

LAWS & RULES COMMITTEE MEETING

Wednesday, January 19th 2022 at 6:30pm.

NEW BUSINESS

1 – SEQRA determination for Franklin Street Complete Streets Project – J. Schultheis

2—Anti-Idling Law- Julie Noble



LIR

CITY OF KINGSTON
Office of the City Engineer
jschultheis@kingston-ny.gov

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

December 22, 2021

Honorable Andrea Shaut
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

RE: Franklin Street Complete Streets Project – SEQR Classification

Dear President Shaut,

The City was awarded \$750,000 in grant funding for the design and construction of the Franklin Street Complete Streets project through the NYS DEC Climate Smarts Communities grant in 2017. The project includes the design and construction of new sidewalks, ADA ramps, crosswalks, bicycle infrastructure, and other pedestrian safety improvements along the entire length of Franklin Street from Wall Street to Broadway. The design is now substantially complete and we expect to bid and construct the project in 2022.

As part of the design process and pursuant to provisions of the New York State Environmental Quality Review Act 6 NYCRR Part 617 (SEQR), a determination of environmental impact must be made. Based upon the nature of the work involved in this project, it is a Type II Action under SEQR. The project meets the requirements of 6 NYCRR Part 617.5(c)(2), “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.”

As such, it is requested that the Common Council issue a determination that the project is a Type II Action.

Please forward this communication to the next regularly scheduled Laws and Rules Committee for consideration and discussion.

Respectfully,

John Schultheis
City Engineer

Cc: Steven T. Noble, Mayor
Jeffrey Ventura-Morell, Committee Chairman

2

Tinti, Elisa

From: Shaut, Andrea
Sent: Monday, January 17, 2022 7:54 PM
To: Noble, Julie
Cc: Tinti, Elisa; Graves-Poller, Barbara; Tuey, John; Noble, Steve; Worthington, Rita
Subject: RE: Anti-idling legislation and Fee Schedule

Good evening,

I am not comfortable adding this as Old Business, considering it was last discussed over three months ago. However, since it is merely a small adjustment, I will accept it as a late communication for Wednesday's Laws & Rules meeting.

Elisa – can you please add this to the agenda?

Thank you,
Andrea

From: Noble, Julie
Sent: Thursday, January 13, 2022 5:16 PM
To: Shaut, Andrea <ashaut@kingston-ny.gov>
Cc: Tinti, Elisa <emtinti@kingston-ny.gov>; Graves-Poller, Barbara <BGraves@kingston-ny.gov>; Tuey, John <jtuey@kingston-ny.gov>; Noble, Steve <SNoble@kingston-ny.gov>; Worthington, Rita <ward4@kingston-ny.gov>
Subject: Anti-idling legislation and Fee Schedule

President Shaut,

Regarding the 2022 Fee Schedule, attached, pages 31-40, there was legislation addressed via Common Council resolution in 2021 that was not reflected in the adopted fee schedule:

-Anti-Idling Legislation (see Resolution 160 attached), should add fines to the Fee Schedule per the "Be it hereby resolved" section of the resolution.

The fee amount and the effective date are listed in the resolution but the resolution did not explicitly add the fee to the fee schedule.

Per discussions with John Tuey and Barbara Graves-Poller, cc'd here, this needs to be sent back to Laws and Rules as it is a minor correction to an approved resolution which that committee recommended, rather than a substantive issue regarding the fees themselves (which would have otherwise sent it to Finance also).

Can I please request that this be placed as Old Business on the upcoming Laws and Rules meeting agenda for 1/19?

Please advise.

Thanks,
Julie

Julie L. Noble
City of Kingston

Environmental Education & Sustainability Coordinator
467 Broadway
Kingston, NY 12401
845-481-7339

RESOLUTION 232 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, TO ADOPT THE 2022 FEE SCHEDULE AS PER ATTACHED**

Sponsored By: Finance/Audit Committee: Alderman Scott-
Childress, Hirsch, Davis, Schabot, Tallerman

WHEREAS, The Comptroller has requested the adoption of the 2022 Fee Schedule, and;

WHEREAS, The Finance/Audit Committee has received, reviewed, and accepted this request.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**

SECTION 1.- That the City of Kingston Fee Schedule for 2022 is adopted as per the attached.

SECTION-2. This resolution shall take place immediately.

Submitted to the Mayor this ____ day of
_____, 2021

Approved by the Mayor this ____ day of
_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

1 THE CITY OF KINGSTON COMMON COUNCIL

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FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____ CONTINGENCY TRANSFER _____ TRANSFER _____
AUTHORIZATION X BUDGET MODIFICATION _____ BONDING REQUEST _____
CLAIMS _____ ZONING _____ OTHER _____

DEPARTMENT: Comptroller

DATE: 11/30/2021

Description:

Approve City's 2022 Fee Schedule as per attached.

Estimated Financial Impact: N/A. Signature _____

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Reynolds Scott Childress, Ward 3, Chairman		
Don Tallerman, Ward 5		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Fin. Budget

Steven T. Noble
Mayor



29 October 2021

Honorable Andrea Shaut
President/Alderman-at-Large
Kingston Common Council
420 Broadway
Kingston, NY 12401

Re: Fee Schedule

Dear President Shaut,

I have attached a proposed 2022 Fee Schedule. I have red-lined the 2021 fee schedule so the Common Council may more easily review what changes and amendments have been proposed compared to the current schedule.

Please feel free to contact me if you have any questions or concerns.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to be "S. Noble", is written over a horizontal line.

Steven T. Noble
Mayor

STN:rjv

2021-2022 City of Kingston Fee Schedule

CITY CLERK/REGISTRAR

Auction license	\$125
City Code	
Code book set or computer disk	\$330
Annual Code updates	\$110
City Hall Space Rental	
Building/Room usage fee	\$100
Building/Room usage fee – additional hourly charge for staff overtime	\$55
Equipment Rental	\$25
Dog Licenses	
Dog License - Unneutered males and unspayed females	\$18
Dog License - Neutered males and spayed females	\$9
Replacement tag fee	\$3
Dog Impoundment/Boarding/Adoption	
Dog Redemption Fee	\$40
Boarding Fee per day	\$20
Enumeration fee	\$5
Dog adoption fee	\$160
Gaming	
Bingo license	\$18.75
Games of chance license fee	\$25
Genealogy Search (birth, death marriage)	
1-3 years (per record/name)	\$22
4-10 Years	\$42
11-20 Years	\$62
+\$20.00 increments per 10 years	
Marriage license application	\$40
Municipal ID	
Adult	\$10
Child (14-17)	\$5
Senior (62+)	\$5
Veteran	\$5
Photocopies (not exceeding 8.5 inches by 11 inches), per page	\$0.25
Pawnbroker permits	\$25
Rezoning Amendment Application Fee	\$75
Sales of merchandise license	\$100

ELECTRICAL

Copy of manual of rules and regulations	\$5
Master Electrician license	\$225
Annual renewal fee	\$200
Master Electrician license, Class B	\$200
Special Electrician's license	\$100
Renewal Special Electrician's license	\$50
Master Electrician limited license	\$200
Renewal Master Electrician limited license	\$100
Late charge for all electrical licenses	\$150
License holders who wish to consider their license inactive for the current year	\$75
Examination fee	\$50
Plate or sign for Class A Master Electrician's license	\$25

Electrical permits:

Residential	\$50
Residential (new construction)	\$100
Commercial	\$100
Commercial (new construction)	\$200

COMPTROLLER

Printed version of city budget	\$10
Tax advertising fee	\$20
Tax search redemption of city property	\$200

FIRE DEPARTMENT

Fire report fees	\$10
Permit fees - Businesses that store or use hazardous materials	\$50
Inspection fees - Fire inspection	\$50
Fire alarm systems registration fee	\$50
Cooking permits	\$25

BUILDING DEPARTMENT^

^This applies to all permits issued by the Building Department. Applications for permits that are not approved, for any reason, will be entitled to thirty three and one third (33 1/3%) of paid fees refunded. Refund request must be submitted in writing. No refunds will be granted for permits that have been approved even if permit has not been picked up.

Application for sidewalk or streetside cafe
\$150

Permit for sidewalk or streetside café
\$250

Site development permit	\$250
Minimum fee for any building permit	\$75
(*plus a per-square-foot fee for the following):	
New building	\$0.50
Additions	\$0.30
Alterations	\$0.30
Elevators and lifts (flat fee)	\$100
Demolition interior (flat fee)	\$100
Demolition (residential structure removal flat fee)	\$250
Demolition (commercial structure removal flat fee)	\$500
Pools - Aboveground (flat fee)	\$50
Pools - In-ground (flat fee) including required fencing	\$100
Job trailers (per job)	\$100
Blasting (per job)	\$100
Review of Plans Prior to Permit App or for revisions to approved plans	\$100 per hour

Fireworks Permit	\$200
Permit Extension (All Permits)	\$50

Must Be Requested within 5 days of expiration date of original permit and may not exceed an additional 6 months.

