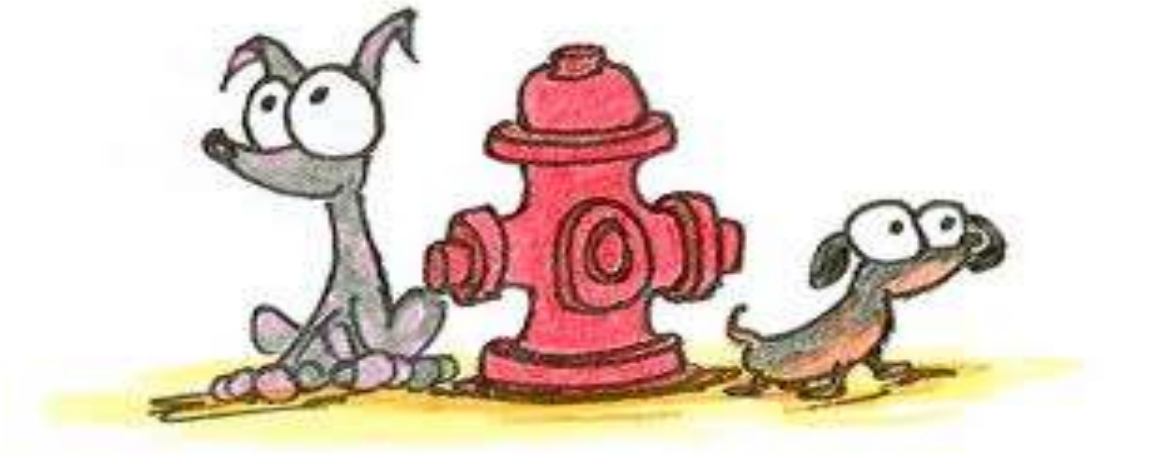


***Everything you always
wanted to know about
beating a NYC Fire Hydrant
Parking Ticket***



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POST: Valuable Information about NYC Fire Hydrant Parking Tickets

The fire hydrant rule

This is the first in a series of blog posts about the fire hydrant rule, to help you avoid a NYC parking ticket.

"Hydrants. [Stopping, Standing, and Parking is prohibited] [w]ithin fifteen feet of a fire hydrant, unless otherwise indicated by signs, or parking meters, except that during the period from sunrise to sunset if standing is not otherwise prohibited, *the operator of a passenger car may stand the vehicle alongside a fire hydrant provided that the operator remains in the operator's seat ready for immediate operation of the vehicle at all times* and starts the motor of the car on hearing the approach of fire apparatus, and provided further, that the operator shall immediately remove the car from alongside the fire hydrant when instructed to do so by any member of the police, fire, or other municipal department acting in his/her official capacity."

Can you "stop, drop and go" within 15 feet of a pump?

In my humble opinion...NO. Here's why:

- [Fire hydrants are "no stopping" zones](#)

- In a "no stopping" zone you are not permitted to stop temporarily to drop-off or pick-up a passenger or property

But Larry, you can "stand" your car in a fire hydrant zone under certain circumstances

That is correctamundo. The big but is contained in the definition of "standing":

"Standing. The stopping of a vehicle, whether occupied or not, *otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers."*

When you are receiving or discharging a passenger, you are NOT "standing" your vehicle

Take-aways

- You cannot stop temporarily to drop-off or pick-up passengers or property within 15 feet of a fire hydrant
- If you do, you risk a NYC parking ticket
- You are permitted to stand your vehicle within 15 feet of a fire hydrant between sunrise and sunset; as long as a licensed driver is seated behind the wheel, ready to move the car, when instructed to do so by a person authorized under these rule



POST: The fire hydrant parking ticket rule in all its majestic confusion

This is the second in a series of three posts about [The NYC fire hydrant rule and how to avoid parking tickets](#)

"**Hydrants.** [**Stopping**, Standing, and Parking is prohibited] [w]ithin fifteen feet of a fire hydrant, *unless otherwise indicated by signs, or parking meters*, except that during the period from sunrise to sunset if standing is not otherwise prohibited, the operator of a passenger car may stand the vehicle alongside a fire hydrant provided that the operator remains in the operator's seat ready for immediate operation of the vehicle at all times and starts the motor of the car on hearing the approach of fire apparatus, and provided further, that the operator shall immediately remove the car from alongside the fire hydrant when instructed to do so by any member of the police, fire, or other municipal department acting in his/her official capacity."

What if a NYC parking sign permits parking by a fire hydrant?

