

**CHAPTER 76**

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[HISTORY: Adopted by the Common Council of the City of Dunkirk 2-2-1965 as Chapter VI of the Ordinances of the City of Dunkirk; Approved by State Traffic Commission 2-23-1965. Amended 3-21-1995 as L.L. #8-1995; Amended 6-6-1995 as L.L. #15-1995; Amended 8-1-1995 as L.L. #21-1995; Approved by the State Traffic Commission on 9-5-1995; Amended 2-20-1996 as L.L. #3-1996; Amended 6-18-1996 as L.L. #7-1996; Amended 4-15-1997 as L.L. #3-1997. Amendments noted where applicable.]

**GENERAL REFERENCES**

Railroads - See Ch. 58.  
 Sidewalks and Streets - See Ch. 65.  
 Taxicabs and Taxicab Operators - See Ch. 72.

**ARTICLE I  
Words and Phrases Defined**

§ 76-10. Definition of Words and Phrases.

- A. The words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them by Article I of the Vehicle and Traffic Law of the State of New York.
- B. The following words and phrases, which are not defined by Article I of the Vehicle and Traffic Law of the State of New York, shall have the meanings respectively ascribed to them in this section for purposes of the traffic ordinance of this City.

**HOLIDAYS** - New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day shall be considered "holidays."

**OFFICIAL TIME STANDARD** - Whenever certain hours are named herein, they shall mean standard time or daylight saving time, as may be in current use in the City of Dunkirk.

**POLICE DEPARTMENT** - Shall mean any authorized police officer and school crossing guard with authority to direct traffic and to make arrests for violation of the traffic regulations.

**PARKING METER** - A mechanical device designed to receive coins of the United States and coins honored by the United States, which device shall show upon a dial the duration of legal parking time and after the expiration thereof shall indicate a violation or illegal or overtime parking.

## ARTICLE II Traffic Control Devices

### § 76-20. Authority to Install Traffic Control Devices.

The Chief of the Police Department shall cause to be installed and maintained traffic control devices when and as required under the provisions of this

chapter, to make effective the provisions of said chapter, and may cause to be installed and maintained such additional traffic control devices as he may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York, subject to provisions of § 1682 and § 1684 of that law.

**ARTICLE III**  
**Delegation of Powers**

**§ 76-30. Authority to Expedite Traffic.**

- A. Officers of the Police Department are hereby authorized to direct all traffic by voice, hand or signal, and may in the event of emergency expedite traffic as conditions may require, notwithstanding the provisions of this chapter and the traffic laws of the State of New York.
- B. Notice of any order, rule or regulation promulgated by the Chief of the Dunkirk Police Department, pursuant to the authority delegated by this Article, shall be given to the Common Council by filing such order, rule and regulation with the City Clerk prior to the date it shall become effective. No such order, rule or regulation affecting traffic standing or parking on state highways maintained by the state shall become effective until written approval is obtained from the State Traffic Commission as required by the Vehicle and Traffic Law.
- C. Said notice shall be in substantially the following form: "Pursuant to the authority delegated by Article III of the Traffic Ordinance of the City of Dunkirk, New York, I, \_\_\_\_\_ Chief of Police, do hereby enact the following order \_\_\_\_\_"

**§ 76-31. Powers of Chief of Police Department.**

The following powers are hereby conferred upon and delegated to the Chief of the Dunkirk Police Department, subject to the provisions of § 76-33 of this chapter:

- A. To designate zones of quiet.
- B. To designate any street, except a state or county highway, a "play street" for a period not exceeding forty-eight (48) consecutive hours.
- C. To prohibit and restrict parking on any street whenever conditions warrant such restriction notwithstanding any other provision of this chapter. **[Amended 8-1-1995 as L.L. #19-1995]**
- D. To decree and enforce temporary traffic regulations to cover emergencies or special conditions in the interest of expediting traffic movement and public safety in the City.

- E. To cause to be marked upon the streets by the Department of Public Works all parking spaces, pedestrian crossings and other markings for the regulation of traffic.
- F. To designate stop and yield intersections upon the streets of the City.
- G. To suspend the operation of parking meters, or any of them, in the event of an emergency or good cause shown, for a reasonable period of time.
- H. To cause to have erected such regulatory signs and signals as are necessary, proper and in accordance with the standards of the State Traffic Commission to implement the provisions of this chapter.
- I. To determine the location of passenger zones and freight loading zones and place appropriate signs indicating same.
- J. To establish bus stops, taxicab stands and stands for other passenger common-carrier motor vehicles on such public streets and in such numbers as he shall determine to be of the greatest benefit and convenience to the public, and to direct that every such bus stop, taxicab stand or other stand shall be designated by appropriate signs.
- K. To designate streets upon which alternate parking shall be in force pursuant to § 76-82 of this chapter.
- L. To designate streets upon which the passing of vehicles moving in the same direction shall be prohibited. **[Added 4-21-1970]**
- M. To designate streets upon which markets for the sale of fowl, farm and garden products may be conducted, and to establish the hours of conduct of said markets. **[Added 11-17-1970; effective 12-1-1970]**
- N. To prohibit or regulate the operation and the stopping, standing or parking of vehicles in cemeteries and in public parks. **[Added 7-20-1971; Editor's Note: on 8-3-1971, the Chief of Police issued the following rule: "it shall be unlawful for any motor vehicle to park in any area other than those areas designated as parking areas in any park designated as such under § 49-1, entitled Parks, listed in the Code of the City of Dunkirk, New York. This rule shall take effect immediately."]**

**§ 76-32. Fire Department Powers.**

Members of the Dunkirk Fire Department, whether paid members or volunteer members, may direct traffic in any emergency when under the direct supervision of the Chief or an Assistant Chief of the said Fire Department.

