

VEHICLES AND TRAFFIC

Chapter 85

VEHICLES AND TRAFFIC

ARTICLE I

General Provisions

- § 85-1. **Definitions of words and phrases.**
- § 85-2. **Authority to install traffic control devices.**
- § 85-3. **Delegation of powers to regulate traffic.**

ARTICLE II

One-Way Streets

- § 85-4. **One-way streets designated.**

ARTICLE III

Pedestrian Crossings

- § 85-5. **Pedestrian crossings prohibited in certain locations.**

ARTICLE IV

Stop and Yield Intersections

- § 85-6. **Through highways designated.**
- § 85-7. **Stop intersections designated.**
- § 85-8. **Yield intersections designated.**

ATHENS CODE

ARTICLE V
Speed Regulations

§ 85-9. **Maximum speed limits designated.**

§ 85-10. **Applicable speed regulations**

ARTICLE VI
Parking, Standing and Stopping

§ 85-11. **Application of Article**

§ 85-11.1. **Tow away zones; penalties for offenses.**

§ 85-12. **Seasonal Parking Restrictions**

§ 85-13. **Parking prohibited at all times in certain locations**

§ 85-14. **Standing prohibited in certain locations.**

§ 85-15. **Stopping prohibited in certain locations.**

§ 85-16. **Parking prohibited during certain hours in certain locations.**

§ 85-17. **Parking time limited in certain locations.**

§ 85-18. **Designation of Handicapped Parking Spaces**

ARTICLE VII
Removal and Storage of Vehicles

§ 85-19. **Authority to impound vehicles.**

§ 85-20. **Storage and charges.**

§ 85-21. **Notice of removal**

§ 85-22. **Delegation of duties.**

VEHICLES AND TRAFFIC

ARTICLES VIII
Truck Exclusions

- § 85-23. Trucks excluded from certain streets.
- § 85-24. Tractor trailers: parking; exceptions
- § 85-25. Local deliveries and pickups exempted.

ARTICLE IX
Truck Route System

- § 85-26. Truck route system established.

ARTICLE X
Parking of Large Vehicles

- § 85-27. Parking of certain large vehicles prohibited in certain locations.
- § 85-28. Certain activities exempted.

ARTICLE XI
Pavement markings

- § 85-29. Application of pavement markings authorized.

ARTICLE XII
Safety Zones

- § 85-30. Safety zones established.

ATHENS CODE

ARTICLE XIII
Center-Lane Allocations

§ 85-31. **Center lanes allocated in certain locations.**

ARTICLE XIV
Lane Designations

§ 85-32. **Lane designations for all vehicles.**

§ 85-33. **Lane designations for trucks.**

§ 85-34. **Bus lanes designated.**

ARTICLE XV
Penalties

§ 85-35. **Penalties for offenses.**

GENERAL REFERENCES

Junkyards – See Ch. 47.

Abandoned vehicles – See Ch. 84.

General Provisions**§ 85-1. Definitions of words and phrases.**

- A. The words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them by Article I of the Vehicle and Traffic Law of the State of New York.
- B. The following words and phrases, which are not defined by Article I of the Vehicle and Traffic law of the State of New York, shall have the meanings respectively ascribed to them in this section for the purposes of this chapter:

CURBLINE – The prolongation of the lateral line of a curb or, in the absence of a curb, the lateral boundary line of the roadway.

HOLIDAYS – Includes New Year’s Day, Martin Luther King Jr., Washington’s Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day

PARKING METER ZONE – A designated location upon or within which the parking of vehicles is regulated by parking meters.

PUBLIC PARKING LOT - A plot or parcel of land or building owned and/or leased by the Village of Athens, not including highways, upon or within which the parking of vehicles is regulated by signs and/or parking meters.

§ 85-2. Authority to install traffic control devices.

The Superintendent of Public Works shall install and maintain traffic control devices when and as required under the provisions of this chapter, to make effective the provisions of this chapter, and may install and maintain such additional traffic control devices as he may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York, subject to the provisions of §§ 1682 and 1684 of that law.

§ 85-3. Delegation of powers to regulate traffic.

Pursuant to the provisions of § 1603 of the Vehicle and Traffic Law, power is hereby delegated to the Village of Athens Police Department to exercise, by official order, rule or regulation, the powers granted to the legislative body of this village Article 39 of the Vehicle and Traffic Law, subject, however, to the limitations imposed by §§ 1645 and 1684 of the Vehicle and Traffic Law.