Expired Permit Renewal (All Permits) 50% of original fee but not less than \$50

New Application Required

Working without a permit fee

Residential – First Instance	\$250 plus permit cost
Residential – Second Instance	\$500 plus permit cost
Residential – Each Instance After Second Instance	\$1,000 plus permit cost
Commercial – First Instance	\$500 plus permit cost
Commercial – Each Instance After First Instance	\$1,000 plus permit cost

Failure to call for and schedule required inspections fee within timeframe specified with permit

Residential	\$100
Commercial	\$250

Roofing Permits:

Residential	\$75
Commercial	\$75 or \$.02 per square foot whichever is larger

Inspections or services requested outside of normal business hours (3 hour minimum) \$70 per hour

Solar permits

Installation of up to 5KW of solar electric usage	\$50
Installation of 5.1KW to 7.5 KW of solar electric usage	\$125
Installation of 7.51 KW to 10 KW of solar electric usage	\$250
Over 10.1 KW of solar electric usage	\$500
Over 25 KW of solar electric usage	\$1000
Commercial Solar Facilities	\$6,000
Commercial Battery Facilities	\$3500

In addition to the above, the following fees shall apply:

Certificate of compliance	\$150
Certificate of occupancy (copy)	\$5
Certificate of compliance (copy)	\$5

Temporary Certificate of Occupancy	\$100
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Inspection for certificate of compliance or certificate of occupancy

One- and two-family house	\$100
Three or more apartments (per unit)	\$50

Re-inspection Fee

\$250/150

Record of Inspection (per square foot per floor)	\$0.25
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Rental property inspection fees-multiple dwellings

Apartment buildings

1-3 rental units: flat fee plus \$50 per each unit	\$75
4-9 rental units: flat fee plus \$50 per each unit	\$150
10-20 rental units: flat fee plus \$45 per each unit	\$250
Over 20 rental units: flat fee plus \$40 per each unit	\$400

Rooming houses

1-9 rental units: flat fee plus \$40 per each unit	\$100
10-20 rental units: flat fee plus \$35 per each unit	\$200
Over 20 rental units: flat fee plus \$30 per each unit	\$350

Hotel/Short Term Rental property inspection fees-multiple dwellings

Hotel/Short Term Rental buildings

1-3 rental units: flat fee plus \$50 per each unit	\$75
4-9 rental units: flat fee plus \$50 per each unit	\$150
10-20 rental units: flat fee plus \$45 per each unit	\$250
Over 20 rental units: flat fee plus \$40 per each unit	\$400

Assembly spaces (annual inspection)

Properties up to 1,000 sq ft	\$125
Properties over 1,000 sq ft	\$125
plus \$.02/sq ft	
Failed Inspection Fees	
First Instance	\$250
Second Instance	\$500
Third or any Subsequent Instance	\$1,000
Fuel tank Removal Fees:	
Residential	\$100
Commercial	\$200
Fire Sprinkler Permit	\$200
Commercial Property/Fire Inspections	
Properties up to 1,000 sq ft	\$125
Properties over 1,000 sq ft	\$125 plus \$.02 sq ft
(Maximum fee for commercial property fire inspections is \$1500)	
(Maximum fee for non profits and churches is \$500)	
Marinas Commercial fire inspection fees apply to buildings/structures plus \$2/per boat slip	
Gas Stations	\$125 plus \$25/per pump
Change of Occupancy/Use Permit	
Residential	\$100
Commercial	\$200
Flood Plain Permit	\$300
Towers/Cell Towers	
Equipment modifications/replacement or collocation	\$750
New tower installation	\$1,500

PARKING

Parking meters	
For 6 minutes	\$0.10
For 12 minutes	\$0.20
For 30 minutes	\$0.50
Severe disability waiver for metered parking available through Kingston Police Department	
Expired parking meter	\$25
Over limit parking	\$25
Expired parking meter after 15 days	\$50
Over limit parking after 15 days	\$50
Off-Street Parking in City owned and maintained parking lots	\$.75/hour, Mon-Sat, 9am-6pm
Off-Street Parking Permits for City owned and maintained parking lots	\$20/month, \$100/year
Replacement of Off-Street Parking Permit tag	\$20

PARKS AND RECREATION

Aging Programs	
Senior ceramics-Resident	\$30
Senior Ceramics - Nonresident	\$40
Dietz Stadium	
Basic Field Rental Weekdays	\$100/hr
Basic Field Rental Weekdays with Lights	\$125/hr
Basic Field Rental Weekend Days	\$125/hr

Basic Field Rental Weekend with Lights	\$150/hr
Community or Youth Event Fee	\$150
Hourly Per Person Staff Fee (if applicable)	\$55/hr
Promotion Fee	\$600
Field rental (no lights) for City League teams for two hours	\$5
Field rental (no lights) for two hours	\$10
Field Rental with lights, per hour	\$55
Flag football	
Resident	\$65
Nonresident	\$80
Forsyth Zoo Guided birthday parties	
Resident	\$100
Nonresident	\$125
Hasbrouck stone building rental	
Resident	\$130
Nonresident	\$140
Nonresident	\$190
Nonresident	\$200
Kayaking	
Resident	\$30
Non-Resident	\$40
Park rental - weekend/holidays	
Resident	\$140
Nonresident	\$125
Nonresident	\$150
Nonresident	\$175
Park rental - weekdays	
Resident	\$65
Nonresident	\$75
Park rental for City youth organizations/non profits located in Kingston, Monday through Friday	
Resident	No charge
Nonresident	\$25
Park Rental Fee - Trash removal as required (resident and non-resident)	
Resident	\$100
Nonresident	\$125
Pool Admission	
Youth resident	\$1
Senior citizen resident	\$2
Adult resident	\$1
Youth nonresident	\$3
Senior citizen nonresident	\$4
Adult nonresident	\$6
Annual Pool Passes	
Youth resident	\$15
Senior citizen resident	\$15
Adult resident	\$40
Family resident	\$85
Youth non resident	\$25
Senior citizen non-resident	\$40
Adult non-resident	\$60
Family-non-resident	\$120
Rondout and Murphy Center Rental	
Up to 8 hours plus \$55 /hour staff	\$300
Up to 8 hours plus \$55/hour staff (movie rental)	\$450
Summer Parks Program	
Resident	\$250

Nonresident	
\$335 \$50	
Junior naturalist program - Resident One Week Program	\$105
Junior naturalist program - Non-Resident One Week Program	
\$155 \$60	
Junior naturalist program - Resident Two Week Program	\$200
Junior naturalist program - Non-Resident Two Week Program	
\$260 \$275	
Swim lessons	
Resident	\$50
Nonresident-Daily	\$75
Team league sponsorships	
Softball (team)	\$555
Beach volleyball (team)	\$195
Fall/winter volleyball (team)	\$360
Over 30 basketball (team)	\$340
Youth basketball league (team)	\$270
Tennis Lessons (NJTL)	
Resident	\$40
Nonresident	\$50
Youth Basketball	
Resident	\$45
Nonresident	\$65
Youth basketball program (Five-to six-year-old)	
Resident	\$20
Nonresident	\$25
Youth Basketball camp	
Resident	\$65
Nonresident	\$80

PLANNING

Noise Permit - Single Day Event	\$3540
Noise Permit - Up to 7 day Event	\$5075
Noise Permit - Up to 6 months	
\$100 \$450	
Noise Permit - Up to 1 year	
\$200 \$750	
Site Plan Base Fee	\$200
Plus Additional Square Foot Fee as per below:	
Structure Up to 2,000 square feet	\$0 plus \$.10 per sq ft
Structure over 2,000 to 5,000 square feet	\$100 plus \$.20 per sq ft
Structure over 5,000 up to 20,000 square feet	\$250 plus \$.25 per sq ft
Structure over 20,000 up to 50,000	\$400 plus \$.30 per sq ft
Structure over 50,000 square feet	\$600 plus \$.35 per sq ft
Site Plan Extension/Renewal	10% of Original Application Fee
Special Use Permit Base Fee	\$200
Plus Additional Square Foot Fee as per below:	
Structure Up to 2,000 square feet	\$0 plus \$.10 per sq ft
Structure over 2,000 to 5,000 square feet	\$100 plus \$.20 per sq ft
Structure over 5,000 up to 20,000 square feet	\$250 plus \$.25 per sq ft
Structure over 20,000 up to 50,000	\$400 plus \$.30 per sq ft
Structure over 50,000 square feet	\$600 plus \$.35 per sq ft
Copies on CD	\$7.50
Copies	
8.5" x 11"	\$0.25
8.5" x 14"	\$0.35

11" x 14"	\$0.50
Large Map Copies	Cost, plus \$3 Service Fee
Mailing	At Cost
Special Use Permit Renewal	\$75
Rooming and Boarding House per Building (up to 4 rooms)	\$250
Additional cost per room in excess of 4 Rooms per Building	\$30
Subdivision (Non-Refundable)	
Subdivision/Lot Line/Revision/Lot line Deletion	\$150 plus \$50/resultant lot
Subdivision Regulations	\$15 plus mailing if needed
Zoning Ordinance	\$20 plus mailing if needed
Signage Base	\$50 fee plus \$2 per square foot of sign face
Curb Cut Review (fee is not applicable if part of site plan or subdivision reviews)	\$25
Recreation Fee-In Lieu of Parkland	
Per Dwelling Unit	Maximum \$3,000/unit over 4
Heritage Area Commission	
Base Fee	\$20\$50
Base Fee if dual applicant with Historic Landmark Preservation Commission	\$20
Coastal Consistency Review as Required	\$50
Historic Landmarks Preservation Commission Application Fee	\$50
Lighthouse	
Use Fee for Structure	\$110 Resident/\$150 Non-Resident
Cleaning Fee	\$75

