

# CHARGES FOR PARKING LOT MAINTENANCE

Chapter 13C  
Local Law # 3 1994

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**13C-1 Legislative intent**  
**13C-2 When effective**

(History: Adopted, Hilton Village Board; 11-7-94 as Local Law No. 3, 1994)

Be it enacted by the Village Board of the Village of Hilton, New York, as follows:

**13C-1 Legislative Intent**

The Village Board of Trustees may direct that the whole of the expense of operating and maintaining lands for public off street parking facilities be assessed upon property deemed benefitted, or that the whole or part thereof be charged to the Village at large and the remainder, if any, assessed upon the property deemed benefitted.

- A.** Whenever the Board of Trustees shall decide to operate and maintain parking facilities on property owned or leased by the Village, at the expense of the owners of the land benefitted thereby, or partly at the expense of such owners and partly at the expense of the Village at large, the Board, before incurring any such costs, shall give notice to all persons interested by publishing a notice in the official newspaper that a hearing will be held, not less than ten (10) days after the first publication of said notice, to consider the same, and after such hearing the Board may undertake the costs of operating and maintaining said parking facilities, either by contract or by Village employees, and determine the portion of the costs to be assessed upon the lands benefitted thereby and the portion, if any, to be borne by the Village at large, and also determine what lands will be benefitted by such local improvements, and shall prepare and file in the office of the Village Clerk a map or plan of the proposed assessment district, showing the lands so determined to be benefitted, as soon as practicable after such hearing.
- B.** The Board shall apportion and assess the part of the costs of operation and maintenance to be raised by local assessments upon the lands in such assessment district, according to frontage, area, or otherwise, as the Board may determine during the proceedings to be just and equitable, and file a copy thereof in the office of the Village Clerk. After making such apportionment, the Board shall publish in the official newspaper and serve upon each owner, personally or by mail, at least ten (10) days before the hearing, a notice of the filing of such apportionment and assessment map or plan, and that at a specified time and place a hearing will be held to review and complete the same, and that the said apportionment and the said map or plan can be examined by any person interested therein at the office of the Village Clerk during usual business hours, prior to such hearing. The Board shall meet at the time and place specified in such notice and hear objections to such apportionment and to such assessment map.

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### **13C-1 Legislative Intent**

- C.** It may modify and correct the same and add or exclude land to or from the area of local assessments, but no assessments shall be increased and no lands added thereto without notice to the owner and an opportunity to be heard. The Board may adjourn the hearing from time to time without further notice and, as soon as practicable, shall complete the said apportionment and assessment and the said assessment map and file the same in the office of the Village Clerk, and publish notice of such completion and filing in the official paper, and any person deeming himself aggrieved thereby may, within 15 days after the filing of such apportionment and map apply to a court of record for an Order of Certiorari to review said assessments. The apportionment, the assessments and the map shall be deemed final and conclusive unless such an application to be made within such 15 days.
- D.** The expense of operation and maintenance may be raised in an entire amount or in installments as the Board of Trustees may determine. If any portion of such expense is to be borne by the Village at large, or if the entire expense is to be assessed against the property benefitted thereby, such expense may be financed pursuant to the Local Finance Law.
- E.** All local assessments levied against real property as provided herein shall be collected pursuant to Section 5-518 of the Village Law of the State of New York.

### **1-6 When effective**

This local law shall take effect upon publication and filing with the Secretary of State as required by law.