**§ 76-33. Powers of Nullification by Common Council. [Amended 11-15-1966]**

The Common Council of the City of Dunkirk hereby reserves the power to nullify, by majority vote, any regulation or order of the Chief of the Police Department made pursuant to authority vested in him under § 76-31 of this Article. Whenever the Common Council shall have nullified a regulation or order made by the Chief of Police, such regulation or order shall not thereafter be reenacted by said Chief of Police or his successors for a period of one (1) year without the approval of the Common Council.

**ARTICLE IV**  
**One-Way Roadways**

**§ 76-40. One-Way Roadways Designated.**

The following streets are designated as one-way roadways, and a vehicle shall be driven only in the direction designated:

- A. Leopard Street, Fifth Street to Sixth Street, southbound. **[Amended 3-21-1995]**
- B. Columbus Avenue, Fifth Street to Third Street, northbound.
- C. Lynx Street, Third Street to Fourth Street, southbound.
- D. Lark Street, Fifth Street to Third Street, northbound.
- E. Park Drive, Point Drive West to Sycamore Street, northbound. **[Amended 4-21-1970; effective 5-1-1970]**

**ARTICLE V**  
**Turning Movements**

**§ 76-50. Prohibition of Left Turns. [Amended 3-21-1995]**

(Reserved for future use)

**ARTICLE VI**  
**Through Highways; Stop Intersections**

**§ 76-60. Through Highways.**

A. Lake Shore Drive is hereby designated as a through highway and stop signs shall be erected on the following entrances thereto:

- (1) Otter Street from the north.
- (2) Stegelske Avenue from the south.
- (3) Ounce Street from the north.
- (4) Fizell Avenue from the south.
- (5) Wright Park Drive from the north.
- (6) Warsaw Street from the north and south.
- (7) Margay Street from the south.
- (8) Ocelot Street from the north and south.
- (9) Martin Street from the north and south.
- (10) Pangolin Street from the north and south.
- (11) Armadillo Street from the north.
- (12) Leming Street from the north.
- (13) Irving Place from the south.
- (14) Ermine Street from the north.
- (15) Beagle Street from the north.
- (16) Roberts Road from the north and south.
- (17) Antelope Street from the south.
- (18) Gazelle Street from the north and south.
- (19) Zebra Street from the south.
- (20) Beaver Street from the north and south.

- (21) Leopard Street from the south.
- (22) Deer Street from the north and south.
- (23) Park Avenue from the north and south.
- (24) Washington Avenue from the south.
- (25) Eagle Street from the south.
- (26) Pelican Street from the south.
- (27) Swan Street from the south.
- (28) Dove Street from the south.
- (29) Plover Street from the south.
- (30) Robin Street from the south.
- (31) Pike Street from the south.
- (32) Woodrow Avenue from the north and south.
- (33) Mullet Street from the north and south.
- (34) Nichols Avenue from the south.
- (35) Frazier Street from the south.
- (36) West Point Avenue from the north and south.
- (37) Point Drive West from the west.
- (38) Crooked Brook Drive from the north.

**§ 76-61. Stop intersections. [Amended 3-21-1995]**

(Reserved for future use)

**ARTICLE VI A**  
**Weight Limitations**

**[Added 1-5-1971; Amended 4-15-1997 as L.L. #3-1997]**

**§ 76-62. Certain Vehicles Restricted. [Amended 4-15-1997 as L.L. #3-1997]**

Trucks and other motor vehicles having a gross weight of more than twelve thousand (12,000) pounds are prohibited from traveling over any street in the City (except as provided in § 76-63, Truck Route System) except for the purpose of pickup and delivery of loads.

**§ 76-63. Truck Route System. [Amended 8-7-1979; Amended 4-15-1997 as L.L. #3-1997]**

- A. The following streets are hereby designated as a truck route system for the City of Dunkirk.
- (1) Lake Shore Drive (NYS Route 5) between the east and west City lines.
  - (2) South Roberts Road from Lake Shore Drive East (NYS Route 5) to the south City line.
  - (3) NYS Route 60 (Main Street, Maple Avenue and Lamphere Street) from NYS Route 5 to the south City line.
  - (4) Millard Fillmore Drive from Central Avenue easterly to the City line.
  - (5) Central Avenue from NYS Route 5 southerly to the City line.
  - (6) West Lucas Avenue from Central Avenue to Brigham Road.
  - (7) Willowbrook Avenue from Central Avenue to Brigham Road.
  - (8) West Howard Avenue from Central Avenue westerly to the terminus.
  - (9) Brigham Road from Lake Shore Drive West (NYS Route 5) southerly to Willowbrook Avenue.
  - (10) Middle Road from Lake Shore Drive East (NYS Route 5) to the City line.
  - (11) Nichols Avenue from Route 5 to the terminus.