PLUMBING

Application and initial license fee (plumbing – includes oil heat)	\$300
Gas license (includes water connection)	\$125
Oil heating license (includes water connection)	\$125
Examination fee (each exam)	\$100
Inactive license fee (each)	\$75
License renewal fee (plumbing)	\$300
License renewal fee (gas or oil)	\$125
License reinstatement fee (plumbing)	\$300
License reinstatement fee (gas or oil)	\$75
Plumbing Permits-base fee plus:	\$75
Fee Per Fixture	\$10
Single job permit fee:	
Up to \$10,000	\$400
From \$10,001 to \$100,000	\$900
Over \$100,000	\$1,500

POLICE DEPARTMENT

ATV impoundment	\$250
Application fee for exhibitions/shows	
Each show	\$10
First investigation	\$50
Each subsequent inspection	\$10
Burglar alarms	
Application to operate	\$40
False alarms	\$50
License to peddle and solicit	\$150
Skateboard redemption fee	\$25
Taxi Cab Licenses	
Taxi cab registration fee	\$75 25

Temporary taxi driver's license	\$2510
Taxi cab driver's license	\$10
Taxi cab vehicle inspection	\$50
Taxi cab license fee	
\$500100	
Replacement taxi driver's license fee	\$5
Tow truck inspection	
Annual inspection	\$200
Each tow vehicle inspected	\$20
Placement of Signs	\$25
Towing fee**Charges collected by tow truck operators**	
Day: \$100.00, Nights & Weekends: \$125.00,	
Above three-quarter ton trucks Day: \$125.00, Nights & Weekends \$150.00	
Tractor Trailers 18,000 GVW – Return empty Days: \$75.00, Nights & Weekends: \$100.00	
Snow Tows Day or night Includes dig out: \$125.00	

****Additional Charges**** The licensee shall be permitted to charge additional fees for additional services. Any fees not provided herein shall be in accordance with the schedule of fees filed with the Kingston Police Department.

PUBLIC WORKS

Blocking Parking permit - Non-Metered	\$50 (up to 2 weeks)
Blocking Parking permit – Metered	\$25/space/day
Brush (Commercial – Per Ton)	\$30
Less one ton	\$15
Bulk Refuse (per pound)	\$0.15
Commercial Refuse (per pound)	\$0.20
Curb Cut Permit	\$100
Electronic equipment disposal (curbside fee only, free at transfer station)	
Small electronics (other than TV's)	\$8
CRT/TV/Monitor (picture tube style) under 27"	\$15
Flat Screen TV's	\$10
Consoles, large printers, large CRT TV's (over 27")	\$38
Additional Fine for curbside collection of electronics (per item)	\$15
Excavation Permit- Street, Right of Way	\$300
Linear Trenches	\$4.00 per ft
Excessive Trash – in excess of 96 gallons, small curbside clean-up	\$100
Excessive Trash – in excess of 96 gallons but less than 192 gallons, large curbside clean-up	\$250
Excessive Trash – massive clean-up (move out, eviction) flat fee plus:	\$250
Tipping Fee	\$405.15 Per Lb.Per
Ton	
Hourly Rate (to include labor and equipment)	\$200
Furniture (Per Item)	
Curb Pick-up by permit only	\$25
At transfer station (no permit required)	\$15
Mattress/box spring (at curb)	\$25
Mattress/box spring (at transfer station)	\$15

Leachate	
gallons	\$.08 a gallon tank size up to 3,000
over	\$.06 gallon a for tank size of 3,000 gallons or

Placement of signs/banners	\$25
Private hauler permits	\$600
Recycling non-compliance	
\$25 first incidence	
\$50 second incidence	
\$100 third or more incidences	
Refuse (annual fee for additional refuse tote)	\$450
Sewer use - scavenger waste license fee	\$100
Sewer Tap	\$350
Sidewalk repair or replace permit	\$50
Tires	
Bike without rim	\$6
Bike with rim	\$7
Passenger car up to 17 inches	\$12
Passenger car up to 17 inches with rim	\$32
Passenger car, above 17 inches	\$32
Passenger car, above 17 inches with rim	\$37
Farm and construction without rim	\$200
Farm and construction with rim	\$250
White Goods (Appliances)	
Without Freon at curb (per item)	\$25
With Freon at curb (per item)	\$35
With Freon at transfer station (per item)	\$25
Without Freon at transfer station (per item)	\$15

SPECIAL EVENTS

Application Fee (all events)	\$25
Blocked Parking Fees (events other than non-profit, government or community org)	
On-street metered areas (per space)	\$50/space
On-street non-metered areas (per event)	\$100
Off-street metered areas (per space)	\$25/space
Off-street non-metered areas (per event)	\$100
Personnel Reimbursement (events other than non-profit, government or community org)	
DPW/Parks & Rec (per employee)	\$55/hour
Police (per officer)	\$90/hour
Fire (per firefighter)	\$90/hour
Street Closure/Detour Plan (all events)	
Street Closure/Detour Plan 1-5 Roads/Intersections	\$50
Street Closure/Detour Plan 6-10 Roads/Intersections	\$100
Street Closure/Detour Plan 11 or more Roads/Intersections	\$150
Tote Fee (with refuse removal)	\$20/tote
Vendor Permit (all events)	\$40/ vendor

ZONING

Zoning Letter:	
Residential	\$100
Commercial	\$250
Zoning Variance Fees:	

Area Variance – Residential	\$150
Area Variance – Commercial	\$350
Usage Variance – Residential	\$150
Usage Variance – Commercial	\$350

RESOLUTION 160 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, PROHIBITING THE IDLING OF LIGHT AND MEDIUM DUTY VEHICLES FOR MORE THAN TEN MINUTES IN THE CITY OF KINGSTON

Sponsored By: Laws & Rules Committee: Alderman Ventura
Morell, Scott-Childress, Hirsch, Tallerman,
Worthington

WHEREAS, it is in the City of Kingston's best interest to adopt anti-idling legislation more stringent than that of New York State Code.

RESOLVED that the City of Kingston supports the adoption of an anti-idling policy, and;

RESOLVED, that Local Ordinance [#] of 2021 is hereby adopted as follows:

SECTION I.

BE IT HEREBY RESOLVED, that Chapter 390 of the City of Kingston Code "Vehicles and Traffic" Article VI be amended to add Section [#]: Idling of Motor Vehicles:

- A. Applicability: This section shall apply to all motor vehicles as defined in Article 1 of the Vehicle and Traffic Law of the State of New York not currently regulated under New York State Code of Rules and Regulations Subpart 217-3: Idling Prohibition for Heavy Duty Vehicles.
- B. Prohibitions: No person shall allow, cause, or permit the engine of any motor vehicle to run for more than ten consecutive minutes while parking, standing, or stopping in the City of Kingston, as those terms are defined in New York State Vehicle and Traffic Law.
- C. Exceptions: The prohibitions of sub-section B shall not be applicable when
 - I. A vehicle is forced to remain motionless because of traffic conditions over which the operator has no control.
 - II. Fire, police, ambulance, or public utility vehicles are performing emergency services.
 - III. A vehicle engine is required to provide power for a necessary auxiliary function, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; running equipment; construction; lumbering ;licensing service; or when operation of the engine is required for maintenance; .

The weather conditions are as follows:

- i. A snow emergency is declared in the City of Kingston
- ii. A heat advisory is declared in the City of Kingston
- iii. The ambient temperature in the City of Kingston is continuously below 25 degrees F (-4 degrees C) for a period exceeding two hours

BE IT HEREBY RESOLVED, that Section 390-82 "Penalties for Offenses" Subsection B be amended to include violation: "Idling" with an initial fine of \$20 and a fine of \$40 after 15 days. This will take effect as of January 1, 2022

Submitted to the Mayor this 6th day of

August, 2021

Elisa Tinti

Elisa Tinti, City Clerk

Approved by the Mayor this 6th day of

August, 2021

Steven T. Noble

Steven T. Noble, Mayor

Adopted by Council on August 3, 2021

160

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Office of Sustainability

DATE: May 25, 2021
July 21, 2021

Description:

Legislation to prohibit the idling of light and medium duty vehicles for more than ten minutes in the City of Kingston. *As per attached with suggested edits regarding the effective date of January 1 2022.*

Signature: Julie L Noble

Motion by RSC

Seconded by RW

Action Required:

SEQRA Decision:

Type I Action

Type II Action

Unlisted Action

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Jeffrey Ventura Morell, Chairman <i>[Signature]</i>	✓	
Patrick O'Reilly, Ward 7 Michelle Hirsch, Ward 9 <i>[Signature]</i>	✓	
Rennie Scott-Childress, Ward 3 <i>[Signature]</i>	✓	
Don Tallerman, Ward 5 <i>[Signature]</i>	✓	
Rita Worthington, Ward 4 <i>[Signature]</i>	✓	

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Office of Sustainability

DATE: May 25, 2021

Description: _____

Legislation to prohibit the idling of light and medium duty vehicles for more than ten minutes in the City of Kingston.

