

Local Law Filing

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 underling to indicate new matter.

County~~City~~ of Yates~~Town~~~~Village~~**Local Law No. 1 of the year 1971.**

A local law of the County of Yates to provide for regulation of the operation of Snowmobiles on County Highways and other County lands.

(Insert Title)

Be it enacted by the Board of Supervisors of the

County~~City~~ of Yates as follows:~~Town~~~~Village~~**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 County Highways within the County of Yates in a manner which will promote their safe and proper use of recreation and commerce, compatible with the use for vehicular and pedestrian travel and other uses.

SECTION 2. Legislative Authority

This Local Law is enacted pursuant to the provisions of Article 8 of the Conservation Law, as enacted by Chapter 459 of the Laws of 1970.

SECTION 3. Short Title

This Local Law shall hereafter be known and cited as the "County of Yates Snowmobile Local Law".

SECTION 4. Definitions

For the purpose of this Local Law the definition of works, phrases and terms adopted by Section 8-0105 of the Conservation Law or by rules and regulations of the Office of Parks and Recreation supplemental thereto are incorporated herein.

Wherever the word "County" is used herein reference shall be to the County of Yates.

SECTION 5. Operation of Snowmobiles on County Highways

A. Snowmobile travel and operation on the shoulders of all County Highways is hereby permitted subject to the rules, restrictions and conditions set forth herein.

B. In addition to snowmobile travel and operation on shoulders of County Highways, a snowmobile may be operated on the roadway or inside bank of County Highways whenever the shoulders, slopes or areas outside the guard rails or on the back side of the

snow embankments are non-existent or impassable, provided that such travel and operation can be made without endangering or interfering with other vehicular traffic.

- C. No person shall operate a snowmobile within the County Highway right of way, including roadway, shoulders banks, and slopes thereof except on the right side of the center line of the roadway and in the same direction as the highway traffic or the nearest lane of the roadway adjacent thereto.

SECTION 6. Conditions and Restrictions on Snowmobile Operation

Whenever the operation of a snowmobile is permitted on any County Highway as herein provided, the following conditions and restrictions are hereby established and shall be applicable to all such snowmobile operations:

- A. No snowmobile shall be operated on any lands owned or occupied by the County, except County Highways.
- B. It shall be unlawful to operate a snowmobile on any County Highway at a rate of speed greater than reasonable or proper under the surrounding circumstances, and all other registered motor vehicles shall have the right of way over snowmobiles.
- C. It shall be unlawful to operate snowmobiles on any County Highway between the hours of 1:00 a.m. and 7:00 a.m.
- D. It shall be unlawful to operate a snowmobile in any manner which creates loud, unnecessary or unusual noise which disturbs or interferes with the peace and quiet of other persons or in any other manner which constitutes a public nuisance or a noise, injuries or endangers the health, safety, comfort, repose of the public. No person shall use a muffler cut-out, by-pass or any other devise to defeat the operation of a muffler in good working condition.
- E. It shall be unlawful for any person less than sixteen (16) years of age to operate a snowmobile on any County Highway, except to the extent and in the manner otherwise permitted by the Conservation Law in respect to a snowmobile crossing a highway.

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

(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 1971 of the (County)(City)(Village) of Yates was duly passed by the Board of Supervisors on January 11, 1971, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) 20__, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) 20__. Such local law was submitted 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 _____ 20__, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) 20__. Such local law was submitted to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__, 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 countywide basis or, if there are 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 20__ 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 _____ 20__, 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 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph __1__, above.

Martha Marchionda _____
Clerk of the County legislative body, city, Town or Village Clerk
Or officer designated by local legislative body

(Seal)

Date: January 11, 1971_

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

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.

John Sheridan
Signature

County Attorney _____
Title

County
~~City~~ of Yates
~~Town~~
~~Village~~

Date: January 11, 1971