An overlooked portion of the confusing NYC fire hydrant rule allows the driving public to park their chariots within 15 feet of a pump, **if a parking sign permits parking.**

So, if a sign prohibits parking between 7A-4P, with an arrow pointing in the direction of a fire hydrant, while permitting parking all other times; and there are no other parking signs between the no parking sign and pump, does this qualify under the rule as a parking sign permitting parking within 15 feet of the fire hydrant before 7A and after 4P? According to the plain language of the rule, YES. The big but is you absolutely run the risk of being issued a NYC parking ticket.

How about parking meters?

"If a sign or meter authorizing parking results in a parked car being closer than 15 feet to a fire hydrant, it is permissible to park." *Traffic Conundrums*, written by NYC's ex-traffic commissioner, [Gridlock Sam Schwartz](#).

I agree.

Commentary

- I beseech you to exercise extreme vigilance when deciding whether to park within 15 feet of a fire hydrant. Although the letter of the rule says you can park in the pump zone if indicated by a parking sign; I'm leery about whether that language will be interpreted in favor of the driving public by a parking ticket judge.
- If a parking sign allows you to park in a space regulated by a meter; and a portion of your car extends into the 15 foot ring of hell that encircles a fire hydrant, you can legally park in the space.
 - For example, if a parking sign permits metered parking between 7A-4P. You can park in the metered space, as long as it's between 7A-4P



POST: The Truth about Broken NYC Fire Hydrants & Parking Tickets

The NYC parking ticket story

I was asked a question by Italia, a terrific friend of New York Parking Ticket LL, whether she should fight a fire hydrant parking ticket, if the fire hydrant was broken. My response was YES, if you can prove the fire hydrant was in fact out of service.

Fast-forward to last week...Italia sent me an email with great news about the outcome of her NYC parking ticket fight. She won because her photograph of the fire hydrant clearly, unequivocally, without a shadow of a doubt, persuaded the NYC parking ticket judge the pump was not pumping. Parking Ticket dismissed!

Are fire hydrants being repaired in a timely fashion?

The New York City Department of Environmental Protection (DEP) is not fixing fire hydrants fast enough putting the public and firefighters at risk, according to an audit released by [New York City Comptroller John C. Liu](#).

"Comptroller Liu said the problem is even bigger for hydrants designated as 'High Priority,' meaning they are either located near a school, hospital, or senior citizens' residence, or are the only fire hydrant on the block. The audit reviewed 149 high priority hydrant work orders and found that some of the fire hydrants were out of service anywhere from three months to more than one year."

The DEP has a goal of 10 days to repair high priority fire hydrants. But 38 percent of the fire hydrants surveyed did not meet the 10-day goal.

DEP maintains and repairs the City's 109,217 fire hydrants. In fiscal year 2009, the agency received complaints regarding 15 percent of fire hydrants. According to the audit, it took an average of 18 days to make repairs. The audit also found a wide discrepancy in repair time among the five boroughs. The DEP could not explain the discrepancy.

Average Time by Borough to Fix Broken Fire Hydrants, FY 2009		
Borough	# Of Work Orders	Avg. # of Days to Resolve
Staten Island	1,310	33.4
Brooklyn	4,675	26.6
Bronx	2,726	19.5
Manhattan	4,514	10.3
Queens	3,208	10.1

[Full Audit Report on the timeliness of repairs to fire hydrants](#)

Paint it green!

NYC Councilperson Greenfield introduced a Bill permitting parking at non-operational fire hydrants; and mandating all non-operational fire hydrants is painted green. [A Local Law to amend the administrative code of the city of New York, in relation to permissible parking at non-functioning fire hydrants.](#)



POST: A New York Parking Ticket LLC customer success story

It is great to witness the adjudication process for fighting a NYC parking ticket for a Code 40: Fire Hydrant violation working perfectly.

The Facts

Joe parks his car on a NYC street, more than 15 feet from a fire hydrant. When he returns to his vehicle, he sees that all too familiar orange envelope under his windshield. His heart starts beating faster, and his face turns red. He reads the parking ticket charging a violation of Code 40. The parking ticket warrior's sworn comment on the front of the parking ticket says Joe's car is parked only 6 feet from the hydrant. Joe's reaction is anger, outrage and a commitment to fight the parking ticket because he is right.

The NYC Parking Rules and Regulations

Code 40 prohibits:

"Stopping, standing or parking within 15 feet of a fire hydrant. Between sunrise and sunset, a passenger vehicle may

stand alongside a fire hydrant as long as the operator remains behind the wheel and is ready to move the vehicle if required to do so"

Chapter 4-08(e). No person shall stop, stand or park a vehicle in any of the following places...

