

Local Law Filing

(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.

County City Town Village
(Select one:)

of Port Leyden

FILED
STATE RECORDS
APR 12 2023

DEPARTMENT OF STATE

Local Law No. 2 of the year 20²³

A local law called the "ATV and Snowmobile Law of the Village of Port Leyden, New York"
(Insert Title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Port Leyden as follows:

Section 1. – Title. This local law shall be entitled the “ATV and Snowmobile Law of the Village of Port Leyden, New York”

Section 2. - Statement of Authority. The purpose of this Local Law is to protect the public health, welfare and safety by regulating the operation of all terrain vehicles and snowmobiles within the Village of Port Leyden which will promote their safe and proper use and minimize detrimental effects.

Section 3. – Definitions. The term “ATV” or “all-terrain vehicle” shall have the same definition in this law as it does in Vehicle and Traffic Law Article 48B § 2281 as enacted. The term “snowmobile” shall have the same definition in this law as it does in Parks, Recreation and Historic Preservation law § 21.05(3) as enacted.

Section 4. – Operation Conditions and Restrictions on land. Neither an ATV nor snowmobile shall be operated on any lands owned or occupied by the Village of Port Leyden. Neither An ATV nor snowmobile shall be operated on any privately owned lands except with the written permission of any such owner/occupant, except that a person may operate an ATV or snowmobile on his/her own land without such permission. The operator of an ATV or snowmobile shall carry written permission (when required) while operating an ATV on private lands. The operator of the ATV shall produce evidence of such permission to any

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

Section 5. – Use on Public Village Ways prohibited; exceptions. ATV and snowmobile travel on Village streets and highways shall be prohibited except as provided for in this local law. Subject to section 6 of this local law, ATV and snowmobile travel on village streets shall be permitted for village residents to allow for ingress or egress from said residents' homes and dwelling places to and from the village limits or off-highway trails and other ATV and snowmobile routes where ATVs and snowmobiles are regularly allowed.

Section 6. – Additional regulations. Notwithstanding any other provisions of this local law, this section 6 shall apply to all operators and owners.

1. All ATV and snowmobile operators and owners shall comply with applicable county, state, and federal laws as they pertain to ATV and snowmobile use and ownership.
2. ATV and snowmobile operation is prohibited after sunset and before sunrise.
3. It shall be unlawful to operate an ATV or snowmobile in any manner which creates a loud, unnecessary, or unusual noise so as to disturb or interfere with the peace and quiet of other persons or in any other manner which constitutes a public nuisance or annoys or injures or endangers the health, safety, comfort or repose of the public. No person shall use a muffler cutout, bypass, or other devices to defeat the operation of a muffler in good working condition.
4. It shall be unlawful to operate an ATV or snowmobile on a public sidewalk or walkway.

Section 7. – Penalties for Offenses.

1. An offense against this local law shall be deemed a violation.
2. For any conviction after a hearing before a court of competent jurisdiction, a fine of no more than \$250 may be imposed.

Section 8. – Effective Date. This law shall take effect immediately upon filing with the Secretary of State.

(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. 2 of 2023 of the (County)(City)(Town)(Village) of Port Leyden was duly passed by the Village Board on March 20 2023, 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 disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

~~**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 disapproval) by the _____ on _____ 20____.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

~~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 disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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 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 therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Danielle St. Louis

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

(Seal)

Date: 03-21-2023