- (12) Stegelske Avenue from Route 5 to 900' South.
  - (13) West Point Avenue from Route 5 to southerly terminus.
- B. The Director of Public Works is hereby authorized and directed to purchase and place the necessary truck route signs at whatever intervals are legally mandated.
- C. Pursuant to New York State Vehicle and Traffic Law, § 1683, this section will take effect only when said truck route signs are appropriately placed.

**ARTICLE VII**  
**Speed Regulations**

**§ 76-70. Maximum Speed Limits. [Amended 8-4-1999 as L.L. #7 (Intro No. 6) 1999]**

- A. Thirty (30) miles per hour is hereby established as the maximum speed at which vehicles may proceed upon drives, streets, highways and roadways within the corporate limits of the City, except as hereinafter specified:
- 1) Thirty-five (35) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed upon:
    - a) Lake Shore Drive.
  - 2) Twenty-five (25) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed upon:
    - (a) Park Drive.
    - (b) All drives, streets, highways and roadways within the confines of Wright Park and Point Gratiot
  - 3) Fifteen (15) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on streets upon which a school is located which includes the following streets:
    - (a) Dunkirk High School: Sixth Street (between Marauder Drive and Dove Street); Marauder Drive (between Sixth Street and Lucas Avenue).
    - (b) Middle School: Fifth Street and Sixth Street (between Swan Street and Eagle Street); Eagle Street and Swan Street (between Fifth Street and Sixth Street).
    - (c) School No. 3: Seventh Street (between Lamphere Street and Grant Avenue).
    - (d) School No. 4: Central Avenue and Washington Avenue (between Lucas Avenue and three hundred feet (300') north of the school).
    - (e) School No. 5: Brigham Road.

- (f) School No. 7: Serval Street (between Lake Shore Drive East and Pine Street).
- (g) Northern Chautauqua Catholic School: Fourth Street (between Lynx Street and Park Avenue); Washington Avenue (between Third Street and three hundred feet (300') south of the school).
- (h) St. Hyacinth's Catholic School: Jerboa Street (between Lake Shore Drive East and Pine Street); and Pangolin Street (between Lake Shore Drive East and Pine Street). **[Added 10-5-1999 as L.L. #9 (Intro No. 8) 1999]**

Such fifteen (15) mile per hour restrictions shall be enforceable from 7:00 A.M. to 3:30 P.M. on days each particular school is open.

**ARTICLE VIII**  
**Parking, Standing and Stopping**

**§ 76-80. Parallel Parking.**

Except as otherwise provided, every vehicle parked, standing or stopped upon a highway of the City of Dunkirk shall be so parked, standing or stopped parallel with the edge of the roadway, headed in the direction of lawful traffic and within twelve (12) inches of the adjacent curb, if any exists.

**§ 76-81. Angle Parking.**

A. Angle parking is hereby authorized at the following locations:

- (1) Third Street, north side. **[Added 3-21-1995 as L.L. #8-1995]**
- (2) Nevins Street, easterly side, from the northerly line of Doughty Street to a point fifty-six (56) feet northerly thereof. **[Added 3-5-1968]**
- (3) Stegelske Avenue, easterly side from the southerly line of Lake Shore Drive East to a point one hundred (100) feet southerly thereof. **[Added 3-5-1968]**
- (4) Serval Street, westerly side, from the southerly line of Lake Shore Drive East to a point one hundred sixty-one (161) feet southerly thereof. **[Added 3-5-1968]**
- (5) Ocelot Street, westerly side, from the southerly line of Lake Shore Drive East to a point one hundred six (106) feet southerly thereof. **[Added 3-5-1968]**
- (6) Pangolin Street, easterly side, from the southerly line of Lake Shore Drive East to a point two hundred fifteen (215) feet southerly thereof. **[Added 3-5-1968]**
- (7) Armadillo Street, westerly side, from the northerly line of Lake Shore Drive East to a point one hundred twenty (120) feet northerly thereof. **[Added 3-5-1968]**
- (8) Genet Street, easterly side, from the northerly line of Lake Shore Drive East to a point forty-nine (49) feet northerly thereof. **[Added 3-5-1968]**

- (9) Genet Street, westerly side, from the northerly line of Lake Shore Drive East to a point fifty-five (55) feet northerly thereof. **[Added 3-5-1968]**
- (10) Ermine Street, easterly side, from the northerly line of Lake Shore Drive East to a point one hundred twenty-two (122) feet northerly thereof. **[Added 3-5-1968]**
- (11) Ermine Street, westerly side, from the northerly line of Lake Shore Drive East to a point forty-eight (48) feet northerly thereof. **[Added 3-5-1968]**
- (12) Antelope Street, easterly side, from the southerly line of Lake Shore Drive East to a point one hundred forty-one (141) feet southerly thereof. **[Added 6-6-1995 as L.L. #15-1995]**
- (13) Plover Street, westerly side, from the southerly line of Lake Shore Drive West to a point one hundred twenty (120) feet southerly thereof. **[Added 3-5-1968]**
- (14) Moffatt Street, westerly side, from the northerly line of East Front Street to a point sixty-five (65) feet northerly thereof. **[Added 3-5-1968]**
- (15) Pine Street, southerly side, from the westerly line of Pangolin Street to a point one hundred twenty-one (121) feet westerly thereof. **[Added 3-5-1968]**
- (16) Pangolin Street, westerly side, from the southerly line of Pine Street to a point fifty-three (53) feet southerly thereof. **[Added 3-5-1968]**
- (17) East Second Street, northerly side, from easterly line of Webster Street to a point thirty (30) feet easterly thereof. **[Added 3-5-1968]**
- (18) Second Street, southerly side, from the easterly line of Washington Avenue to a point sixty-three (63) feet easterly thereof. **[Added 3-5-1968]**
- (19) Washington Avenue, easterly side, from the southerly line of Washington Avenue to a point two hundred sixty-one (261) feet southerly thereof. **[Added 3-5-1968]**