**ARTICLE II
One-Way Streets**

§ 85-4. One-way streets designated.

The following streets or parts of streets are hereby designated as one-way streets, and vehicles shall proceed only in the direction indicated within the limits designated below:

Name of Street	Direction	Location
North Franklin Street	North	Rice Street to Union Street
Fourth Street	East	Water Street
Water Street	North	Third Street

**ARTICLE III
Pedestrian Crossings**

§ 85-5. Pedestrian crossings prohibited in certain locations.

Pedestrian crossings are prohibited at the following locations except within the marked crosswalks thereat:

Name of Street	Location
Third Street and Vernon Street	West Corners of Third Street at Intersection
Route 385 and Second Street	North Corners of Route 385 at Intersection

**ARTICLE IV
Stop and Yield Intersections**

§ 85-6. Through highways designated.

The following highways are designated as through highways, and traffic control devices shall be erected on the following entrances thereto:

Name of Through Street	Name of Entrance Street	Direction From Which Entering	Type Traffic Control Device
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(Reserved)

§ 85-7. Stop intersections designated

The following highway intersections are hereby designated as stop intersections, and stop signs shall be erected as follows:

Stop Sign on	Direction of Travel	At Intersection With
Brick Row	West	Route 385
Brick Row	South	Brick Row Extension
Brick Row	East	Brick Row Extension
Brick Row Extension	West	Brick Row
Chatham Street	North	Second Street
Chatham Street	South	Third Street
Constantine Court	South	Union Street
Eb's Lane	West	Murphy Drive
Elementary School	North	Third Street
Farm -to-Market Road	South	Schoharie Turnpike

Stop Sign on	Direction of Travel	At Intersection With
Farm-to-Market Road	South	Union Street
Fifth Street	East	South Washington Street (Route 385)
First Street	East and West	North Church Street
First Street	West	North Vernon Street
Fourth Street	East and West	South Washington Street (Route 385)
Goodrich Street	East	North Washington Street (Route 385)
Greenwich Street	North	Second Street
Greenwich Street	South	Third Street
Leeds-Athens Road	North	Schoharie Turnpike
Livingston Street	East	North Franklin Street
Maple Lane	South	Market Street
Market Street	East	North Washington Street (Route 385)
Market Street	West	North Vernon Street

Stop Sign on	Direction of Travel	At Intersection With
Marlboro Street	East	North Vernon Street
Marvin Place	West	Murphy Drive
Murphy Drive	North	Third Street
North Church Street	South	Second Street
North Franklin Street	North and South	Market Street
North Franklin Street	South	Second Street
North Montgomery Street	South	Second Street
North Vernon Street	North	Union Street
North Vernon Street	North	Market Street
North Vernon Street	South	Second Street
North Warren Street	South	Second Street
North Water Street	West	North Washington Street (Route 385)
Olivett Lane	East	North Vernon Street
Rice Street	East	North Washington Street (Route 385)
Rice Street	West	North Franklin Street
Second Street	East	Water Street
Second Street	East and West	Washington Street (Route 385)
Second Street	West	Schoharie Turnpike
South Church Street	North	Second Street
South Church Street	South	Third Street
South Franklin Street	North	Second Street

§ 85-7 Stop Sign on	ATHENS CODE Direction of Travel	§ 85-7 At Intersection With
South Franklin Street	North and South	Third Street
South Montgomery Street	North	Second Street
South Montgomery Street	South	Third Street
South Street	West	North Washington Street (Route 385)
South Vernon Street	North	Second Street
South Vernon Street	South	Third Street
South Warren Street	North	Second Street
South Warren Street	South	Third Street
South Washington Street	East and West	Route 385
Spoorenburgh Road	South	Leeds Athens Road
Third Street	East	South Water Street
Third Street	East and West	South Vernon Street
Third Street	East and West	South Washington Street (Route 385)
Third Street	West	Leeds-Athens Road
Union Street	East and West	Farm-to-Market Road
Union Street	East and West	North Washington Street (Route 385)
Union Street	West	Schoharie Turnpike
Water Street	West	North Washington Street (Route 385)
Wayne Street	North	First Street
Wayne Street	South	Second Street
Wheat Street	East	North Washington Street (Route 385)

§ 85-7

ATHENS CODE

§ 85-9

Stop Sign on	Direction of Travel	At Intersection With
Wheat Street	West	North Franklin Street

§ 85-8. Yield intersections designated.

