



March 16, 2026

Resolution No. 31, 2026

Council Member Parker presented the following Resolution and moved its adoption.

ADVERTISE FOR A PUBLIC HEARING TO AMEND CHAPTER 80; TRAFFIC VIOLATIONS BUREAU IN ORDER TO ESTABLISH A CIVIL ADMINISTRATIVE ENFORCEMENT SYSTEM FOR UNPAID PARKING VIOLATIONS

WHEREAS, the Common Council wishes to adopt Local Law #1, attached hereto, to amend Chapter 80; Traffic Violations Bureau in order to establish a civil administrative enforcement system for unpaid parking violations, including:

- Late fee schedule
- Referral to the New York State Department of Motor Vehicles for registration suspension pursuant to Vehicle and Traffic Law §§ 1640 and 237
- Vehicle immobilization (“boot”) and towing authority
- Installment payment agreements
- Hardship waiver authority
- Elimination of arrest warrants for nonpayment of parking violations

; and

WHEREAS, a Public Hearing is required so all interested parties may be heard.

NOW, THEREFORE BE IT

RESOLVED, that the City Clerk is hereby authorized to prepare a Notice of Public Hearing and to publish same in the Leader-Herald, the official newspaper of the City of Johnstown, which Public Hearing is set for Monday, April 20, 2026 at 6:00 p.m. in the Common Council Chambers, City Hall, Johnstown, New York, at which anyone interested or affected may be heard.

Seconded by Council Member: Hayner

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

| | Yes | No | Abstain | Absent |
|----------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Ward 1 – Council Member Hayner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ward 2 – Council Member McCallum | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ward 3 – Council Member Parker | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ward 4 – Council Member Spritzer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Member-at-Large Jeffers | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| RESULT | 5 | | | |
| | <i>Passed – Failed – Tabled</i> | | | |

Carrie M. Allen, City Clerk

Amy Praught, Mayor

LOCAL LAW NO. 1 OF 2026

A LOCAL LAW AMENDING CHAPTER 80 OF THE CODE OF THE CITY OF JOHNSTOWN RELATING TO CIVIL ENFORCEMENT OF PARKING VIOLATIONS

SECTION 1 LEGISLATIVE INTENT.

The Common Council finds that unpaid parking violations undermine parking compliance, municipal revenue stability, and equitable enforcement. The prior warrant-based enforcement model is inefficient and places unnecessary burden on the City Court.

This Local Law establishes a civil administrative enforcement system utilizing late fees, installment agreements, vehicle immobilization and towing authority, and referral to the New York State Department of Motor Vehicles for registration suspension pursuant to Vehicle and Traffic Law §1640 and 237.

SECTION 2. CHAPTER 80 OF THE CODE OF THE CITY OF JOHNSTOWN IS HEREBY AMENDED TO READ AS FOLLOWS:

§ 80-1 PURPOSE.

The City Court of Johnstown is authorized to establish a Traffic Violations Bureau to assist the court in the disposition of infractions relating to traffic violations. The court is authorized to designate the City Treasurer as head of the Traffic Violations Bureau for the disposition of parking violations.

This Chapter further establishes a civil administrative enforcement system for unpaid parking violations, including late fees, DMV registration suspension referral, installment agreements, hardship waiver authority, and vehicle immobilization and towing.

§ 80-2 JURISDICTION.

The Traffic Violations Bureau is authorized to dispose of violations of traffic laws, ordinances, rules and regulations relating to stopping, standing and parking of motor vehicles within the City of Johnstown.

Unpaid parking violations constitute civil liabilities enforceable pursuant to this Chapter.

§ 80-3 PROCEDURE.

A. Answering a Parking Violation.

A person charged with a parking violation may answer within thirty (30) days by appearing at the Traffic Violations Bureau or by written power of attorney, pleading guilty, waiving a hearing, and paying the prescribed fine.

Acceptance of payment constitutes satisfaction of the violation.

B. Form of Written Power of Attorney.

(Existing statutory form retained.)

C. Default.

If a person fails to answer or pay within thirty (30) days:

1. The violation shall be deemed in administrative default.
2. A late fee shall be imposed pursuant to § 80-4.
3. The City may certify the violation to the New York State Department of Motor Vehicles pursuant to Vehicle and Traffic Law § 1640 and 237.
4. The vehicle may become eligible for immobilization or towing pursuant to § 80-6.
5. The City may pursue lawful civil collection remedies.

No arrest warrant shall be issued solely for nonpayment of a parking violation unless otherwise required by law.

§ 80-4 FINES AND LATE FEES.

The City Court shall designate base parking fines.

The following late fees are hereby established:

- A. After 30 days: \$10
- B. After 60 days: additional \$20
- C. After 90 days: administrative enforcement fee of \$50

DMV referral eligibility shall occur when:

- A. Three (3) or more violations are unpaid; or
- B. Aggregate unpaid balance equals or exceeds \$150.

All late fees constitute civil penalties.

§ 80-5 RECORDS.

The Traffic Violations Bureau shall maintain records of all violations, payments, defaults, DMV certifications, and enforcement actions sufficient to comply with state law and audit requirements.

§ 80-6 VEHICLE IMMOBILIZATION AND TOWING.

A vehicle shall be eligible for immobilization or towing when:

- A. Three (3) or more violations are in default; or
- B. Aggregate unpaid balance equals or exceeds \$200.

Prior to immobilization or towing, written notice shall be mailed to the registered owner at least ten (10) days before enforcement.

Vehicles shall be released upon:

- A. Full payment of all amounts due; or
- B. Execution of an installment agreement and payment of applicable boot/tow fees.
 1. Boot fee: \$75
 2. Tow fee: actual contracted rate
 3. Storage: actual daily rate

An administrative review may be requested within five (5) business days of enforcement.

§ 80-7 INSTALLMENT AGREEMENTS.

The Treasurer may enter installment agreements subject to:

- A. Minimum 20% down payment
- B. Minimum \$25 monthly payments
- C. Maximum 12-month duration

Failure to comply results in reinstated enforcement eligibility.

While compliant, DMV referral and immobilization shall be stayed.

§ 80-8 HARDSHIP WAIVER.

- A. The Treasurer may waive late fees and administrative fees upon written application demonstrating financial hardship.
- B. Waivers shall not exceed \$100 per applicant per calendar year.
- C. Base fines shall not be waived absent court order.

SECTION 3. SEVERABILITY.

If any portion of this Local Law is declared invalid, the remaining provisions shall remain in effect.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law § 27.