Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
FEB 24 1999
99 Secretary of State

~~County~~
~~City~~
Town
~~Village~~ of Lyonsdale

Local Law No. 1 **of the year 19**

A local law of the Town of Lyonsdale to provide for the regulation of the operation of snowmobiles on certain public highways of and within the Town of Lyonsdale.

(Insert Title)

Be it enacted by the Town Board **of the**

(Name of Legislative Body)

~~County~~
~~City~~
Town
~~Village~~ of Lyonsdale **as follows:**

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 1. Legislative Intent. The purpose of this local law is to protect the public health, welfare and safety by regulating the operation of snowmobiles on public highways of the Town of Lyonsdale in a manner which will be compatible with the use of such highways for vehicular and pedestrian travel and other uses, and which will promote the safe and proper use of snowmobiles for recreation and commerce and minimize detrimental effects of such use on the environment.

SECTION 2. Definitions.

(a) The terms, words and phrases used in this local law shall have the same meaning as such terms, words and phrases where utilized or employed in Article 25 of the Parks, Recreation & Historic Preservation Law of the State of New York.

(b) Whenever the word "Town" is used herein it shall mean the Town of Lyonsdale.

SECTION 3. Operation on Streets or Highways Within the Town of Lyonsdale. Operation of snowmobiles on Town highways shall be subject to the applicable provisions of Article 25 of the Parks, Recreation & Historic Preservation Law, the rules and regulations of the Office of Parks, Recreation & Historic Preservation, Article 47 of the Vehicle and Traffic Law, and the rules, restrictions and conditions set forth in Section 4 of this Local Law.

(a) Designated Highways. The following Town highways within the Town of Lyonsdale are hereby designated as such streets and highways upon which snowmobiles may be operated pursuant to Sections 25.05(7) and 25.09 of the Parks, Recreation & Historic Preservation Law:

ROAD	FROM	TO
Shibley Road	Town Line, south	DEC truck trail

(b) Emergency Operation. When authorized or directed by a peace or police officer, by the Town highway superintendent, or by the Town supervisor, a snowmobile may be operated on a Town highway otherwise closed to snowmobile travel in emergency situations as authorized by Section 25.05(2)(b) of the Parks, Recreation & Historic Preservation Law.

SECTION 4. Additional Conditions and Restrictions. Whenever the operation of a snowmobile on any Town highway is permitted by this local law, the following additional conditions and restrictions are hereby imposed:

(a) Traffic Flow. No person shall operate a snowmobile within the right-of-way of those Town highways designated herein for use except on the right side of such right-of-way and in the same direction as routine highway traffic.

(b) Traffic Control. Each person operating a snowmobile on any street or highway shall strictly observe all vehicular traffic signs and signals and all other rules and regulations applicable to vehicular traffic, and shall obey the orders and directions of any state or local police or other law enforcement officer authorized to direct or regulate traffic.

(c) Minimum Age. No person under the age of 16 years shall operate a snowmobile upon any Town highway herein designated for snowmobile travel.

SECTION 5. Violations. Failure to comply with any of the provisions of this local law shall be deemed a violation. The violator shall be liable for a fine of not less than $25.00 nor more than $100.00 and to imprisonment for a term not in excess of that prescribed for violations under the provisions of the Penal Law of the State of New York.

SECTION 6. Separability. If any phrase, clause, sentence, paragraph, subdivision or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such portion of this law shall be deemed separate and distinct from the remainder of this local law, and such judgment shall not affect the validity of the remaining provisions of this local law.

SECTION 7. Effective Date. This local law shall take effect immediately upon its filing in accordance with the provisions of Section 27 of the Municipal Home Rule Law, provided, however, that snowmobiles shall not be operated under the provisions hereof until such time as signs and markers are installed or constructed in accordance with Section 25.09(b) and (c) of the Parks, Recreation & Historic Preservation Law and the rules and regulations of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- 1 ---------- of 19 99
of the (County)(City)(Town)(Village) of ---------- Lyonsdale ---------- was duly passed by the
---------- Town Board ---------- on February 9, 19 99, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 19------
of the (County)(City)(Town)(Village) of ---------- was duly passed by the
---------- on ---------- 19 ---, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- and was deemed duly adopted on ---------- 19----,
(Elective Chief Executive Officer)*
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 19------
of the (County)(City)(Town)(Village) of ---------- was duly passed by the
---------- on ---------- 19----, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- on---------- 19----. Such local law was submitted
(Elective Chief Executive Officer)*
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on ---------- 19---, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 19------
of the (County)(City)(Town)(Village) of ---------- was duly passed by the
---------- on ---------- 19----, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- on ---------- 19 ---. Such local law was subject to
(Elective Chief Executive Officer)*
permissive referendum and no valid petition requesting such referendum was filed as of ---------- 19---, in accordance with the applicable provisions of law.

*** Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances**

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 19------ of the City of ---------- having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on---------- 19----, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 19------ of the County of ---------- State of New York, having been submitted to the electors at the General Election of November ---------- 19----, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

James Szewczyk

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

JAMES SZEWCZYK

(Seal)

Date: February 19, 1999

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF LEWIS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Thomas A. Campany

Signature

Thomas A. Campany

Town Attorney

Title

~~County~~
~~City~~
Town of Lyonsdale
~~Village~~

Date: February 16, 1999