- (20) Park Avenue, westerly side, from the southerly line of East Fourth Street to a point sixty-five (65) feet southerly thereof. **[Added 3-5-1968]**
- (21) Wilson Avenue, northerly side, from the westerly line of Central Avenue to a point one hundred twenty (120) feet westerly thereof. **[Added 3-5-1968]**
- (22) Franklin Avenue, easterly side, from the southerly line of Talcott Street to a point four hundred thirty-eight (438) feet southerly thereof. **[Added 3-5-1968]**
- (23) Courtney Street, southerly side, from the easterly line of Lincoln Avenue to a point two hundred thirty (230) feet easterly thereof. **[Added 3-5-1968]**

**§ 76-82. Alternate Parking. [Amended 3-1-1977; Amended 7-6-1982; Amended 11-16-1982; Amended 4-15-1997 as L.L. #3-1997; Amended 3-5-2002 as L.L. #1-2002; Amended 2-04-2003 as L.L. #1-2003; Amended 2-04-2003 as L.L. #2-2003; Amended 6-15-2004 as L.L. #3-2004; Amended 11-06-2006 as L.L. #6-2006]**

- A. Except as provided in §76-85 and except as provided in Subsection B below, for twenty-four hour periods commencing at 5:00 P.M., vehicles shall be parked only on the odd-numbered side of the street on odd-numbered days of the month and only on the even-numbered side of the street on even-numbered days of the month. The date of the day at 5:00 P.M., determines the side on which parking is allowed. **[Amended 4-15-1997 as L.L. #3-1997; Amended 6-15-2004 as L.L. #3-2004; Amended 11-06-2006 as L.L. #6-2006]**
- B. If other restrictive signs appear on any street, said signs shall prevail and control traffic thereon.
- C. For each calendar year during the period commencing the first Sunday in April and continuing through the Saturday that immediately precedes the first Sunday in November, for those streets which are presently covered by Subsections A and B of §76-82 of the Alternate Parking Ordinance as it presently exists, parking shall be allowed as follows: **[Amended 4-15-1997 as L.L. #3-1997; Amended 6-15-2004 as L.L. #3-2004; Amended 11-06-2006 as L.L. #6-2006]**
  - (1) For one-week periods commencing at 5:00 P.M. on any odd-numbered Sunday falling within the above delineated calendar

period, parking shall be allowed on the odd-numbered side of the streets affected: the date of the Sunday at 5:00 P.M. determines the side on which parking is allowed for the following week.

- (2) For one-week periods commencing at 5:00 P.M. on any even-numbered Sunday, parking shall be allowed on the even-numbered side of the streets affected: the date of the Sunday at 5:00 P.M. determines the side on which parking is allowed for the following week.
- (3) In the event that more than one (1) odd or even Sundays occur in a row, vehicles shall be allowed to park as if each sequential even or odd Sunday were an independent and single even or odd Sunday, and vehicles shall be allowed to continue to park on said even or odd side for any such two-week period.
- (4) On the first Sunday in November, alternate parking shall revert back to and be covered by the provisions of §76-82 A and B. **[Amended 4-15-1997 as L.L. #3-1997]**

Every person convicted of violating § 76-82 shall be punishable by a fine of Twenty Dollars (\$20.00) for the offense. **[Added 2-4-2003 as L.L. #2-2003]**

**§ 76-83. Parking prohibited. [Amended 8-6-1991]**

- A. It shall be unlawful to park a vehicle on any street where such parking is prohibited by any order, rule or regulation duly made by the Chief of the Dunkirk Police Department, pursuant to the authority vested in him by Article III of this chapter.
- B. It shall be unlawful to park any vehicle upon any street for a period of more than twenty-four (24) hours.
- C. No vehicle shall be parked between the sidewalk and curblineline of residential street site in the City of Dunkirk. Exemptions to this parking prohibition may be granted upon a majority vote of the City of Dunkirk Planning Board following a demonstration by the applicant of hardship under the following criteria:
  - (1) No adequate off-street parking exists at the residence;
  - (2) There is a demonstration of no traffic safety hazard; and

