

**VILLAGE OF HIGHLAND FALLS
INTRODUCTORY LOCAL LAW
TO AMENDMENT TO SCHEDULE OF OFF-STREET PARKING SPACE
REQUIREMENTS FOR NON-RESIDENTIAL USES**

BE IT ENACTED by the Village Board of Trustees of the Village of Highland Falls, County of Orange, State of New York, as follows:

Section 1. Legislative Findings, Purpose and intent.

The Village of Highland Falls Board of Trustees hereby finds and determines that the Village benefits from the introduction and expansion of non-residential business development within the primary commercial corridor of the Village, which corridor is generally located along Main Street. The Board of Trustees further finds and determines that the dearth of off-street parking along Main Street inhibits greater development of business within the Village and that the expansion of the Municipal Parking District exemption from parking regulation to commercial development will encourage greater business development in the Village's commercial corridor and enhance the non-residential tax base of the Village.

Section 2. Authority.

This local law is enacted by the Village Board of Trustees of the Village of Highland Falls pursuant to its authority to adopt local laws under the New York State Constitution and Section 10 of the Municipal Home Rule Law.

Section 3. Subsection 240-43, titled "Schedule of off-street parking requirements for non-residential uses," of Chapter 240, titled, "Zoning," of the Code of the Village of Highland Falls is hereby amended by deleting Footnote 1 in its entirety and replacing it as follows:

FN1: Off-street parking space requirements for non-residential uses as provided in § 240-43 shall be eliminated within the following boundaries:

1. Beginning at a point on the easterly side of Main Street formed by the intersection of Catherine Street and Main Street;
2. Running thence in a northerly direction along the easterly side of Main Street and continuing along the easterly side of West Point Highway to Thayer Gate;
3. Running thence in a westerly direction across West Point Highway to the westerly side of Main Street in front of the property known as 529 Main Street;
4. Running thence in a southerly direction along the westerly side of Main Street and continuing in a southerly direction to the intersection of Catherine Street and Main Street.

Section 4. Supersession, of Inconsistent Laws, if any.

The Village Board hereby declares its legislative intent to supersede any provision of any

local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 6. Effective Date.

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