

LOCAL LAW NO. 3 OF 2023

**VILLAGE BOARD OF TRUSTEES
VILLAGE OF PELHAM**

**LOCAL LAW TO AMEND CHAPTER 90 OF THE CODE OF THE
VILLAGE OF PELHAM**

BE IT ENACTED, BY THE VILLAGE BOARD, AS FOLLOWS:

(Language in strike-through ~~abcdefghijkl~~ to be deleted; language in bold is to be added)

Section 1.

§ 90-1 of the Code of the Village of Pelham is amended to add the following definitions:

Electric Vehicle

A battery electric vehicle that uses chemical energy stored in rechargeable battery packs, either as its sole source of energy or as combined with petroleum-based fuels.

Electric Vehicle Charging Station

Dedicated battery charging equipment that permits the transfer of electric energy to an electric vehicle's rechargeable battery pack or other energy storage device.

Electric Vehicle Parking Space

A parking space marked for the exclusive use of an electric vehicle for the purpose of using an electric vehicle charging station to recharge the vehicle's propulsion battery pack. Each parking space shall be posted with signage indicating the space is only for electric vehicle charging purposes.

Section 2.

Chapter 90, Article IV, Section 20.1 of the Code of the Village of Pelham entitled "Electric Vehicle Parking Spaces" is hereby created as follows:

Chapter 90 Vehicles and Traffic

Article IV Parking, Standing and Stopping

§ 90-20.1 Electric vehicle parking spaces.

A. No person shall stop, stand, or park a vehicle, other than an electric vehicle as defined in this chapter, in any space or area designated as an electric vehicle

parking space as described in Schedule XXII (§ 90-61), attached hereto, and made a part of this chapter.

B. No person shall park an electric vehicle in an electric vehicle parking space unless such electric vehicle is in the process of actively receiving a charge from the electric vehicle charging station.

C. Notwithstanding any other provision of this chapter, a Village parking permit shall not be required to park in a designated electric vehicle parking space located in any municipal parking lot designated for permit parking.

D. The hourly electric vehicle parking fee shall be in an amount set forth by resolution of the Village Board in a Master Fee Schedule, which may be amended from time to time.

E. It shall be a violation for an electric vehicle to remain in an electric vehicle parking space for more than 15 minutes after it is fully charged. Vehicles parked in an electric vehicle parking space for more than 15 minutes after the vehicle is fully charged shall pay an occupancy fee in an amount set forth by resolution of the Village Board in a Master Fee schedule, which may be amended from time to time.

Section 3.

Chapter 90, Article X, Section 90.61 of the Code of the Village of Pelham entitled "Schedule XXII: Electric Vehicle Parking Spaces" is hereby created as follows:

Chapter 90 Vehicles and Traffic

Article X Schedules

§ 90-61 Schedule XXII: Electric Vehicle Parking Spaces

In accordance with the provisions of § 90-20.1, the following described locations are hereby designated as electric vehicle parking stations. No person shall park a nonelectric vehicle in any designated electric vehicle charging station.

Name of Street	Side	Location
Municipal Parking Lot 07	--	2 spots as designated by signs

Section 4. Ratification, Re-adoption, and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 90 of the Village Code of the Village of Pelham are otherwise to remain in full force and effect and are otherwise ratified, readopted and confirmed.

Section 5. Numbering for Codification

It is the intention of the Village of Pelham and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Pelham; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word " Local Law" shall be changed to "Chapter," " Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 6. Severability

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

Section 7. Effective Date

This chapter shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.