Signature: Julie L Noble

Motion by _____

Seconded by _____

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Jeffrey Ventura Morell, Chairman		
Patrick O'Reilly Ward 7		
Rennie Scott-Childress, Ward 3		
Don Tallerman, Ward 5		
Rita Worthington, Ward 4		



Kingston Conservation Advisory Council
420 Broadway
Kingston, NY 12401
(845) 481-7339

May 12, 2021

City of Kingston Common Council
420 Broadway
Kingston, NY 12401

To the City of Kingston Common Council:

The Conservation Advisory Council of the City of Kingston would like to express its support of the resolution amending Chapter 390, article VI to include Local Ordinance (TBD#) of 2021, which establishes an anti-idling policy.

The CAC has an Air Quality subcommittee that has been working to protect and enhance clean air in order to provide equitable access to clean air for all residents of Kingston.

The CAC has an informational website that provides information describing and encouraging anti-idling behaviors and policies: www.kingston-ny.gov/airquality.

This resolution will work toward these goals and recommendations.

We thank you for your consideration of this resolution, and urge you to approve it.

Respectfully,
Members of the City of Kingston Conservation Advisory Council

Tinti, Elisa

From: Noble, Julie
Sent: Thursday, July 01, 2021 10:00 AM
To: Patrick O'Reilly; Alderman
Cc: Gartenstein, Daniel; Bryant, Kevin; Gartenstein, Arielle; Flynn, Emily; Quesnell, Dan
Subject: RE: [EXTERNAL EMAIL] Idling car legislation
Attachments: Anti-Idling Resolution L+R edits.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Patrick, et al.,

Regarding your question below, similar to any other new legislation, there will inherently need to be education coupled with it, which has always been our full intent. I do not think signage would be the way to go but that would be up to you all as you regulate street signage. We (the City, with the Climate Smart Kingston Commission and the CAC) would do an educational campaign around the legislation, for both enforcement employees as well as the public so that folks would know about the new changes.

Regarding the question about whether to legislate or not, of course, is ultimately up to the Council. We have continued to be a leader in sustainability in our region and in our state, and legislation around issues such as this demonstrate our commitment to our environment but also to our community's health. There are many co-benefits with this legislation, as Ellie and I articulated. We also need to recognize that nothing changes overnight. It wouldn't with education alone or with legislation alone, or even with both combined. It involves cultural shift, and that is what we are doing with all of our projects- thinking about the big picture, the next generation, the current generation, and the legacy we leave.

I have attached some draft modified language per the Council's request, for consideration. Additions are in yellow highlight.

Julie

Julie L. Noble
City of Kingston
Environmental Education & Sustainability Coordinator
467 Broadway
Kingston, NY 12401
845-481-7339

-----Original Message-----

From: Patrick O'Reilly [mailto:kanatruck@gmail.com]
Sent: Monday, June 28, 2021 2:13 PM
To: Noble, Julie <JulieLNoble@kingston-ny.gov>; Alderman <Alderman@kingston-ny.gov>
Cc: Gartenstein, Daniel <dgartenstein@kingston-ny.gov>; Bryant, Kevin <kbryant@kingston-ny.gov>
Subject: [EXTERNAL EMAIL] Idling car legislation

Hi Julie,

Wondering why we are taking the legislation route instead of using our environmental educators to educate our community about idling cars in the environment? People often resent being forced to comply to regulations they don't

understand. What is the cost for signage and where will they be placed. Sign pollution is a problem in Kingston. I would think legislation would be a last resort not first. Would it be best to table this until we can educate the residents?

Thanks for all you do.

Patrick O'Reilly

Sent from my iPhone

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

WHEREAS, it is in the City of Kingston's best interest to adopt anti-idling legislation more stringent than that of New York State Code.

RESOLVED that the City of Kingston supports the adoption of an anti-idling policy, and;

RESOLVED, that Local Ordinance [#] of 2021 is hereby adopted as follows:

SECTION I.

BE IT HEREBY RESOLVED, that Chapter 390 of the City of Kingston Code "Vehicles and Traffic" Article VI be amended to add Section [#]: Idling of Motor Vehicles:

- A. Applicability: This section shall apply to all motor vehicles as defined in Article 1 of the Vehicle and Traffic Law of the State of New York not currently regulated under New York State Code of Rules and Regulations Subpart 217-3: Idling Prohibition for Heavy Duty Vehicles.
- B. Prohibitions: No person shall allow, cause, or permit the engine of any motor vehicle to run for more than ten consecutive minutes while parking, standing, or stopping in the City of Kingston, as those terms are defined in New York State Vehicle and Traffic Law.
- C. Exceptions: The prohibitions of sub-section B shall not be applicable when
 - I. A vehicle is forced to remain motionless because of traffic conditions over which the operator has no control.
 - II. Fire, police, ambulance, or public utility vehicles are performing emergency services.
 - III. A vehicle engine is required to provide power for a necessary auxiliary function, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; running equipment; construction; lumbering; licensed servicing; or when operation of the engine is required for maintenance; .
 - IV. The weather conditions are as follows during the idling period:
 - i. A snow emergency is declared in the City of Kingston
 - ii. A heat advisory is in effect in the City of Kingston
 - iii. The ambient temperature in the City of Kingston is continuously below 25° F (-4° C) for a period exceeding two hours

BE IT HEREBY RESOLVED, that Section 390-82 "Penalties for Offenses" Subsection B be amended to include violation: "Idling" with an initial fine of \$20 and a fine of \$40 after 15 days.



420 Broadway
Kingston, NY 12401
(845) 481-7339

Minutes to the Climate Smart Kingston Commission Meeting, April 28, 2021

City Hall, Kingston NY 5:00-6:30 PM

Virtual Meeting: Zoom:

<https://us02web.zoom.us/j/87941543715?pwd=T0kzbmhTZ2xkcZJPak5DWEhzK0t6dz09>

Commission Members (Voting): Elizabeth Broad, Melissa Iachetta, Kevin McEvoy (Secretary), Sarina Pepper (excused), Dan Smith, Karen Sullivan, Maija Niemisto, Cal Trumann, Jessica Kuonen (excused), Roberto Rivera

Commission Members (Non-Voting): Amanda LaValle (Ulster County Dept of the Environment; not present) Kingston Office of Economic Development representative-not present, Julie Noble (Commission Chairperson-present), Common Council Member Rennie Scott-Childress (City of Kingston Common Council- (not-present), NYS Assembly Member Kevin Cahill by Michael D'Arcy (not present), John Schultheis or designee Kingston City Engineering Office by Arielle (Ellie) Gartenstein Edward Norman or Designee Kingston Dept of Public Works (not present);

Guests: Joey-Lynn, Daniel Quesnell (City of Kingston Parking Supervisor)

- I. Welcome Guests and Public Comment:** The Chairperson called the meeting to order at 5:04pm. No public comment at this time.
- II. Review and Approval March 2021 Meeting Minutes:** Upon motion duly made by Commissioner Cal Trumann and seconded by Commissioner Karen Sullivan, the commissioners present approved the minutes to the March meeting as amended.
- III. Modifications to the Agenda:** None
- IV. Old Business:**
 - 1. Green Fleet Policy:** Ellie Gartenstein reviewed the Green Fleet Policy in the context of the present and soon to be updated Climate Action Plan. Heavy duty vehicles are exempt presently due to technology issues. The fleet is intended to be operated as efficiently as possible. Hybrid or electric battery vehicles are to be used whenever possible. Fuel inventory is to be kept for each department and user. Fuel usage can then be reported annually. Carbon dioxide emissions data are also to be kept. Commissioner dan Smith asked about metrics for other greenhouse gases to which Ellie clarified that the emphasis is on air quality. The vehicle request form was also reviewed. The Mayor will make all final decisions on vehicle requests. Ellie also discussed the proposed city-wide Anti-Idling Resolution to be submitted to the Common Council which indicates that light or medium duty vehicles cannot idle for more than ten minutes. Ellie indicated that the resolution was reviewed with Daniel Quesnell, City Parking Supervisor. The Chairperson indicated that the resolution will be submitted to the Conservation Advisory Council (CAC) for its May meeting and for review by the CAC air quality committee. The Chairperson asked about idling and pets kept in vehicles for brief periods during extreme weather with air conditioning or heat on. Daniel Quesnell indicated that the safety of the pet may supersede idling. Specific language in the resolution regarding enforcement was discussed. Upon motion duly made by Commissioner Cal Trumann and seconded by Commissioner Roberto Rivera, the commissioners present voted to support the Green Fleet Policy and the Anti-Idling Resolution in principle with all commissioners present in favor except for one abstention by Commissioner Melissa Iachetta.