- (3) The applicant has demonstrated extreme hardship, such as by showing an ambulatory or other disability.
- D. Subsections A and B of this section shall be effective only upon posting notice of the regulations herein made upon the streets subject to this section.
- E. It shall be unlawful to park any vehicle except a bus in a bus zone. **[Added 6-18-1996 as L.L. #7-1996]**
- F. It shall be unlawful to park any vehicle on a sidewalk. **[Added 6-18-1996 as L.L. #7-1996]**
- G. It shall be unlawful to park any vehicle in a crosswalk. **[Added 6-18-1996 as L.L. #7-1996]**
- H. It shall be unlawful to park any vehicle within fifteen (15) feet of a fire hydrant. **[Added 6-18-1996 as L.L. #7-1996]**
- I. It shall be unlawful to park any vehicle in a fire lane. **[Added 6-18-1996 as L.L. #7-1996]**
- J. It shall be unlawful to park any vehicle at any place where the vehicle would block the use of a driveway. **[Added 6-18-1996 as L.L. #7-1996]**
- K. It shall be unlawful to park any vehicle by taking more than one parking space. **[Added 6-18-1996 as L.L. #7-1996]**
- L. It shall be unlawful to park any vehicle within thirty (30) feet of a corner and/or crosswalk. **[Added 6-18-1996 as L.L. #7-1996]**
- M. It shall be unlawful for any person to park or leave standing any vehicle in a stall or space designated for physically handicapped persons, if, immediately adjacent to and visible from such stall or space, there is posted a sign containing the international symbol of access, unless the driver of the car or a person being transported is handicapped and that driver or person being transported has been issued a special vehicle identification parking permit that is clearly displayed in the vehicle or a registration issued under Section Four Hundred Four-a of the New York State Vehicle and Traffic Law. **[Added 6-18-1996 as L.L. #7-1996]**
- § 76-84. Parking Time Limited. [Amended 5-4-1999 as L.L. #3 (Intro No. 2) 1999]**

Except as otherwise posted, parking within the following locations shall be limited to two (2) hours.

Such two (2) hour parking shall be effective between the hours of 9:00 A.M. and 6:00 P.M. on Monday, Tuesday, Wednesday, Thursday and Friday, except legal holidays falling on such days. At all other hours and on Saturday and Sunday, parking time limitations shall be inoperative:

- A. Third Street, north side between Main Street and Eagle Street.
- B. Washington Avenue, west side, between Third Street and Fourth Street.
- C. Central Avenue, both sides between Lake Shore Drive and Second Street.

**§ 76-85. Overnight parking prohibited. [Amended 12-2-1997 as L.L. #16-1997 (to change “Third Street from Main Street to Robin Street” to “Third Street from Main Street to Central Avenue”); Amended 12-2-1997 as L.L. #16-1997 to change “Eagle Street from Third Street to Roberts Road” to “Eagle Street, from Third Street to Fourth Street”; Amended 10-6-1998 as L.L. #5-1998 (to delete “Eagle Street from Third Street to Fourth Street”); Amended 05-04-99 as L.L. #3 (Intro No. 2) 1999]**

- A. It shall be unlawful to park any vehicle on any of the following listed streets between the hours of 3:30 A.M. and 7:00 A.M. during the period commencing the first Sunday in November and ending the first Saturday in April. This provision shall not apply to any street subject to the alternate parking regulations of §76-82 of this article. **[Amended 10-18-11 as L.L. #7-2011]**

**Overnight Parking is prohibited on the following streets:**

Brigham Road from Lake Shore Drive, South to City Line  
 Brooks Avenue  
 Canary Street  
 Central Avenue from City Line to City Dock  
 Columbus Avenue  
 Doughty Street from Roberts Road to Bennett Road (Route 60)  
 Eagle Street from Fifth Street to Sixth Street  
 Eagle Street from Lake Shore Drive West to Second Street **[Added on 12-18-2007 as L.L. #5 (Intro #6) 2007 “Eagle Street from Lake Drive West to Second Street”]**  
 East Chestnut Street from Fizell Street, West to Warsaw Street  
 East Sixth Street from Main Street, East to Maple Avenue  
 Franklin Avenue from Main Street, South to Wright Street

Franklin Avenue from Talcott Street, South to City Line  
Irving Place  
Lake Shore Drive from City Line to City Line  
Lamphere Avenue from E. Seventh Street, South to City Line  
Lark Street  
Leopard Street  
Lynx Street  
Main Street Lake Boulevard, South to Sixth Street **[Amended 5-18-99 as L.L. #4 (Intro No. 3) 1999 to change “Main St. Lake Blvd, South to Fifth Street” to “Main Street Lake Boulevard, South to Sixth Street”]**  
Main Street Extension from Newton Street to City Line  
Maple Avenue from Main Street, South to Talcott Street  
Middle Road from Moffat Street, East to City Line  
Millard Fillmore Drive from Central Avenue, East to City Line  
Nichols Avenue  
North Beaver Street  
Pelican Street  
Plover Street  
Point Drive North  
Point Drive West  
Roosevelt Avenue  
Ruggles Street from Main Street, South to Wright Street  
Taft Place  
Talcott Street from Roberts Road, West to Franklin Avenue  
Temple Street from West Fourth, North to Tracks  
Third Street from Main Street to Central Avenue **[Amended 12-2-1997 as L.L. #16-1997 to change “Third Street from Main Street to Robin Street” to “Third Street from Main Street to Central Avenue”]**  
Washington Avenue from Third Street, South to Fourth Street  
West Second Street from Brigham Road, West to Brooks Avenue **[Added 10-6-1998 as L.L. #5-1998]**  
West Seventh Street from Woodrow Avenue, West to Brigham Road  
Woodrow Avenue from Lucas Avenue, North to West Sixth Street

All other streets are subject to the alternate parking regulations as provided in Section 76-82 of this Article, except for the existing parking area on Third Street from Central Avenue to Robin Street, along the railroad berm. However, Section 76-83(B) shall apply to each space in this parking area.