"(2) Hydrants. Within fifteen feet of a fire hydrant, unless otherwise indicated by signs, or parking meters, except that during the period from sunrise to sunset if standing is not otherwise prohibited, the operator of a passenger car may stand the vehicle alongside a fire hydrant provided that the operator remains in the operator's set ready for immediate operation of the vehicle at all times and starts the motor of the car on hearing the approach of fire apparatus, and provided further, that the operator shall immediately remove the car from alongside the fire hydrant when instructed to do so by any member of the police, fire, or other municipal department acting in his/her official capacity"

Joe's Action

Joe:

- Always carries a tape measure and camera with him in his car
- Asks a witness to assist him in measuring the distance between the fire hydrant and his car
- Takes a number of dated photos that clearly demonstrate his car was parked more than 15 feet from the fire hydrant
- Hires New York Parking Ticket LLC to fight his parking ticket

Outcome

- We prepare detailed Affidavits for execution by Joe and his witness
- Send a defense letter, detailed Affidavits, photographs confirming the facts contained in the Affidavits; along with the signed NYC parking ticket to the address on the back of the parking ticket
- Enter a plea of NOT GUILTY and request a hearing by mail

- Approximately four weeks later, Joe receives a letter from the DOF advising him that his parking ticket is dismissed

Photographs





pe measure saved Joe \$115. When you are right, fight your NYC parking ticket. You can see the power of a photograph and tape measure. The NYC parking ticket hearing official did the right thing after reviewing the evidence, which is really nice to see.

How about the NYC parking ticket warrior? She clearly lied about the distance from the fire hydrant and got caught. Shame on you!

In response to a frequently asked question, the fact that a parking ticket warrior fails to accurately state the distance from your car to the fire hydrant is not enough to win a dismissal. You must prove that your vehicle was parked MORE than 15 feet from the fire hydrant.

I went out and purchased a tape measure. How about you?



Presenting the Proper Proof Properly for the “Sunrise-Sunset” Defense

Defense Affidavit:

Violation Code: 40 Fire Hydrant

I, Joe Smith, of full age, being duly sworn, according to law, upon my oath, deposes and says:

I plead not guilty to this violation.

On April 6, 2011, I was issued a parking ticket at 6:04 p.m. for parking alongside a fire hydrant. I was parked at that location waiting to pick up a friend. My friend lives in the home next to the building on the corner.

A TEA approached my car, and gestured me to move my vehicle. I complied, and drove around the block. When I returned, my friend was waiting for me on the sidewalk in front of his house. I was never served with a parking ticket.

I know the parking rules of NYC permit a person to park alongside a fire hydrant between sunrise and sunset, as long as a licensed driver sits behind the wheel of the car, with the keys, ready to move upon

the request to do so. That is exactly what I did.

The TEA even entered "Drive off" on my ticket, which substantiates my story. Further, on April 6, 2011, sunset occurred at 7:26 p.m.

Attached please find:

□ Proof that sunset occurred at 7:26 p.m. on April 6,

Due to these circumstances, I respectfully request Your Honor dismiss my parking ticket.

Thank you.