2. **2030 Climate Action Plan (Julie):** The Chairperson discussed the survey results reviewed on April 20th. Two project advisory meetings are planned for the Project Advisory Committee meeting in May and June and will prioritizing actions within the plan. Timeline is to have a draft CAP out to the public by the fall.
3. **Refrigerants (Dan, Maija):** Commissioner Dan Smith reported that the audit of city owned assets is now complete. Data collected included air conditioning units and systems and is transposed into a spreadsheet or log form. Methodology to determine leaks from such systems was discussed whether it would be from educated assumptions or tracked down and actually verified in each instance through the purchasing department or otherwise spot checking some actual data for two years against an educated assumption. Curbside pickup and chain of custody of refrigerant equipment was discussed. Updating language in the City Code from the Montreal Protocol to present carbon concerns is being now being addressed. Commissioner Cal Trumann discussed an anecdotal story regarding window unit AC disposal.
4. **City Sustainability Projects (Julie):** The Chairperson reported on the following matters: **(a) LED project:** The Chairperson reported that the project is completed. **(b) Organics:** The Chairperson and Carla Castillo are completing the draft plan and expect to have it completed by the spring. Ellie Gartenstein is reviewing gaps in data. **(c) City Parks and CDBG funding:** The Chairperson discussed park projects including Andretta Pool splash pad. Improvements in Block Park to elevate against sea level rise were also reviewed.
5. **Repair Café: (Melissa):** Commissioner Melissa Iachetta reported that some communities are planning outdoor events but the Kingston coaches regarding an outdoor the Repair Café event. The Farmers market was discussed in this regard. Fixit Clinic online event is scheduled for May 15.
6. **Outreach and Education (Melissa/Maija):**
 - i. **Earth Day 2021 Activities Update:** Commissioner Melissa Iachetta discussed the recent survey and responses with respect to climate action pledges for Earth Day. Melissa discussed the Farmer's Market and photos of people completing climate pledges and the residency of the people responding which included a significant number of people from outside Kingston. The location of the missing Climate Smart banner was reviewed. The banner needs to be located or replaced for future tabling. A display at the Kingston Library was mentioned with a Kingston Ward map or a pie chart which could be included.
 - ii **Pizza Box Campaign:** Commissioner Melissa Iachetta discussed the recent event at Vincenzo's Restaurant with the Mayor and public comments on social media. Several restaurants are not participating.
 - iii **HRMM Display:** Commissioner Cal Trumann reported that HRMM is doing a soft re-opening and updated the commission on the display.
7. **Green Business Challenge (Betta):** Commissioner Cal Trumann provided an update.
8. **Zoning Updates (Kevin):** Commissioner Kevin McEvoy reported that the Dover Kohl proposal was approved by the Common Council. The project is now going to contract.
9. **Renewable Energy:** County is doing a solarize campaign and a webinar is to be held on Thursday April 29. Commissioner Betta Broad provided a link: <https://ulstercountyny.zoom.us/j/96507310401>
10. **NY Energy Stretch Code:** Elli (Arielle) Gartenstein reported that the NYStretch Code was approved at the Common Council Laws and Rules Committee meeting.
11. **Solid Waste Management:** The Chairperson reported on a new City brochure regarding recycling.

V. New Business: None

VI. Announcements/Communications/Events/Updates:

- a. **Public Safety/General Government Committee (Sarina):** No update at this meeting.
- b. **Ulster County Climate Smart Committee (Betta/Cal):** Commissioner Cal Truman reported on a low carbon concrete project that was discussed.
- c. **Report from Assemblyperson Cahill's Office:** No update at this meeting
- d. **Climate Smart Communities:** No update at this meeting.

VIII. Determine Social Media Postings: Commissioner Melissa Iachetta reported briefly on social media posting updates. Link to the Climate Smart. Kingston Facebook:
<https://www.facebook.com/climatesmartkingstonny/>

IX. Adjournment: Upon motion duly made by Commissioner Melissa Iachetta and seconded by Commissioner Karen Sullivan, the commissioners present unanimously adjourned the meeting at 6:42pm.

Vision: *The City of Kingston will be a model city of energy, environmental and economic sustainability within city government operations and throughout the community.*

Note that website links are informational only. The Commission makes no representations as to content therein. These minutes represent a summarization of the meeting and not a transcription.

DRAFT

WHEREAS, it is in the City of Kingston's best interest to adopt anti-idling legislation more stringent than that of New York State Code.

RESOLVED that the City of Kingston supports the adoption of an anti-idling policy, and;

RESOLVED, that Local Ordinance [#] of 2021 is hereby adopted as follows:

SECTION I.

BE IT HEREBY RESOLVED, that Chapter 390 of the City of Kingston Code "Vehicles and Traffic" Article VI be amended to add Section [#]: Idling of Motor Vehicles:

- A. Applicability: This section shall apply to all motor vehicles as defined in Article 1 of the Vehicle and Traffic Law of the State of New York not currently regulated under New York State Code of Rules and Regulations Subpart 217-3: Idling Prohibition for Heavy Duty Vehicles.
- B. Prohibitions: No person shall allow, cause, or permit the engine of any motor vehicle to run for more than ten consecutive minutes while parking, standing, or stopping in the City of Kingston, as those terms are defined in New York State Vehicle and Traffic Law.
- C. Exceptions: The prohibitions of sub-section B shall not be applicable when
 - I. A vehicle is forced to remain motionless because of traffic conditions over which the operator has no control.
 - II. Fire, police, ambulance, or public utility vehicles are performing emergency services.
 - III. A vehicle engine is required to provide power for a necessary auxiliary function, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; running equipment; construction; lumbering; licensed servicing; or when operation of the engine is required for maintenance; .
 - IV. The weather conditions are as follows during the idling period:
 - i. A snow emergency is declared in the City of Kingston
 - ii. A heat advisory is in effect in the City of Kingston
 - iii. The ambient temperature in the City of Kingston is continuously below 25° F (-4° C) for a period exceeding two hours

BE IT HEREBY RESOLVED, that Section 390-82 "Penalties for Offenses" Subsection B be amended to include violation: "Idling" with an initial fine of \$20 and a fine of \$40 after 15 days.

CITY OF KINGSTON
Office of Environmental Education and Sustainability
climatesmart@kingston-ny.gov

Julie L. Noble, Coordinator



Steven T. Noble, Mayor

May 26, 2021

Honorable Andrea Shaut
President/Alderman-at-large
Kingston Common Council
420 Broadway
Kingston, NY, 12401

Dear President Shaut,

On behalf of the Office of Sustainability and with my role as Sustainability Coordinator, I would like to request placement on the agenda of the Laws and Rules Committee to discuss the adoption of Anti-Idling legislation for the City of Kingston.

Idling is when the operator of a vehicle leaves the engine running while the vehicle is parked. Idling result in the emission of large amounts of greenhouse gases into the atmosphere, contributes substantially to air pollution, deteriorates engines, and interferes with traffic conditions.

For every ten minutes of idling, the average car produces one pound of carbon dioxide (CO₂), the greenhouse gas with the largest contribution to anthropogenic climate change. Researchers estimate that idling wastes about 6 billion gallons of non-renewable fuel annually, resulting in the emission of 30 million tons of CO₂. One-third of greenhouse gas emissions come from the transportation sector alone, and studies show that idling for more than 10 seconds uses more fuel and emits more pollution than turning the engine on and off again. Idling regulations are crucial to the climate action process and are a simple way to provide equitable access and a clean and healthy environment for all residents in Kingston.

Exhaust from idling gasoline and diesel-powered vehicles has been classified as a likely carcinogen by the United States Environmental Protection Agency, and numerous studies link exposure to fine particles to severe adverse health effects. This includes premature death, and increased incidents of asthma, allergies, and other breathing disorders especially prevalent in children and the elderly. Vehicle idling usually occurs in heavily trafficked locations (e.g. school grounds, parking lots, retail areas, construction sites, etc.) where people can be exposed to concentrated sources of air pollutants in short periods of time. Anti-idling policies are shown to increase air quality, directly impacting the health and wellness of a municipality.

Vehicle idling slows the flow of traffic; and blocks emergency stopping lanes, bus stops, and parking spaces. Metered parking spaces provide valuable income to be reinvested into City infrastructure, and should not be taken up by idling vehicles. Stopping lanes and road shoulders are critical in the event of an emergency and

CITY OF KINGSTON
Office of Environmental Education and Sustainability
climatesmart@kingston-ny.gov

Julie L. Noble, Coordinator



Steven T. Noble, Mayor

should remain clear at all times. Vehicle idling while the driver is double-parked increases congestion and interferes with the flow of traffic by creating unnecessary obstacles for pedestrians, bicyclists, and other drivers to navigate. Anti-idling legislation is proven to prevent these and other traffic-related occurrences, and will have a positive impact on road conditions in the City of Kingston.

Anti-idling legislation is gaining momentum across the country, as more and more municipalities recognize its necessity in climate planning, air quality control, and traffic regulation. Currently, idling is partially regulated by New York State, with laws in place prohibiting the idling of heavy-duty vehicles for more than 5 minutes. This includes vehicles such as tractor trailers, tankers, and packers but does not extend to passenger vehicles. However, over 20 municipalities across New York State have introduced anti-idling policies more stringent than that of the State Code. It is in the City of Kingston's best interest to adopt a supplementary anti-idling policy, applicable to light and medium-duty vehicles, in an effort to combat idling's adverse effects.