**§ 76-86. Special Parking Regulations.**

Parking without lights is hereby permitted on all City streets.

**§ 76-87. Truck Parking. [Amended 8-1-1995 as L.L. 19-1995; Amended 4-15-1997 as L.L. #3-1997]**

1. Trucks in excess of 12,000 pounds are prohibited from parking on any City street except for:
  - (a) Pick up and delivery of loads;
  - (b) Thirty (30) minute parking on Lake Shore Drive (NYS Route 5) between east and west City lines, and Central Avenue from NYS Route 5 southerly to the City line, and NYS Route 60 from NYS Route 5 southerly to the City line; thirty (30) minute truck parking twenty-four (24) hours per day on the north side of Talcott Street, while retaining the prohibition against truck parking at any time on the south side of Talcott Street (Roberts Road to Franklin Avenue). **[Amended 4-4-2000 as L.L. #1 (Intro #1) 2000]**
- B. Trucks in excess of twelve thousand (12,000) pounds are prohibited from parking in any City owned parking lot.

**§ 76-88. Enforcement and Penalty.**

- A. The Police Department of the City of Dunkirk is hereby charged with the enforcement of the provisions of this Article and shall attach to any vehicle parked in violation hereof a notice to the owner thereof that such vehicle has been parked in violation of this Article. Each such owner of a vehicle parked in violation hereof shall, within ten (10) days of time when such notice was attached to such vehicle, pay to the City Clerk of the City of Dunkirk the indicated parking violation fee. Any owner who shall fail to make payment aforesaid to the City Clerk within the ten (10) day period shall be guilty of an infraction and shall be subject to the penalties set forth in Article XI of this chapter. **[Amended 8-15-1972; Amended 4-15-1986; Amended 6-18-1996 as L.L. #7 (Intro No. 8) 1996; Amended 8-5-1997 as L.L. #10-1997; Amended 2-4-2003 as L.L. #1-2003]**
- B. The provisions of this section shall not apply to vehicles parked on a state highway maintained by the State of New York.
- C. Any person receiving a notice of violation of this Article may fill out a form available at the City Court of the City of Dunkirk and therein state his grievance. The City Court Judge may, upon good cause shown, suspend payment of the parking violation. **[Added 12-5-1972; Editor's Note: This Resolution also provided that the amendments to § 76-96B adopted 10-3-1972, be repealed; Amended 4-15-1986; Amended 6-18-1996 as L.L. #7 (Intro No. 8) 1996; Amended 8-5-1997 as L.L. #10-1997; Amended 2-4-2003 as L.L. #1-2003]**

- D. In the event that any of the above sums are not paid within ten (10) days of the date of violation, an additional sum of Twenty Dollars (\$20.00) shall be paid per violation, in addition to any other fine imposed for nonpayment, if applicable. **[Added 10-18-1988; Amended 6-18-1996 as L.L. #7 (Intro No. 8) 1996; Amended 8-5-1997 as L.L. #10-1997; Amended 2-04-2003 as L.L. #1-2003]**

**§ 76-89. Shopping Centers. [Added 11-30-1972; Amended 9-18-1979; Amended 8-16-1983]**

- A. Parking prohibited.
- (1) Parking shall be prohibited at the D & F Plaza, 1170 Central Avenue, Dunkirk, New York, in the following area: Beginning at the westerly edge of the Liberty Bank easterly along the front of all stores between said Liberty Bank and the easterly edge of the Brand Names store: thence northerly at right angles forty (40) feet; thence westerly at right angles to a line extended along the westerly wall of the Liberty Bank building; thence southerly along said line forty (40) feet to the point or place of beginning as requested by the D & F Plaza Association.
  - (2) Parking shall be prohibited at the Bells Plaza, 166-178 East Fourth Street, Dunkirk, New York, in the following area: All that area contained between the curblin e fronting the plaza stores and a line parallel with and ten (10) feet southerly from said curblin e beginning at the westerly building line of Ben Franklin and ending at the westerly right-of-way of Main Street.
  - (3) Parking shall be prohibited in designated fire lanes on Brooks Memorial Hospital property directly on the roadway in front of the hospital entrance, as requested by Brooks Memorial Hospital, subject to full City of Dunkirk Police Department enforcement, including but not limited to the removal and storage of vehicles as allowed by law. **[Added 7-18-1989]**
- B. The Chief of Police shall remove and store vehicles parked or abandoned in the parking area of the D & F Plaza and the Bells Plaza area during snowstorms, floods, fires or other emergencies where they constitute an obstruction to traffic or where stopping, standing or parking is prohibited, and he shall collect a reasonable charge for such removal and storage from the owner or operator of any such vehicle.

- C. The above parking regulations are subject to full Dunkirk Police enforcement, including but not limited to the removal and storage of vehicles as allowed by law. The Dunkirk Police shall also enforce handicapped parking regulations on such premises.

