.

Meadowbrook Drive—East Genesee Street to Buckingham Avenue.

Midland Avenue—West Onondaga Street to W. Seneca Trnpk.

Midler Avenue N.—James Street to city line.

Midler Avenue S.—James Street to Ere Boulevard.

Milton Avenue—Thompkins Street to city line.

Montgomery Street—Erie Boulevard to Jefferson Street.

New Street—South Salina Street to State Street.

Newell Street—South Salina Street to Valley Drive.

Oak Street—Grant Boulevard to Lodi Street.

Onondaga Avenue—Onondaga Circle to South Avenue.

Onondaga Street E.—South Salina Street to State Street.

Onondata Street W.—South Salina Street to Delaware Street.

Onondaga Street W.—Velasko Road to Geddes Street.

Park Street—Hiawatha Boulevard to city line.

Park Street—Hiawatha Boulevard to Oak Street.

Prospect Avenue—North Salina Street to Willow Street.

Renwick Avenue—East Castle Street to Van Buren Street.

Rock Cut Road—East Brighton Avenue to city line.

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Salina Street N.—Erie Boulevard to Hiawatha Boulevard.

Salina Street S.—Erie Boulevard to city line.

Salt Springs Road—East Genesee Street to city line.

Seeley Road—East Fayette Street to Salt Springs Road.

Seneca Turnpike—East city line to west city line.

Seymour Street—Geddes Street to Wilbur Avenue.

South Avenue—West Onondaga Street to city line.

Spencer Street—Route No. 81 to Hiawatha Boulevard.

Springfield Road—Salt Springs Road to city line.

State Fair Boulevard—West Genesee Street to Hiawatha Boulevard.

State Street N.—Erie Boulevard to Lodi Street.

State Street S.—Erie Boulevard to Brighton Avenue.

Strathmore Drive—South Geddes Street to Roberts Avenue.

Teall Avenue—Erie Boulevard to city line.

Thompson Road—James Street to Burnet Avenue, west side.

Thurber Street—Brighton Avenue to Comstock Avenue.

Tompkins Street—Wilbur Avenue to Avery Avenue.

Townsend Street N.—Erie Boulevard to Lodi Street.

Townsend Street S.—Erie Boulevard to East Adams Street.

University Place—Irving Avenue to Comstock Avenue.

Valley Drive—South Avenue to city line.

Van Buren Street—Renwick Avenue to Irving Avenue.

Van Rensselaer Street—Hiawatha Boulevard to Geddes Street.

Velasko Road—Grand Avenue to Glenwood Avenue.

Wadsworth Street—Lemoyne Avenue to Court Street.

Warren Street—South Salina Street to Willow Street.

Washington Street E.—Salina Street to Pine Street.

Washington Street W.—Salina Street to West Street.

Waverly Avenue—South Crouse Avenue to Ostrom Avenue.

West Street Arterial—W. Onondaga Street to Herald Place.

Westcott Street—East Fayette Street to Meadowbrook.

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Whittier Avenue—Wilbur Avenue to Avery Avenue.

Wilbur Avenue—Seymour Street to Tompkins Street.

Wolf Street—Lodi Street to city line.

Fire Station No. 9 Shuart Avenue—Wilson Street to Teall Avenue.

Fire Station No. 9 Wilson Street—Shuart Avenue to James Street.

(T.C. of 3-3-69, Sch. IV; Ord. of 11-10-69; Gen. Ord. No. 16-1996; 5-20-96)

SCHEDULE V: PARKING TICKET FINE SCHEDULE

Violation	Current Rate	Rate Effective on October 1, 2020
Overtime	\$15.00	\$25.00
Odd/Even Parking (April—October)	10.00	25.00
Odd/Even Parking (November—March)	15.00	60.00
No Parking	25.00	25.00
No Standing	25.00	25.00
No Standing 4:00—6:00 p.m.	25.00	25.00
Blocking/Obstructing Driveway	25.00	60.00
Fire Hydrant	40.00	60.00
Fire Lane	40.00	60.00
Loading Zone/Noncommercial Plates	25.00	25.00
Tow Away Zone	25.00	25.00
Here to Corner	25.00	25.00
Blocking/Obstructing Crosswalk	25.00	60.00
Sidewalk to Curb	25.00	60.00
Bus Stop Only	25.00	60.00
Taxi Stand Only	25.00	25.00
Double Parking	25.00	25.00
Blocking/Obstructing on Sidewalk	25.00	60.00
Angle Parking	25.00	25.00
12" to Curb	25.00	25.00
(Left) facing wrong way (Left wheel to curb)	25.00	25.00
Obstructing Traffic	25.00	60.00
Miscellaneous	25.00	25.00
Uninspected	25.00	25.00
Unregistered	25.00	25.00
Parked on Grass	25.00	25.00
None/one license plate	25.00	25.00
No permit (and/or limited parking)	25.00	25.00

Part M - MISCELLANEOUS
Chapter 15 - TRAFFIC CODE
- TRAFFIC SCHEDULES
SCHEDULE V: PARKING TICKET FINE SCHEDULE

Repeating/Harboring on a meter	25.00	25.00
Two (2) on a meter	25.00	25.00
Commercial/Residential	25.00	25.00
Handicap Parking Only	75.00	100.00

(Gen. Ord. No. 44-1996, 11-12-96; Gen. Ord. No. 45-1996, 11-12-96; Gen. Ord. No. 30-2020, 8-24-20)

Appendix 2

New York State Laws, Vehicle & Traffic Law Title 9, Article 45, Section 1809-A(2)

1809-A(2). The mandatory surcharge provided for in subdivision one of this section shall be paid to the clerk of the court or administrative tribunal that made the determination of liability.

- (a) Except as provided in paragraph (b) of this subdivision within the first ten days of the month next succeeding the collection of such surcharge, the collecting authority shall pay seven dollars and fifty cents of each surcharge to the justice court fund held by the state comptroller pursuant to section ninety-nine-a of the state finance law which monies shall then be deposited to the credit of the general fund. Each such payment shall be accompanied by a true and complete report in such form and detail as the comptroller shall prescribe. The remaining amount of the surcharge shall be paid to the chief fiscal officer of the municipality and used by the municipality from which it originated for its local criminal justice programs and purposes.
- (b) Within the first ten days of the month next succeeding the collection of such surcharge, the collecting authority in cities having a population of one hundred thousand or more but less than one million shall pay such surcharge to the chief fiscal officer of the municipality and such surcharge shall be used by the municipality from which it originated for its local criminal justice programs and purposes.