Your name

Sworn & Subscribed before

Me on this _____ day of

April 2011

Notary Public

April 2011 Calendar

April 2011

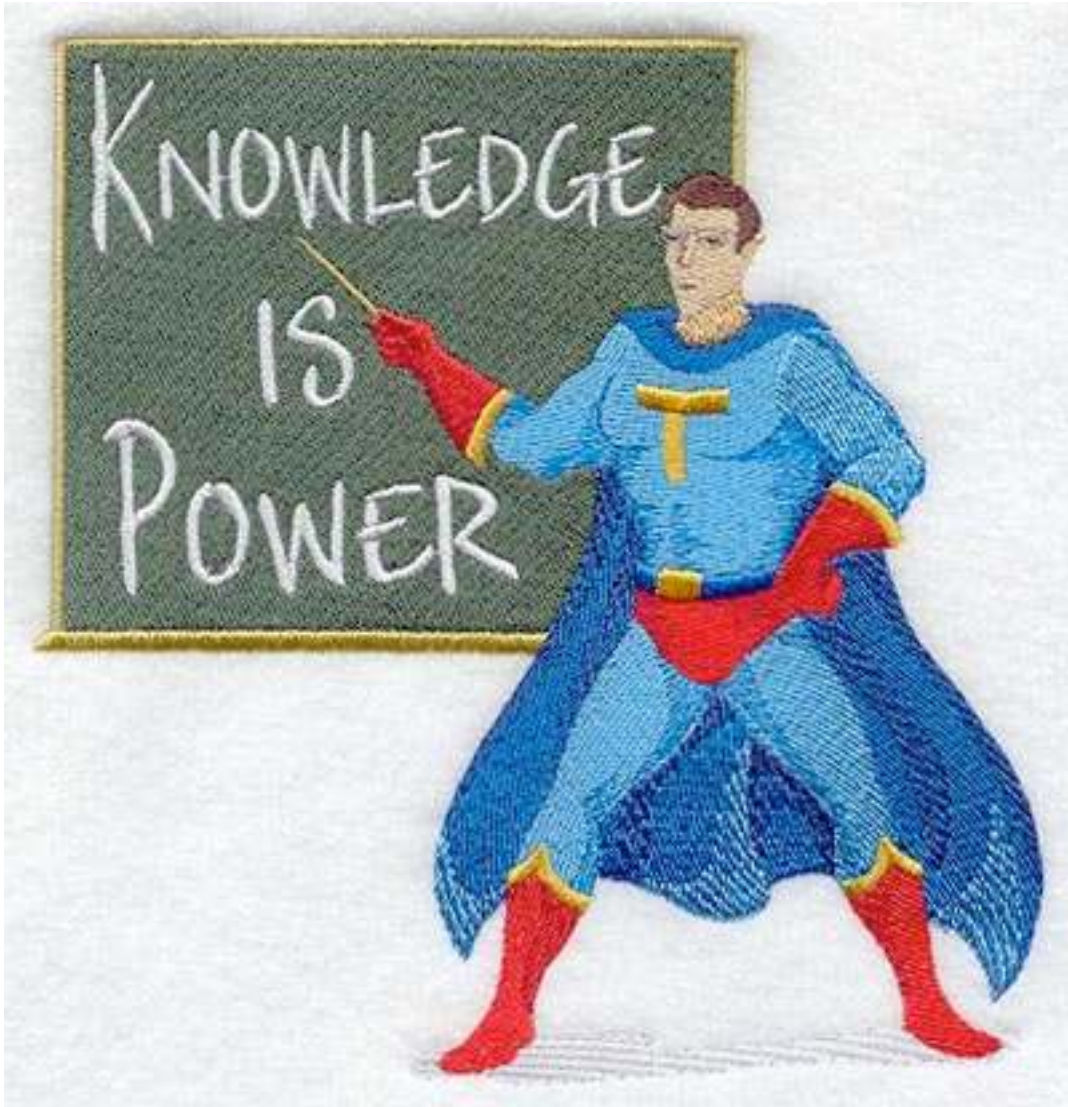
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14	3	4	5	6	7	8 9
15	10	11	12	13	14	15 16
16	17	18	19	20	21	22 23
17	24	25	26	27	28	29 30

Date	Sunrise	Sunset	Length of day
April 1, 2011	6:40	19:21	12h 41m
April 2, 2011	6:38	19:22	12h 44m
April 3, 2011	6:37	19:23	12h 46m
April 4, 2011	6:35	19:24	12h 49m
April 5, 2011	6:34	19:25	12h 51m
April 6, 2011	6:32	19:26	12h 54m
April 7, 2011	6:30	19:27	12h 57m
April 8, 2011	6:29	19:28	12h 59m
April 9, 2011	6:27	19:29	13h 2m
April 10, 2011	6:26	19:30	13h 4m
April 11, 2011	6:24	19:31	13h 7m
April 12, 2011	6:22	19:32	13h 10m
April 13, 2011	6:21	19:33	13h 12m
April 14, 2011	6:19	19:34	13h 15m
April 15, 2011	6:18	19:35	13h 17m
April 16, 2011	6:16	19:36	13h 20m
April 17, 2011	6:15	19:37	13h 22m
April 18, 2011	6:13	19:38	13h 25m
April 19, 2011	6:12	19:39	13h 27m
April 20, 2011	6:10	19:40	13h 30m
April 21, 2011	6:09	19:41	13h 32m

April 22, 2011	6:07	19:43	13h 36m
April 23, 2011	6:06	19:44	13h 38m
April 24, 2011	6:04	19:45	13h 41m
April 25, 2011	6:03	19:46	13h 43m
April 26, 2011	6:02	19:47	13h 45m
April 27, 2011	6:00	19:48	13h 48m
April 28, 2011	5:59	19:49	13h 50m
April 29, 2011	5:58	19:50	13h 52m
April 30, 2011	5:56	19:51	13h 55m

The sunrise and sunset are calculated from New York. All the times in the April 2011 calendar may differ when you live east or west in the United States. To see the sunrise and sunset in your region select a city above this list.



Larry
New York Parking Ticket LLC
(800) 249-5048

“Our mission is to help you and your company
fight NYC parking tickets and win”