**§ 76-89.1. City of Dunkirk Housing Authority Property. [Added 9-18-1979]**

- A. Parking shall be prohibited in the parking area at the Joseph Steger Apartments (hi-rise) except by resident parking permit, personnel parking permit or visitor's parking pass, said permit or pass to be visibly displayed on said vehicle. Permits and passes may be obtained from the City of Dunkirk Housing Authority.
- B. Parking shall be prohibited on that property of the Court Apartments where no-parking signs have been duly posted.
- C. The above parking regulations are subject to full Dunkirk Police Enforcement, including but not limited to the removal and storage of vehicles as allowed by law.

**ARTICLE IX**  
**Parking Meters**

**§ 76-90. Parking Meter Zones.**

The following streets are hereby designated as parking meter zones, upon which streets parking meters may be provided and installed:

- A. On both sides of Central Avenue between Second Street and Sixth Street. **[Added 3-21-1995]**
- B. On both sides of Main Street between Third Street and Fifth Street.
- C. On both sides of Fourth Street between Lark Street and Main Street.
- D. On the southerly side of Fourth Street between Lark Street and Eagle Street.
- E. On the southerly side of Third Street between Eagle Street and Main Street.
- F. On the southwest side of Franklin Avenue from Union Square to Wright Street.
- G. On both sides of Washington Avenue between Fourth Street and Fifth Street.
- H. On the westerly side of Wright Street between Lincoln Avenue and Main Street.
- I. On the northerly side of Lincoln Avenue between Main Street and Wright Street.
- J. On the west side of Washington Avenue between Third Street and Fourth Street. **[Added 5-7-1991]**
- K. On the south side of Third Street between Washington Avenue and Lynx Street on the north side of Third Street between Eagle Street and Main Street. **[Added 5-7-1991]**
- L. On both sides of Central Avenue between Lake Shore Drive and Second Street. **[Added 5-7-1991]**
- M. On both sides of Central Avenue between Sixth Street and Lucas Street. **[Added 5-7-1991]**

- N. On both sides of Franklin Avenue between Main Street and Wright Street. **[Added 5-7-1991]**
- O. Central Avenue and Third Street parking lot. **[Added 5-7-1991]**
- P. On the north side of Lake Shore Drive West between Central Avenue to Brigham Road. **[Added 5-7-1991]**
- Q. Washington Avenue and Lynx Street parking lot. **[Added 5-7-1991]**
- R. Fourth Street parking lot between Washington Avenue and Park Avenue. **[Added 5-7-1991]**
- S. On both sides of Sixth Street between Central Avenue to Swan Street. **[Added 5-7-1991]**
- T. Six (6) spaces within the parking lot located on the corner of Central Avenue and Third Street. **[Added 2-20-1996 as L.L. #3 (Intro No. 5) 1996]**

**§ 76-91. Installation and Operation of Meters.**

Parking meters installed in the parking meter zones shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate the legal parking time established, the fee or fees required to operate said meter and the hours during the day during which the parking meters must be operated.

**§ 76-92. Parking Limit and Hours of Operation. [Amended 1-20-1987; Amended 5-4-1999 as L.L. #3 (Intro No. 2) 1999]**

Except as otherwise posted, parking within parking meter zones shall be limited to two (2) hours.

Such two (2) hour metered parking shall be effective between the hours of 9:00 A.M. and 6:00 P.M. on Monday, Tuesday, Wednesday, Thursday and Friday, except legal holidays falling on such days. At all other hours and on Saturday and Sunday, parking meter zone restrictions shall be inoperative.

**§ 76-93. Fees. [Amended 1-20-1987]**

The following fees are hereby established for the operation of parking meters:

- A. Thirty (30) minutes for one (1) dime.
- B. Sixty (60) minutes for one (1) quarter.

**§ 76-94. Regulation and Maintenance. [Amended 3-2-1965]**

- A. The Chief of Police of the City of Dunkirk is directed to provide for the installation, regulation, control, operation, repair and use of the parking meters.
- B. The City Treasurer shall be responsible for the collection of parking meter receipts and shall deposit said receipts into the general fund of the City of Dunkirk forthwith.
- C. The position of Parking Meter Custodian, heretofore established by the Common Council of the City of Dunkirk, is in all respects continued and shall be a competitive civil service position in accordance with the provisions of the Civil Service Law of the State of New York.
- D. For purposes of installation, regulation, control, operation and repair of the parking meters, the Parking Meter Custodian shall be under the direct supervision of the Chief of Police of the City of Dunkirk.
- E. For purposes of effecting collection of the receipts of the parking meters, the Parking Meter Custodian shall be under the direct supervision of the City Treasurer. He shall make collection of parking meter receipts, compute and wrap said receipts and perform such other duties relative to the collection of the parking meter receipts as may be designated by the City Treasurer.

**§ 76-95. Compliance Required; Violations.**

- A. The operator of any vehicle entering a parking space adjacent to which a parking meter is located shall deposit a coin or coins of the United States, or a coin or coins honored by the United States, in such parking meter as required by the provisions of the Article.
- B. It shall be a violation of this Article to occupy a parking space adjacent to which a parking meter is located whenever such meter indicates by its dial the legend "EXPIRED," "VIOLATION" or "OVERTIME" during the hours established by § 76-92 hereof.
- C. It shall be a violation of this Article to deposit in any parking meter any slug, device or substitute for a coin of the United States or a coin honored by the United States.