The following locations are hereby designated as yield intersections, and Yield signs shall be erected as follows:

Yield Sign on	Direction of Travel	At Intersection With
North Church Street	North	Market Street
South Franklin Street	South	South Washington Street

**ARTICLE V
Speed Regulations**

§ 85-9. Maximum Speed limits designated.

- A. Thirty (30) miles per hour is hereby established as the maximum speed at which vehicles may proceed within the corporate limits of this village.
- B. Fifteen (15) miles per hour is hereby established as the maximum speed at which vehicles may proceed within the corporate limits of this village along the following highways:

School Zone

- C. Twenty Five (25) miles per hour is hereby established as the maximum speed at which vehicles may proceed within the corporate limits of this village along the following streets:

Street	Direction of Travel	At Intersection With
All Alleys in the Village		
Brick Row	Both Directions	Washington Street (Route 385)
Brick Row Ext.	Both Directions	Brick Row

§ 85-9

ATHENS CODE

§ 85-9

Street	Direction of Travel	At Intersection With
Chatham Street	North from Third Street	Second Street
Chatham Street	South from Second Street	Third Street
Church Street	North from Third Street	Market Street
Church Street	South from Market Street	Third Street
Constantine Court	Circle from Union Street	
Ebs Lane	Both Directions to	Murphy Drive
Evergreen Place	Both Directions to	Maple Lane
First Street	Both Directions	Montgomery to North Vernon
Franklin Street	North from South Washington St. (Route 385)	Union Street
Franklin Street	South from Union Street	South Washington Street
Goodrich Street	Both Directions	Washington Street (Route 385)
Greenwich	Both Directions	From Second to Third
Livingston	Both Directions	Franklin Street
Maple Lane	Both Directions	Market Street
Market Street	East from Vernon Street	Washington Street (Route 385)
Market Street	West from Washington Street (Route 385)	Vernon Street
Marlboro Street	Circle from Vernon Street	
Marvin Place	Both Directions	Murphy Drive
Montgomery Street	North from Third St.	First Street
Montgomery Street	South from First Street	Third Street

Murphy Drive Both Directions from Third Street

§ 85-9

ATHENS CODE

§ 85-9

Street	Direction of Travel	At Intersection With
Olivett Lane	Both Directions from Vernon Street	
Rice Street	Both Directions from Washington to Franklin (Route 385)	
Second Street	West From Water Street	Schoharie Turnpike
Second Street	East From Leeds-Athens Road	Water Street
South Street	Both Directions from Washington to End (Route 385)	
Third Street	East from Greenwich St	Water Street
Third Street	West from Water Street	Greenwich Street
Union Street	West from Washington St. (Route 385)	West entrance Constantine Court
Union Street	East from West entrance Constantine Court	Washington St. (Route 385)
Vernon Street	North from 2nd Street	Union Street
Vernon Street	South from Union Street	Second Street
Warren Street	North from 3 rd Street	Market Street
Warren Street	South from Market Street	Third Street
Water Street	North from Fourth St	Washington Street (Route 385)
Water Street	South from Washington St. (Route 385)	Third Street
Wheat Street	Both Directions from Washington to Franklin Street (Route 385)	

§ 85-10. Applicable speed regulations

All speed limits in the village of Athens shall be as prescribed by the New York Department of Transportation pursuant to § 1643 of the Vehicle and Law.

ARTICLE VI
Parking, Standing and Stopping

§ 85-11. Application of Article

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

§ 85-11.1 Tow-away zones; penalties for offenses.

- A. All no-parking areas shall be and are hereby declared tow-away zones. Vehicles illegally parked may be towed. All towing charges shall be solely by the owner or operator of the motor vehicle and shall be in addition to any fines or other penalties.
- B. Violations. Any person violating this section shall be guilty of a violation and shall be subject to a fine not to exceed fifty (\$50.) for the first violation and one hundred (\$100.) for the second violation within six (6) months.¹

¹ Editor's Note: See also § 85-35, Penalties for offenses.

§ 85-12. Seasonal Parking Restrictions

Definition: Snow Emergency: A snow emergency is a condition caused by snow or ice or any dangerous situation that creates dangerous driving or walking conditions, placing residents and others at risk of injury, and which might be relieved to some extent by regulating the parking of motor vehicles so as to allow for plowing, snow removal, or any other remedial action.

