COMMON COUNCIL COMMITTEE MEETING

LAW, BUILDINGS AND CODE ENFORCEMENT COMMITTEE

Joseph Igoe, Chair

Meeting called by: Joseph Igoe, Chair            Date: 10-15-18    Time: 5:30PM

Members of APD
William Trudeau
Brian Shea

Invitees/Speakers
Marisa Franchini

Committee Members
Present: Igoe, Chair ☒ O’Brien ☐ Applyrs ☒ Anane ☒ Farrell ☒

Council Members
Present: Conti, Kimbrough, Doesschate, Hoey, Doesschate

Minutes

Agenda Item:
Chair convened the meeting stating members present and agenda item

Points of Discussion:

- The City of Albany uses a system of Emergency No Parking orders to clear streets during special events including funerals, residential moving days, and concerts.
- Councilman Anane stated that the current law provides no timeframe for notifying residents of an Emergency No Parking order. While signs typically appear to be put up several days in advance, there is no statute requiring that consideration. Corporation Counsel has further added that “internal policies” are aimed at installing signage within 24 hours of Emergency No Parking orders coming to effect.
- Councilman Anane believes that without clear legal guidance this internal policy has been ignored on a regular basis. This leads to relatively common scenarios where residents find their cars ticketed or towed because an Emergency No Parking order went up either right before the event in question or with too little warning to reasonably expect residents to react.
- APD stated that only a small number of vehicles that are towed reimbursed.
- Councilman Anane stated that this legislation would differentiate between Special Events and true emergencies, establish a timeline for signage to be posted, and create revenue with a $45 fee on businesses seeking to take advantage of the Special Event Parking program. In addition, would update the use of the gender-specific pronoun “he” in reference to the position of the Chief of Police, supplementing the language with “they”.
- APD and the Mayor’s office believe that Ordinance 34.101.18 will tie their hands in considerations of rallies and funerals.
- APD requires 3-4 business days for Emergency No Parking requests. It is rare that we get order on short notice and requests are sent to Parking Authority. If the request was in short notice we do not tow vehicles and/or we will move the vehicle if necessary.
- The shortest notice APD receive is 36 hours before event.
• In regards to the proposed $45 Special Event Parking fee, there is already a fee.
• Councilman Anane states in cases where the notice was not dated and not put out on time this Ordinance 34.101.18 would correct that.
• APD states that they get many special event requests that request Emergency No Parking last minute and sometime signed off by Common Council Members.
• Councilman Anane states that members should be setting an example and put requests in before 48 hours.
• Councilwoman Farrell suggests we improve the process and allow people to challenge their claim.
• Councilman Anane is open to making exemption for the state.
• Councilwoman Doesschate believes that Ordinance 34.101.18 it is unclear and doesn’t define what special event parking is. Councilwoman Doesschate agrees with Councilwoman Farrell that creates this policy will not change the hassle of the notice of claim process.
• Councilman Conti states that special events notice have been posted in his ward and there is no need to change procedure.
• In 2017, 18,955 notice posted and in 2018, 20,095. The City received $25 per vehicle towed.
• Current legislation has discretion and this legislation does not.
• Councilman Hoey agree with Ordinance 34.101.18.
• It is recommended that policy is posted on City website.
• Councilman Igoe believes that this will tie our hands and does not solve anything.
• The Law Department will provide Councilman Anane with list notice of claim regarding vehicle towed that has been denied and reimbursed.
• After discussion, committee decided to hold Ordinance 34.101.18 in committee for further discussion.

The Chairperson asked for a motion to adjourn, which was duly made, seconded, and passed.