In preparing the anti-idling legislation for review, the Office of Sustainability has consulted with and been supported by the City of Kingston Parking Enforcement, the Comptroller's Office, the Climate Smart Kingston Commission, the Conservation Advisory Council, and the Department of Health and Wellness to ensure that all aspects of this initiative have been considered. You may find a full presentation of the Anti-Idling policy during the April 28th, 2021 Climate Smart Kingston Commission meeting: <https://youtu.be/Emb0TAmQicg>, between minutes 21:00 to 24:00 and 31:50 to 38:00.

Any questions regarding this communication, please feel free to contact myself or Environmental Specialist Arielle Gartenstein at 845-481-7334 / agartenstein@kingston-ny.gov. Additionally, I can be present at the appropriate meeting in order to answer any questions and address any comments.

Thank you for your consideration.

Sincerely,

Julie L. Noble
Sustainability Coordinator

New York

State Codes

New York Code of Rules and Regulations

SUBPART 217-3. IDLING PROHIBITION FOR HEAVY DUTY VEHICLES

§ 217-3.1 Applicability

This Part shall apply to all on-road heavy duty vehicles propelled by diesel fueled and nondiesel fueled engines excluding marine vessels. Heavy duty vehicle means a vehicle that has a GVWR exceeding 8,500 pounds and is designed primarily for transporting persons or properties.

§ 217-3.2 Prohibitions

No person who owns, operates or leases a heavy duty vehicle including a bus or truck, the motive power for which is provided by a diesel or nondiesel fueled engine or who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of a heavy duty vehicle including a bus or truck present on such land, the motive power for which said heavy duty vehicle is provided by a diesel or non-diesel fueled engine, shall allow or permit the engine of such heavy duty vehicle to idle for more than five consecutive minutes when the heavy duty vehicle is not in motion, except as otherwise permitted by section 217-3.3 of this Subpart.

§ 217-3.3 Exceptions

The prohibitions of section 217-3.2 of this Subpart shall not apply when:

- (a) A diesel or nondiesel fueled heavy duty vehicle including a bus or truck is forced to remain motionless because of the traffic conditions over which the operator thereof has no control.
- (b) Regulations adopted by Federal, State or local agencies having jurisdiction require the maintenance of a specific temperature for passenger comfort. The idling time specified in section 217-3.2 of this Subpart may be increased, but only to the extent necessary to comply with such regulations.
- (c) A diesel or nondiesel fueled engine is being used to provide power for an auxiliary purpose, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; construction; lumbering; oil or gas well servicing; farming; or when operation of the engine is required for the purpose of maintenance.
- (d) Fire, police and public utility trucks or other vehicles are performing emergency services.

- (e) Trucks owned or operated by persons engaged in mining and quarrying are used within the confines of such person's property.
- (f) A diesel fueled truck is to remain motionless for a period exceeding two hours, and during which period the ambient temperature is continuously below 25 degrees F.
- (g) A heavy duty diesel vehicle, as defined in section 217-5.1(o) of this Part, that is queued for or is undergoing a State authorized periodic or roadside diesel emissions inspection pursuant to Subpart 217-5 of this Part.
- (h) A hybrid electric vehicle, as defined in section 217-5.1(r) of this Part, idling for the purpose of providing energy for battery or other form of energy storage recharging.
- (i) Heavy duty vehicles used for agricultural purposes on a farm.
- (j) Electric powered vehicles.

Municipal Codes

Code of Town of Brighton

§ 104-2. Prohibited odors.

- A. No person shall cause or allow emissions of air contaminants or noxious odors to the outdoor atmosphere that are injurious to human, plant or animal life or to property or that unreasonably interfere with the comfortable enjoyment of life or property (for purposes of this chapter, a "prohibited odor").
- B. In addition to the general prohibition set forth in Subsection A above, the following shall be prohibited conduct in violation of this chapter, but the listing herein shall not be deemed to be exclusive.
 - (1) Any open burning in violation of § 73-1 of the Code of the Town of Brighton.
 - (2) The idling of any motor vehicle for a period of longer than 15 minutes within 10 feet of any lot line of a property.

Code of the Village of Bronxville

ARTICLE III, Idling of Motor Vehicles [Added 7-13-1992 by L.L. No. 2-1992]

§ 210-15. Operation of motor vehicle; idling of engine restricted.

- A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking as defined in § 129 of the Vehicle and Traffic Law, standing as defined in § 145 of the Vehicle and Traffic Law, or stopping as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading or unloading or processing device.

B. When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking, standing or stopping.

§ 210-16. Enforcement.

Any parking enforcement officer or member of the Village of Bronxville Police Department is hereby authorized to issue and serve an appearance ticket as provided in Chapter 7, § 7-4, of this Code.

Code of Town of Clifton Park

§ 145-1. Findings and intent.

- A. Large vehicles, machines and equipment left idling or idling and unattended are a threat to the health, safety and welfare of the citizens of the Town of Clifton Park. Machines, equipment and vehicles of this nature include, but are not limited to, locomotives, tractor-trailer trucks and earth-moving equipment. When left idling for extended periods, these devices create a nuisance to Town residents in the form of excess noise and harmful exhaust fumes, and they also create an even greater danger to the public health and safety because of the possibility that they may be set in motion by passersby, including children.
- B. In order to protect and preserve the public health, safety and welfare, the Town of Clifton Park hereby restricts and proscribes the circumstances in which large machinery, equipment and vehicles may be left idling and unattended.

§ 145-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

EARTH MOVER — Mobile, mechanical equipment used in the excavation, displacement or transportation of earth.

IDLING— A circumstance in which an engine is running but not engaged in motion.

LOCOMOTIVE — A self-propelled engine, usually electric or diesel-powered, that pulls or pushes freight or passenger cars on railroad tracks.

MACHINERY AND EQUIPMENT — Locomotives, tractor-trailer trucks and earth movers.

TRACTOR-TRAILER TRUCKS — A truck having a cab and no body, used for pulling large vehicles such as vans or trailers.

UNATTENDED — A circumstance in which machinery or equipment is left idling with no operator present or in control of the equipment.

§ 145-3. Idling and unattended large machinery or equipment prohibited.

- A. It shall be unlawful for any person or entity to cause or to permit any locomotive, tractor-trailer truck or earth mover to idle for more than 10 minutes or to remain idling and unattended for more than five minutes.
- B. A law enforcement officer who observes idling machinery or equipment shall direct the operator to turn off the engine. In the event that the idling machinery or equipment is unattended, the officer shall turn off the engine. A private citizen who observes unattended machinery or equipment shall immediately report the circumstances to the police.

§ 145-4. Violations.

A law enforcement officer shall issue a citation for violation of this chapter in any instance in which such officer observes idling or unattended machinery or equipment. A citation may also be issued upon complaint of a citizen who observes idling or unattended machinery or equipment. A citation may be issued to an individual, a corporation or both. The prosecution of any citation shall be adjudicated before the Clifton Park Town Court. A violation of this chapter is classified as a misdemeanor.

§ 145-5. Penalties for offenses.

- A. Where an individual is adjudged guilty of a first violation of this chapter, the court may impose a fine not to exceed \$350 or imprisonment for a term of not less than 15 days nor more than one year, or both.
- B. Where an individual is adjudged guilty of a second violation of this chapter within a five-year period, the court may impose a fine not less than \$350 nor more than \$700 or imprisonment for a term of not less than 15 days nor more than one year, or both.
- C. Where an individual is adjudged guilty of a third violation of this chapter within a five-year period, the court may impose a fine not less than \$700 nor more than \$1,000 or imprisonment for a term of not less than 15 days nor more than one year, or both.
- D. Where a corporation is adjudged guilty of a violation of this chapter, the court may impose a fine of \$5,000.

Code of the Village of Flower Hill

§ 195-9. Idling of vehicles. [Amended 11-6-2000 by L.L. No. 3-2000]

Vehicles shall not be permitted to idle within the village in excess of two minutes.

City of Ithaca Code

§ 346-48. Vehicle idling

- A. Applicability. This section shall apply to all motor vehicles defined in Article 1

of the Vehicle and Traffic Law of the State of New York.

B. No person who owns, operates or leases a motor vehicle or who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of a motor vehicle on such land shall allow or permit the engine of such motor vehicle to idle for more than five consecutive minutes when the motor vehicle is not in motion, except as otherwise permitted by Subsection C below.

C. Exceptions. The prohibitions of Subsection B of this section shall not apply when:

(1) The motor vehicle is forced to remain motionless because of traffic conditions over which the operator thereof has no control.

(2) Regulations adopted by federal, state or local agencies having jurisdiction require the maintenance of a specific temperature for passenger comfort. The idling time specified in Subsection B of this section may be increased, but only to the extent necessary to comply with such regulations.

(3) The engine is being used to provide power for an auxiliary purpose such as loading, discharging, mixing or processing cargo; controlling cargo temperature; construction; or farming, or operation of the engine is required for the purpose of maintenance.

(4) Fire, police and public utility trucks or other vehicles are actually performing emergency services.

D. Penalties for offenses. Any person who violates the provisions of this section shall be guilty of a violation and, upon conviction thereof, shall be punishable by a fine not to exceed \$250 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.