A declared snow emergency can be declared any time from December 1st each year until March 31st of the following year. This shall not prohibit the declaration of an emergency situation at any other time during the year.

The Mayor shall upon consultation with the Superintendent of Public Works declare an emergency and impose any or all of the following restrictions in this subsection.

- A. The Mayor shall declare a snow emergency and notify the Department of Public Works, Village of Athens Police Department, Athens Fire Department and the media and have the emergency notice placed on the Village website.
- B. During a snow emergency, no motor vehicle, trailer, tractor, or any other obstacle, shall be parked or located so as to interfere with the operations of the Department of Public Works in clearing or removing snow, ice or the cause of the stated emergency.
- C. The restrictions imposed by this declared emergency shall remain in effect for a minimum of 48 hours. Alternate side of the street parking shall be in effect for the duration of the emergency and shall commence at the time the declaration is made. The date of the declaration shall determine which side of the street parking will be allowed. Declaration on an odd day – odd side parking, declaration on an even day – even side parking. All vehicles must change to the opposite side at 6:00 pm the evening of the next day and continue until the emergency declaration is lifted.
- D. The Village of Athens Police Department, or any other police agency in the County of Greene or the State of New York is hereby authorized and directed to take any actions necessary to enforce the provisions of this section. These actions may include, but are not limited to the issuance of parking citations or towing and impounding the vehicle in violation at the vehicle's registered owners expense.
- E. The Superintendent of Public Works shall have the authority to post any and all streets in the Village for the purpose of removing the snow or any hazard that has caused the declaration. The designated streets shall be posted a minimum of 8 hours prior to the commencement of hazard removal operations.

F.. The parking of vehicles is hereby prohibited on the following streets within this village between the hours 11:00 p.m. and 7:00 a.m. from December 1st to March 31 of the following year.

Name of Street	Side	Location
Second Street	North	Water Street To Schoharie Turnpike
Second Street	South	Leeds-Athens Road to Water Street
South Street	Both sides	
Fourth Street	Both Sides	from Franklin to Washington Street (Route 385)
Fifth Street	Both Sides	

§ 85-13. Parking prohibited at all times in certain locations.

A. The parking of vehicles is hereby prohibited at all times in any of the following Location:

Name of Street	Side	Location
All alleys	Both	Throughout village
First Street	Both	From North Vernon Street To north Montgomery Street
Fourth Street	Both	From Washington Street (Route 385) to Water St. except in village parking area by boat launch
North Washington Street (Route 385)	West	At intersection with Second Street for a distance of 50 feet
Second Street	South	From Washington Street (Route 385) To Warren St

Washington Street (Route 385)	South	At intersection with South Street for a distance of 50 feet
Water Street	East	From Fourth Street to Third Street

B. No Parking permitted at any time at 25 foot corner markings at the following intersections:

Second Street	North	at Intersections North Washington (Route 385) North Franklin North Warren North Montgomery
Second Street	South	at Intersections From West corner of South Church Street to S. Montgomery
North Franklin	West and East	at Second Street
North Warren	West and East	at Second Street
North Montgomery	West and East	at Second Street

C. .The parking and/or standing is hereby prohibited at all times in all marked crosswalks and in any areas where such parking and/or standing blocks access to fire hydrants. Crosswalks are at Second Street and Water, Washington(Route 385), Franklin, Warren, Church and Vernon – all four directions.

§ 85-14. Standing prohibited in certain locations

The standing of vehicles is hereby prohibited at all times in the following locations.

From 15 feet near any Fire Hydrant in the Village

Name of Street	Side	Location
Second Street	South	From Washington Street (Route 385) To Warren St.

§ 85-15. Stopping prohibited in certain locations.

A. The stopping of vehicles is hereby prohibited at all times in the following locations:

Name of Street	Side (Reserved)	Location

B. The stopping of vehicles except buses is hereby prohibited in any of the following locations:

Name of Street	Side	Location
	(Reserved)	

§ 85-16. Parking prohibited during certain hours in certain locations.

