

A local law to adopt new Lake Success Code Chapter 105 entitled "Zoning."

BE IT ENACTED by the Board of Trustees of the Village of Lake Success as follows:

Section One. Lake Success Code Chapter 105 entitled "Zoning," Article IV entitled "Residence A, B-1, B-2 and C Districts, subsection 12.1 entitled "Parking," is hereby amended to read as follows:

105-12.1 Parking.

A. Unregistered, Dismantled, Commercial Vehicles, or Other Prohibited Vehicles.

- (1) The parking or storage of one or more unregistered, dismantled vehicles or other prohibited vehicle on a lot or premises in any residential district is prohibited except as otherwise provided for in § **101-7B**.
- (2) The parking or storage of one or more commercial vehicles on a lot or premises in any residential district is prohibited during the hours of 7:00 PM and 7:00 AM except as otherwise provided in § **101-7B**.
- (3) For the purposes of this section, ~~a "commercial vehicle" shall be deemed to include:~~ the following vehicles are presumed to be commercial vehicles and shall be subject to the restrictions set forth in §105-12.1(A)(2), above.
 - (a) All vehicles with lettering, logos or trademarks, other than of the make and/or model of the vehicle itself, identifying or advertising a business, a product or other commercial enterprise or charitable institution.
 - (b) All vehicles displaying a commercial registration or having "Commercial" license plates affixed.
 - (c) All vehicles exceeding 7 feet, ~~6 inches~~ in height or which do not have windows on both sides of the vehicle covering the entire length of the vehicle, starting at the window at both sides of the driver's seat. Window separation not exceeding eight inches in width, for the purpose of this section, shall be considered part of the window.
 - (d) All vehicles with more than four wheels.
 - (e) All vehicles which are licensed as taxicabs or livery vehicles or buses.
 - (f) All vehicles with seating capacity for more than 10 persons.

(g) All vehicles equipped to carry, and/or carrying, business equipment or merchandise on the exterior, including but not limited to ladders, paints, tarpaulins, etc.

(4) For vehicles that fall under subsection 3(c) above, upon good cause shown, the Board of Trustees may grant an exception to the parking and storage restrictions set forth in §105-12.1(A)(2). Any person that owns a vehicle that falls under subsection 3(c) above will have one year to comply with the restrictions set forth in §105-12.1(A)(2).

(35) For the purpose of this Code, an "unregistered vehicle" shall include:

(a) Any vehicle without a valid New York State registration and inspection sticker.

(b) Any vehicle with "Dealer", "Temporary" or "Transportation" plates other than one such vehicle registered to the authorized primary resident of the premises.

~~(c)~~ Any vehicle that is not registered with the Department of Motor Vehicles of the State of New York with the exception of one such vehicle that is registered to the authorized primary resident of the premises.

(46) For purposes of this Code the term "Other Prohibited Vehicle" shall include:

(a) All vehicles designed to be used as a "camper" or mobile home.

(b) All boats or other water craft; boat or other water craft trailers or trailers of any other type or purpose.

Section Two. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the courts order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section Three. This local law shall take effect immediately upon filing with the Secretary of State.