

**AN ORDINANCE AMENDING THE VEHICLE AND  
TRAFFIC REGULATIONS FOR COMMERCIAL VEHICLES  
IN CHAPTER 256, SECTIONS 11 AND 23 OF THE CODE OF  
THE CITY OF MOUNT VERNON**

WHEREAS, by letter dated September 7, 2022, Councilwoman Danielle Browne has requested a new ordinance to amend the Commercial Vehicle Parking Regulations in Chapter 256, Sections 11 and 23 of the Code of the City of Mount Vernon, NOW, THEREFORE,

The City of Mount Vernon, in City Council, convened, does hereby ordain and enact:

Section 1. Section 11 of Chapter 256 of the Code of the City of Mount Vernon, entitled “Overnight parking of commercial vehicles; penalties for offenses.” is hereby amended as follows:

§ 256-11 **Overnight parking of commercial vehicles; penalties for offenses.**  
[Added 12-14-1966, approved 12-15-1966; amended 2-8-1967, approved 2-9-1967; 5-10-1972, approved 5-11-1972; 4-8-1998, approved 4-9-1998; 2-8-2023, approved 2-8-2023]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

**COMMERCIAL VEHICLE**

Every type of motor vehicle, as defined in the New York State Vehicle and Traffic Law, operated or driven upon a public highway used for business purposes. “Commercial vehicles” shall further include tractor-trailers, tractor-trailer combinations, semitrailers, privately owned military vehicles, backhoes, excavators, rollers, tractor cranes, truck cranes, power shovels, road-building machines, road sweepers, sand spreaders, buses, or any other vehicles being used for a commercial purpose:

[Amended 4-8-1998, approved 4-9-1998]

**PARK or PARKING**

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, except adjacent to a business establishment where vehicles are waiting to load or unload merchandise or passengers in the course of normal business operations where such business is located.

B. Restriction of parking; permit costs; signage

(1) Restriction. No commercial vehicle shall be parked on any street within the City limits between the hours of 7:00 p.m. and 6:00 a.m. unless in an area designated for commercial vehicle parking and the vehicle contains a valid permit for commercial parking issued by the Clerk’s Office of the City of Mount Vernon. This shall not apply to vehicles that are in the process of loading or unloading

(2) Cost. The Clerk’s Office shall set the cost of daily, monthly, and yearly permits annually. Permits are non-transferable.

(3) Signs.

[Amended 10-11-2023, approved 10-12-2023]

(a) The Department of Public Safety is hereby authorized and directed to erect signs at every entrance to the City of Mount Vernon indicating no parking for all vehicles over the weight of 10,000 [5,500] pounds or commercial vehicles on any public highway in the City of Mount Vernon between the hours of 7:00 p.m. and 6:00 a.m.

(b) When official signs prohibiting parking are erected at the entrances to the City of Mount Vernon as authorized herein, no person shall park a vehicle

over the weight of 10,000 [5,500] pounds or a commercial vehicle upon any street in the City of Mount Vernon in violation of such signs.

C. Commercial Vehicle Parking Zones. The Department of Public Safety is hereby authorized and directed to designate commercial vehicle parking zones in the City of Mount Vernon. The Department of Public Safety shall erect signs at each and every lot and/or zone designed for commercial parking.

D. The provisions of this section prohibiting parking of vehicles between the hours of 7:00 p.m. and 6:00 a.m. shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting the parking of vehicles in specified places or at specified times.

E. Penalties.  
[Amended 5-10-1972, approved 5-11-1972]

(1) Any person, firm, partnership, or corporation, or any officer, member, agent, servant, or employee of any firm, partnership, or corporation, violating any of the provisions of this section shall be deemed guilty of a traffic infraction as defined by the Vehicle and Traffic Law of the State of New York.

(2) Any vehicle in violation of any of these provisions may be subject to ticketing, towing, and/or booting. Any person violating any of the provisions of this section may, upon conviction, be punished in accordance with penalties as fixed by the City Judge of the City of Mount Vernon, provided that such penalties are within the limits established as penalties for such offense or infraction.

Section 2. Chapter 256-23 of the Code of the City of Mount Vernon, entitled "Penalties for offenses." is hereby amended as follows:

**§256-23 Penalties for offenses.**  
[Amended 3-12-1986, approved 3-13-1986; 2-8-2023, approved 2-8-2023]

Any person violating any provision of this article, except as otherwise provided herein, or of any other ordinance, order, rule, or regulation adopted pursuant to this article or otherwise, shall, upon conviction, be subject to the following punishment:

A. For the first [conviction] violation, such person shall be punished by a fine of not more than [\$280.00] 150 or by imprisonment for not more than 15 days, or by both such fine and imprisonment. Fines will double after thirty (30) days (for example, \$300.00), and after sixty (60) days, fines will triple (for example, \$450.00) and remain at that level.

[B. For a second such conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$405.00 [150] or by imprisonment for not more than 45 days, or by both such fine and imprisonment.]

[C. Upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$675.00 [250] or by imprisonment for not more than 90 days, or by both such fine and imprisonment.]

Section 3. This ordinance shall take effect upon its adoption by the Board of Estimate & Contract.

New Matter Underlined  
Deleted Matter in Brackets [ ]