The parking of vehicles is hereby prohibited between the hours indicated in any Of the following locations:

Name of Street	Side	Between the Hours of	Location
		(Reserved)	

§ 85-17. Parking time limited in certain locations

The parking of vehicles is hereby prohibited for a longer period of time than that designated, between the hours indicated, in any of the following locations:

Name of Street	Between the Hours of	Limit	Time	Location
North Franklin St.	West	8:00 am- to 6:00 pm	2 hrs.	50 feet after 25 foot corner intersection restriction on Second St.
North Washington Street (Route 385)	East	8:00 a.m. and 6:00 p.m., except Saturdays, Sundays and holidays	10 min	.Second Street to the northerly line of the National Bank of Coxsackie
Second Street	North	8:00 am and 6:00 pm mon-sat	10 min	From North Franklin Street West for 35 feet after 25 foot corner parking restriction
Washington ---- Street(Route 385)	North	8:00 a.m. and 6:00 p.m.	2 hrs.	In front of the Zion Evangelical Lutheran Church
Washington Street (Route 385), North	West	9:00 a.m. and 6:00 p.m., except Saturdays, Sundays and Holidays	30 min.	From the northerly curbline of Second Street to a point 100 feet north thereof

§ 85-18. Designation of Handicapped Parking Spaces

The following areas are designated by signage as reserved for handicapped parking. All handicapped corner parking areas will begin after the 25 foot no parking area.

1. Two locations commencing 25-30 feet from the entrance to Saint Patrick's Church, West Side Route 385 and proceeding north.
2. Two locations West side of North Franklin Street at The Federated Church, commencing at the telephone pole north of Church entrance and proceeding north.
3. One location on the north side Second Street at D.R. Evarts Library beginning east of the front walkway.
4. One location on Washington Street (Route 385), east side, at the Zion Lutheran Church door entrance proceeding north.
5. Two locations at 6 South Water Street, one east and one west side of Water Street

ARTICLE VII

Removal and Storage of Vehicles

§ 85-19. Authority to impound vehicles.

- A. When any vehicle is parked or abandoned on any highway within this village during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by the Athens Police Department.
- B. When any vehicle is found unattended on any highway within this village where said vehicle constitutes an obstruction to traffic, said vehicle may be removed by the Athens Police Department.
- C. When any vehicle is parked or abandoned on any highway within this village where stopping, standing or parking is prohibited, said vehicle may be removed by the Athens Police Department.

§ 85-20. Storage and charges.

After removal of any vehicle as provided in this Article, the Athens Police Department may store such vehicle in a suitable place at the expense of the owner. Such owner or the person in charge of the vehicle may redeem the same upon payment to the Athens Police Department of the amount of all expenses actually and necessarily incurred in effecting such removal.

§ 85-21. Notice of removal.

The Athens Police Department shall without delay report the removal and the disposition of any vehicle removed as provided in this Article to the Chief of Police to ascertain to the extent possible the owner of the vehicle or person having charge of the same and to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem the same.

§ 85-22. Delegation of duties.

Any of the duties of the chief of Police under this Article may be delegated by him to other members of the Athens Police Department of the village.

§ 85-23. Trucks excluded from certain streets.

Through truck traffic is hereby excluded from the following highways within this village: (see reference **§85-26A.**)

Name of Street	Location
Franklin Street, North	Entire length
Franklin Street, South	Entire length
Market Street	From Route 385 to Vernon Street
Third Street	From Athens-Leeds Road to Route 385
Union Street	From Schoharie Turnpike to Route 385
Washington Street, South	From Route 385 to Route 385

§ 85-24. Tractor trailers; parking; exceptions

(Reserved)

§ 85-25. Local deliveries and pickups exempted.

The regulations established in this Article shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways from which such vehicles and combinations are otherwise excluded.

**ARTICLE IX
Truck Route System**

§ 85-26. Truck route system established.

- A.** A truck route system upon which all trucks, tractors and tractor-trailer combinations having a total gross weight in excess of five (5) tons are permitted to travel and operate is hereby established and shall consist of the following highways:

Name of Street	Location
Route 385	Village limits south to village Limits north
Second Street	Between Route 385 and Schoharie Turnpike

- B.** All trucks, tractors and tractor-trailer combinations having a total gross weight in excess of five (5) tons are hereby excluded from all highways within this village except from those highways listed in Subsection A of this section. This exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property along the highway from which such vehicles and combinations are excluded.

ARTICLE X
Parking of Large Vehicles

§ 85-27. Parking of certain large vehicles prohibited in certain locations.

No commercial vehicle, truck, tractor, truck trailer, tractor-trailer combination, travel trailer, truck camper, camping trailer, motor home or licensed camper vehicle shall park on the following highways, nor shall said highways or properties fronting upon said highways be used for the sale of goods, wares or merchandise from motor vehicles:

Name of Street	Side	Location
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On all village streets with the exception of Route 385 for deliveries, emergencies, service or moving, or with prior approval of the Village Board.