- D. It shall be a violation of this Article to deface, injure, tamper with, willfully break, destroy or impair the usefulness of any parking meter installed pursuant to the provisions of this Article.

**§ 76-96. Payment of Parking Violation Fees; Suspension of Payment. [Amended 4-15-1986]**

- A. The Police Department of the City of Dunkirk is hereby charged with enforcement of the provisions of this Article and, in instances of overtime parking, shall attach to any vehicle parked in violation hereof a notice to the owner thereof that such vehicle has been parked in violation of this Article.

Each such owner of a vehicle parked in violation hereof shall within twenty-four (24) hours, Saturdays, Sundays and holidays excluded, of the time when such notice was attached to such vehicle, pay to the City Clerk of the City of Dunkirk as a parking meter violation fee the sum of Six Dollars (\$6.00). Failure of such owner to make payment aforesaid to the City Clerk within the aforesaid twenty-four-hour period shall render such owner subject to the penalties hereinafter provided. **[Amended 6-18-1996 as L.L. #7 (Intro No. 8) 1996]**

- B. Any person receiving a notice of a violation of this Article may appear before the next term of the City Court of the City of Dunkirk and state his grievance. The City Court Judge may, upon good cause shown, suspend payment of the Six Dollar (\$6.00) traffic recording fee. **[Amended 6-18-1996 as L.L. #7 (Intro No. 8) 1996; Editor's Note: § 76-96B was amended in error 10-3-1972; which amendment was subsequently repealed 12-5-1972. See §76-88C]**

**§ 76-97. Loading and Unloading Regulations.**

For the sole purpose of loading and unloading, owners and operators of commercial or delivery vehicles are hereby authorized to use the spaces designated as parking meter spaces without payment by them for the use thereof.

**§ 76-98. Presumptive Evidence of Violation.**

In any prosecution hereunder, the establishment on behalf of the people of the name of the registered owner of the vehicle so illegally parked, as ascertained from the registration plate displayed on said vehicle, shall constitute a presumption that the owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.

**§ 76-99. Penalties for Offenses. [Amended 9-19-2006 as L.L. #5-2006]**

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- A. Every person who violates any provision of this Article, except §§ 76-95C and 76-95D, shall be guilty of an infraction and shall be punishable by a fine not exceeding Two Hundred Fifty Dollars (\$250.00) or by imprisonment for not more than fifteen (15) days, or both.
- B. Every person who violates § 76-95C of this Article shall be guilty of a misdemeanor and may be punishable by a fine not exceeding One Hundred Dollars (\$100.00) or imprisonment for not more than thirty (30) days, or both.

**ARTICLE X**  
**Removal and Storage of Vehicles**

**§ 76-100. Authority to Remove Vehicles.**

- A. When any vehicle is parked or abandoned on any highway within this City during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by the Police Department.
- B. When any vehicle is found unattended on any highway within this City where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by the Police Department.
- C. When any vehicle is parked or abandoned on any highway within this City where stopping, standing or parking is prohibited, said vehicle may be removed by the Police Department.
- D. Any abandoned vehicle properly seized according to law may be disposed of pursuant to § 1224 of the New York State Vehicle and Traffic Law, any other applicable law and any subsequent amendments thereto. **[Added 7-2-1979]**

**§ 76-101. Storage and Storage Charges. [Amended 4-5-1977]**

After removal of any vehicle as provided in this Article, the Police Department may store such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the City Clerk of the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charge not to exceed Twenty-five Dollars (\$25.00), plus any charge for storage, such storage charge not to exceed Three Dollars (\$3.00) per day or fraction thereof.

**§ 76-102. Notice of Removal.**

The Police Department shall, upon removal of any vehicle pursuant to this Article, notify the owner of the vehicle without delay of such removal and disposition.

**ARTICLE XI  
Penalties****§ 76-110. Penalties for Traffic Infractions. [Amended 3-21-1995 as L.L. #8-1995]**

Every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall for a first conviction thereof be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

Every person convicted of violating § 76-83M. shall be punished by a fine of Fifty Dollars (\$50.00) for the first offense and One Hundred Fifty Dollars (\$150.00) for the second offense occurring within a period of two years within the City. **[Added 6-18-1996 as L.L. #7-1996]**

**ARTICLE XII**  
**Repeal of Prior Ordinances**

**§ 76-120. Ordinances Repealed, General.**

All ordinances or parts of ordinances of this City in conflict with or inconsistent with the provisions of this chapter are hereby repealed, except that this repeal shall not prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this chapter.

**§ 76-121. Ordinances Repealed, Specific.**

The following ordinance is hereby specifically repealed: Chapter VI of the Ordinances of the City of Dunkirk, New York, "Traffic Regulations," as amended.

**ARTICLE XIII**  
**Severability; When Effective**

**§ 76-130. Severability.**

If any part or parts of this chapter are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter.

**§ 76-131. Time of Taking Effect.**

- A. This local law shall take effect immediately upon filing with the Secretary of State, except those parts which are subject to approval under § 1684 of the Vehicle and Traffic Law.
- B. Any part or parts of this chapter which are subject to approval under § 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Department of Transportation.