Code of Village of Lawrence

§ 200-29.1. Bus idling. [Added 6-12-1991 by No. 2-1991]

No person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle for more than three minutes while parking, standing or stopping when the ambient temperature is in excess of 40° F. except while passengers are on board or while hoarding or discharging passengers.

Town of Mamaroneck Code

ARTICLE I Idling of Motor Vehicles [Adopted 5-4-2005 by L.L. No. 5-2005]

§ 219-1. Idling restricted.

A. No person shall allow, cause or permit the engine of any motor vehicle to run for more than five consecutive minutes while parking, standing, or stopping on public or private property in the unincorporated portion of the Town of Mamaroneck.

B. This section shall not apply to public utility companies, the United States of America, the State of New York, the County of Westchester, the Town of Mamaroneck, the Mamaroneck Union Free School District or the Villages of Larchmont, Mamaroneck

or Scarsdale. This section also shall not apply to any independent contractor engaged by any of the entities described in the preceding sentence while such independent contractor is carrying out the business activity for which it was engaged by one or more of the entities.

- C. This section shall not apply when the temperature in the Town of Mamaroneck is 40° F. or less.
- D. This section shall not apply in situations where a vehicle is exempt from the requirements of Subpart 217-3 of Title 6 of the New York Codes, Rules, and Regulations.

Village of Mamaroneck Code

§ 326-19. Engine idling prohibited.

- A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes on Village-owned property while parking, as defined in § 129 of the Vehicle and Traffic Law, while standing, as defined in § 145 of the Vehicle and Traffic Law, or while stopping, as defined in the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.
- B. When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking, standing or stopping on Village-owned property.

Code of Town of Milton

ARTICLE II Unattended or Idling Large Machinery and Equipment [Adopted 1-16-2002 by L.L. No. 1-2002]

§ 169-8. Findings and intent.

- A. Large vehicles, machines and equipment left idling or idling and unattended are a threat to the health, safety and welfare of the citizens of the Town of Milton. Machines, equipment and vehicles of this nature include, but are not limited to, locomotives, tractor-trailer trucks and earth-moving equipment. When left idling for extended periods, these devices create a nuisance to Town residents in the form of excess noise and harmful exhaust fumes, and they also create an even greater danger to the public health and safety because of the possibility that they may be set in motion by passersby, including children.
- B. In order to protect and preserve the public health, safety and welfare, the Town of Milton hereby restricts and proscribes the circumstances in which large machinery, equipment and vehicles may be left idling and unattended.

§ 169-9. Definitions.

As used in this article, the following terms shall have the meanings indicated:

EARTH MOVER — Mobile, mechanical equipment used in the excavation, displacement or transportation of earth.

IDLING — A circumstance in which an engine is running but not engaged in motion.

LOCOMOTIVE — A self-propelled engine, usually electric or diesel-powered, that pulls or pushes freight or passenger cars on railroad tracks.

MACHINERY AND EQUIPMENT — Locomotives, tractor-trailer trucks and earth movers.

TRACTOR-TRAILER TRUCKS — Trucks having a cab and no body, used for pulling large vehicles such as vans or trailers.

UNATTENDED — A circumstance in which machinery or equipment is left idling with no operator present or in control of the equipment.

§ 169-10. Prohibited acts; report of violations.

- A. It shall be unlawful for any person or entity to cause or to permit any locomotive, tractor-trailer truck or earth mover to idle for more than 10 minutes or to remain idling and unattended for more than five minutes.
- B. A law enforcement officer who observes idling machinery or equipment shall direct the operator to turn off the engine. In the event that the idling machinery or equipment is unattended, the officer shall turn off the engine. A private citizen who observes unattended machinery or equipment shall immediately report the circumstances to the police.

§ 169-11. Violations; issuance of citations.

A law enforcement officer shall issue a citation for violation of this article in any instance in which such officer observes idling or unattended machinery or equipment. A citation may also be issued upon complaint of a citizen who observes idling or unattended machinery or equipment. A citation may be issued to an individual, a corporation, or both. The prosecution of any citation shall be adjudicated before the Milton Town Court. A violation of this article is classified as a misdemeanor.

§ 169-12. Penalties for offenses.

- A. Where an individual is adjudged guilty of a first violation of this article, the court may impose a fine not to exceed \$350, or imprisonment for a term of not less than 15 days nor more than one year, or both.
- B. Where an individual is adjudged guilty of a second violation of this article within a

five-year period, the court may impose a fine of not less than \$350 nor more than \$700, or imprisonment for a term of not less than 15 days nor more than one year, or both.

- C. Where an individual is adjudged guilty of a third violation of this article within a five-year period, the court may impose a fine of not less than \$700 nor more than \$1,000, or imprisonment for a term of not less than 15 days nor more than one year, or both.
- D. Where a corporation is adjudged guilty of a violation of this article, the court may impose a fine of \$5,000.

Code of the City of New Rochelle

§ 312-33. Idling. [Added 9-21-2004 by L.L. No. 8-2004]

No person shall allow, cause or permit the engine of any motor vehicle to idle for more than five consecutive minutes while parking, standing, or stopping on public or private property in the City of New Rochelle, subject to the exceptions for heavy-duty vehicles set forth in Section 217.3 of Title 6 of the State of New York Codes, Rules, and Regulations.

New York City Administrative Code

34 RCNY § 4-08

§ 4-08 Parking, Stopping, Standing.

...

(p) Engine idling. (1) Idling of vehicle engines prohibited. Except as provided for buses in paragraph (p)(2) hereof, no person shall cause or permit the engine of any vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking, standing or stopping unless the engine is being used to operate a loading, unloading or processing device.
[SEE graphical material in printed version]

(2) Idling of bus engines prohibited. No person shall cause or permit the engine of any bus to idle at a layover or terminal location, whether or not enclosed, when the ambient temperature is in excess of forty (40) degrees Fahrenheit. When the ambient temperature is forty (40) degrees Fahrenheit or less, no person shall cause or permit any bus to idle for longer than three minutes at any layover or terminal location. For the purpose of this rule, at a layover or terminal location a bus engine shall not be deemed to be idling if the operator is running the engine in order to raise the air pressure so as to release the air brakes, provided however, that this shall not exceed a period of three minutes.

Code of Town of North Salem

ARTICLE VI, Idling of Vehicles [Added 8-25-1998 by L.L. No. 7-1998]

§ 220-31. Idling of motor vehicles restricted.

A. Restrictions. No person shall operate an engine of any standing motor vehicle for a period in excess of five minutes while parking as defined in § 129 of the Vehicle and Traffic Law, standing as defined in § 145 of the Vehicle and Traffic Law or stopping as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.

B. Applicability. The provisions of this chapter shall apply except when it is necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

C. Enforcement. The provisions of this chapter shall be enforced by the Police Department of the Town of North Salem or other officials designated by the Town Board.

D. Penalties for offenses. Any person violating this chapter shall be guilty of a violation punishable by a fine of not more than \$500 or imprisonment not to exceed 15 days, or both such fine and imprisonment.

Code of Village of Northport

§ 289-1. Legislative findings.

The Board of Trustees hereby finds and determines that the excessive stationary idling of motor vehicles is detrimental to the health, safety and welfare of the village and its inhabitants in that it causes the release of unnecessary emissions of carbon monoxide and other pollutants into the atmosphere, the production of unnecessary noise and the waste of limited natural resources.

§ 289-2. Idling restrictions; exceptions.

- A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency vehicle, to idle for longer than five consecutive minutes when the ambient temperature is greater than 25° F. (-4° C.).
- B. Exceptions. The provisions of Subsection A shall not apply:
- (1) When a vehicle is forced to remain motionless because of a traffic condition over which the operator has no control.
 - (2) When regulations adopted by federal, state or local agencies having jurisdiction require the maintenance of a specific temperature for passenger comfort, the idling limit specified in this section may be increased, but only to the extent necessary to comply with such regulations.
 - (3) When necessary to provide power for an auxiliary purpose, such as loading, discharging, mixing or processing cargo, controlling cargo temperature, construction, farming, or when the vehicle engine is being serviced.

- (4) When necessary for operation of mobile receiving and transmitter stations or mobile telephones.

§ 289-3. Penalties for offenses. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Violations of any of the provisions of this chapter shall be punishable by a fine not to exceed \$250 and/or imprisonment for a term not to exceed 15 days, or both such fine and imprisonment, in the discretion of the court.

Code of Village of Nyack

§ 55-5.1. Idling prohibited. [Added 9-12-2002 by L.L. No. 4-2002]

- A. No commercial vehicle, bus, or other public omnibus shall be permitted to idle its engine for longer than five minutes on or along any street or public highway within the Village of Nyack.
- B. The penalty for a violation of this section shall be a fine not to exceed \$250.
- C. This section may be enforced by the Village of Nyack Parking Authority, the Clarkstown Police Department, or the Orangetown Police Department.

Code of Village of Port Chester

§ 319-26.4. Operation of motor vehicle; idling of engine restricted. [Added 11-1-1993 by L.L. No. 16-1993]

- A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking as defined in § 129 of the Vehicle and Traffic Law, standing as defined in § 145 of the Vehicle and Traffic Law or stopping as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.
- B. When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking or standing.