§ 85-28. Certain activities exempted.

The regulations established in this Article shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways upon which such vehicles are otherwise prohibited from parking, nor the parking of such vehicles for a limited period of time in order to expeditiously load or unload the same.

ARTICLE XI
Pavement Markings

§ 85-29. Application of pavement markings authorized.

Pavement markings in accordance with the standards and specifications established by the Department of Transportation shall be applied on the following highways or portions of highways:

Name of Street	Location
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(Reserved)

**ARTICLE XII
Safety Zones**

§ 85-30. Safety zones established.

Safety zones hereby established in the following locations:

Safety zones will be marked by cones during events at the Village Green Park.

North Franklin Street in both directions, north and south, between Wheat and Goodrich.

(Reserved)

**ARTICLE XIII
Center-lane Allocations**

§ 85-31. Center lanes allocated in certain locations.

The center lanes of the following highways are hereby allocated exclusively for the traffic moving in the direction specified:

Name of Street	Direction of Traffic	Location
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(Reserved)

**ARTICLE XIV
Lane Designations**

§ 85-32. Lane designations for all vehicles.

The indicated lanes of the following highways are reserved for the use specified:

Name of Street	Lane	Direction of travel	Location	Uses Which Reserved
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(Reserved)

§ 85-33. Lane designations for trucks.

Trucks shall use only the right lane, except for overtaking and passing, on the following highways:

Name of Street	Direction of Travel	Location
	(Reserved)	

§ 85-34. Bus lanes designated.

The right lane is hereby reserved for buses and for right turns by other vehicles in the following locations:

Name of Street	Direction of Travel	Location
	(Reserved)	

**ARTICLE XV
Penalties**

§ 85-35. Penalties for offenses.

Every person convicted of a traffic infraction for a moving violation of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction of exceeding the posted speed limit by less than 10 miles per hour be punished by a fine of not less than \$ 30.00 nor more than \$ 100.00 For a first conviction of exceeding the speed limit by more than 10 miles per hour but less than thirty miles per hour the fine shall be no less than \$ 60.00 and no greater than \$ 200.00 and may also include imprisonment of no more than 15 days. For a first conviction of exceeding the speed limit by greater than 30 miles per hour the fine shall be \$ 200.00 to \$ 400.00 and imprisonment for a term not to exceed thirty days. Every person convicted of exceeding the speed limit by 10 miles per hour or less in a posted school or safety zone shall be subject to a fine of no less than \$ 60.00 and no more than \$ 200.00. Every person convicted of exceeding the posted speed limit in a school or safety zone by more than ten miles per hour but less than 30 miles per hour shall receive a fine no less than \$ 120.00 or nor greater than \$ 400.00 and/or imprisonment of no more than 15 days, and exceeding the speed limit in a school or safety zone by greater than thirty miles per hour a fine of no less than \$ 240.00 and no greater than \$ 800.00 and /or imprisonment for no more than 30 days shall be imposed.

Every person convicted of a parking violation within the Village of Athens, on all Streets shall be punished by a fine of no more than \$ 10.00 for the first violation. The Second violation within one year shall be punishable by a fine of \$ 25.00. A continual offender is defined in this section as a person who is convicted of three parking violations within 18 months and shall be punishable by a fine of no less than \$ 100.00 or imprisonment for a period of no less than 10 days, or both.

All summonses must be remitted to the Village Court within the time period stated on the original summons. If payment is not received that time period, all fines will be doubled. If the payment of the summons is not received within thirty days of the issuance, the fine shall be tripled from the original summons and a warrant shall be issued for the arrest of the registered owner of the vehicle.

Every person who shall be convicted of a winter snow emergency violations shall be punished by a fine of no less than \$ 25.00. For a second violation during the same declared snow emergency, the vehicle shall be impounded and kept secure until the registered owner shall pay a fine of \$ 75.00, and pays all court costs, towing and impoundment charges.

Every person who does not answer to the court for the summons, does not submit payment for the summons ,does not plead in person or via registered mail within the allotted time period stated at the time of issuance of the summons shall be guilty of contempt.

The Village Justice or the acting justice shall issue a warrant for the arrest of the subject. The fines imposed on the original offence shall be tripled, the vehicle may be impounded until the fines, court costs, impoundment fees and towing charges are paid and/or imprisonment for no more than 30 days may be imposed.