Code of Town of Queensbury

ARTICLE I Idling in Residential Zones [Adopted 9-13-2004 by L.L. No. 7-2004]

§ 68-1. Title and authority.

The Queensbury Town Code is hereby amended by adding a new Article I of Chapter 68 entitled "Prohibition of Diesel Vehicles Idling in Residential Zones." It is adopted pursuant to Municipal Home Rule Law § 10.

§ 68-2. Legislative intent.

Concerns have been raised concerning idling of diesel vehicles, particularly in the Town's residential zones. Such activity can produce offensive odors and offensive noise which can harm the health, safety and welfare of residents. In addition, the activities prohibited in this article waste fuel which is a limited resource, cause environmental harm and are inappropriate in a residential zone. It is the finding of the Town Board that if a diesel vehicle needs to be warmed up or kept warm to run, then the licensed driver of the diesel vehicle shall use a block heater to keep the engine warm.

§ 68-3. Definitions.

For the purposes of this article, "diesel vehicle" shall mean any diesel-fueled vehicle requiring a CDL or higher license to drive. Notwithstanding the above, diesel vehicle shall not include emergency vehicles (e.g., fire or EMS), Town or other municipal or state vehicles operating in the course of their duties (including, without limitation, school buses) or utility company vehicles operating during an emergency, or delivery vehicles while making deliveries or making pickups at places, of business.

§ 68-4. Prohibition.

No person shall allow a diesel vehicle to run or idle its engine for any length of time while the diesel vehicle is unattended. "Unattended" means where the properly licensed driver of the diesel vehicle is not in the diesel vehicle's driver's seat and awake. This prohibition shall be effective in all residential zones of the Town. The driver and the registered owner of the diesel vehicle shall each be responsible for complying with this article.

§ 68-5. Enforcement.

Failure to comply with the provisions of this article shall be a violation and, upon conviction thereof, shall be punishable by a fine of not more than \$100 for the first offense. The second conviction hereunder shall be punishable by a fine of not more than \$200 or imprisonment for a period of not more than three days, or both. Any subsequent offense shall be punishable by a fine of not more than \$350 or imprisonment for a period of not more than seven days, or both. Each violation shall constitute a separate offense. The licensed driver of the diesel vehicle and, if different, the person in whose name the diesel vehicle is registered shall each be considered and responsible for each violation of this article and this article may be enforced against either one or both for each violation.

Code of the City of Rye

§ 45-1. Operation of motor vehicle; idling of engine restricted.

- A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking, as defined in § 129 of the Vehicle and Traffic Law, standing, as defined in § 145 of the Vehicle and Traffic Law, or stopping, as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.
- B. When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking, standing or stopping.
- C. Violators of this chapter may be issued appearance tickets by police officers of the City of Rye. Such tickets shall be returnable in Rye City Court.

Code of the Village of Scarsdale

ARTICLE I, Motor Vehicle Engine Idling [Adopted 6-9-1992 by L.L. No. 2-1992]

§ 106-1. Idling of engines restricted.

No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking, as defined in § 129 of the Vehicle and Traffic Law, standing, as defined in § 145 of the Vehicle and Traffic Law, or stopping, as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.

§ 106-2. Bus engines restricted.

When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking, standing or stopping.

§ 106-3. Violators issued appearance tickets.

Violators of this article may be issued appearance tickets by officers of the Scarsdale Police Department. Such appearance tickets shall be returnable in Scarsdale Village Court.

Code of Town of Somers

ARTICLE X Motor Vehicle Engine Idling [Adopted 7-9-1992 by L.L. No. 10-1992]

§ 158-29. Restrictions.

- A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking as defined in § 129 of the Vehicle and Traffic Law, standing as defined in

§ 145 of the Vehicle and Traffic Law or stopping as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.

- B. When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking, standing or stopping.

§ 158-30. Appearance tickets.

Violators of this article may be issued appearance tickets by officers of the Police Department of the Town of Somers. Such appearance tickets shall be returnable in local court.

§ 158-31. Penalties for offenses.

Any person violating the provisions of this article shall be guilty of an offense and shall be liable upon conviction for a fine not to exceed \$100 for each offense.

Laws of Suffolk County

§ 760-1017. Operation of motor vehicles.

A. No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency vehicle, to idle for longer than five consecutive minutes when the temperature is greater than 25° F. (-4° C.).

B. No diesel engine operated in the County of Suffolk shall emit a visible air contaminant of a shade of blue, black or gray of an opacity greater than 20% for a continuous period of more than five seconds.

C. No motor vehicle operated in the County of Suffolk shall emit a visible air contaminant of a shade of blue, black or gray of an opacity greater than 20% for a continuous period of more than five seconds.

D. Exceptions

(1) When a vehicle is forced to remain motionless because of a traffic condition over which the operator has no control.

(2) When regulations adopted by federal, state or local agencies having jurisdiction require the maintenance of a specific temperature for passenger comfort, the idling limit specified in this section may be increased, but only to the extent necessary to comply with such regulations.

(3) When necessary to provide power for an auxiliary purpose such as loading, discharging, mixing or processing cargo, controlling cargo temperature, construction, farming or when the vehicle engine is being serviced.

(4) When necessary for operation of mobile receiving and transmitter stations or mobile telephones.

Code of Ordinances of the Village of Tuckahoe

§ 21-86. Operation of motor vehicles idling of engines restricted.

(a) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking, as defined in § 129 of the Vehicle and Traffic Law, standing, as defined in § 145 of the Vehicle and Traffic Law, or stopping, as defined in § 147 of the Vehicle and Traffic Law, unless the engine is used to operate a loading, unloading or processing device.

(b) When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus, as defined in § 104 of the Vehicle and Traffic Law, to idle while parking, standing or stopping.

(c) A violation of this § 21-86 shall be punishable in accordance with § 1-7 of the Village Ordinances by a fine not to exceed \$250. (L.L. No. 7-1992, § 2)

...

§ 21-104.2. Prohibited uses

...

(c) The provisions of § 21-86 of the Village Ordinances prohibiting the idling of engines of motor vehicles for more than three minutes shall be applicable to and enforced in parking lots.

Code of City of Yonkers

§ 109-88. Idling of engine. [Amended 2-11-1991 by G.O. No. 2-1991]

No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking, standing or stopping, unless the engine is used to operate a loading, unloading or processing device. When the ambient temperature is in excess of 40° F., no person shall cause or permit the engine of a bus as defined in § 104 of the Vehicle and Traffic Law to idle while parking, standing or stopping at any terminal point, whether or not enclosed, along an established route.

WHEREAS, it is in the City of Kingston's best interest to adopt anti-idling legislation more stringent than that of New York State Code.

RESOLVED that the City of Kingston supports the adoption of an anti-idling policy, and;

RESOLVED, that Local Ordinance [#] of 2021 is hereby adopted as follows:

SECTION I.

BE IT HEREBY RESOLVED, that Chapter 390 of the City of Kingston Code "Vehicles and Traffic" Article VI be amended to add Section [#]: Idling of Motor Vehicles:

- A. Applicability: This section shall apply to all motor vehicles as defined in Article 1 of the Vehicle and Traffic Law of the State of New York not currently regulated under New York State Code of Rules and Regulations Subpart 217-3: Idling Prohibition for Heavy Duty Vehicles.
- B. Prohibitions: No person shall allow, cause, or permit the engine of any motor vehicle to run for more than ten consecutive minutes while parking, standing, or stopping in the City of Kingston, as those terms are defined in New York State Vehicle and Traffic Law.
- C. Exceptions: The prohibitions of sub-section B shall not be applicable when
 - I. A vehicle is forced to remain motionless because of traffic conditions over which the operator has no control.
 - II. Fire, police, public utility, and other vehicles are performing emergency services.
 - III. A vehicle engine is being used to provide power for a necessary auxiliary function, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; running equipment; construction; lumbering; oil or gas well servicing; or when operation of the engine is required for maintenance.
 - IV. A snow emergency is declared in the City of Kingston.

BE IT HEREBY RESOLVED, that Section 390-82 "Penalties for Offenses" Subsection B be amended to include violation: "Idling" with an initial fine of \$20 and a fine of \$40 after 15 days.

CITY OF KINGSTON, NEW YORK, COMMON COUNCIL
HONORABLE ANDREA SHAUT, PRESIDENT

01/01/2020-12/31/2021

COMMITTEE: LAWS & Rules

DATE: 8/3/21

RESOLUTION TITLE RESOLUTION #160 of 2021 prohibiting the idling of light and medium duty vehicles for more than ten minutes in the City of Kingston

OFFERED BY: ALDERMAN _____
SECONDED BY: ALDERMAN _____

ALDERMAN	YES	NO	ABSENT	REASON
1. JEFFREY VENTURA MORELL (D)	}			
2. DOUGLAS KOOP (D)				
3. REYNOLDS SCOTT-CHILDRESS (D)				
4. RITA WORTHINGTON (D)	}			<i>excused</i>
5. DONALD TALLERMAN (D)				
6. TONY DAVIS (D)				
7. PATRICK O'REILLY (D)				
8. STEVEN SCHABOT (D)				
9. MICHELE HIRSCH (D)				

TOTALS

CARRIED 8-0 DEFEATED _____

ELISA TINTI
CITY CLERK

