

206-15-1973

A LOCAL LAW to regulate the operation of snowmobiles on public highways and places in the Town of Allegany.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ALLEGANY AS FOLLOWS:

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 and places in the Town of Allegany in a manner which will be compatible with the use of such highways and places 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.

- (1) The terms, words and phrases used in this local law shall have the same meaning as such terms, words and phrases are defined in Section 21.05 of the Parks & Recreation Law.
- (2) Whenever the word Town is used herein it shall mean the Town of Allegany.

Section 3. Operation on Town Streets or Highways. Operation of snowmobiles on highways and public ways of the Town and of the County of Cattaraugus shall be subject to the applicable provisions of Title D of the Parks & Recreation Law, the rules and regulations of the office of parks and recreation, and the rules, restrictions and conditions set forth in section five of this local law.

- (1) Streets and Highways. Only the following streets or highways or portions thereof of the Town are hereby designated for the purpose of operation of snowmobiles on the shoulders and inside banks thereof as authorized by Section 25.09 of the Parks & Recreation Law: All Town Roads within the Town of Allegany.

- (2) Limited operation on highway. Emergency. A snowmobile may be operated on a highway for the purpose of an emergency as authorized by Section 25.05 (2(a)(b)) of the Parks & Recreation Law.

Section 4. Conditions and Restrictions. Section 25.09 of the Parks & Recreation Law (1(d))// Whenever the operation of a snowmobile is permitted on the shoulder, roadway or inside bank of any Town street or highway or portion thereof as provided in this local law or on parks or public lands of the Town, the following conditions and restrictions are hereby imposed to all such snowmobile operations:

- (1) Prohibited Operating Hours. No person shall operate snowmobiles on any Town highway between the hours of 12 p.m. and 8 a.m.
- (2) Financial Security. It shall be unlawful for any person to operate a snowmobile on any public lands or places of Town unless the owner or operator of such snowmobile is insured against public liability and carries with him proof of financial responsibility in the manner prescribed by the office of parks and recreation and of the minimum amount as provided in Section 25.13 of the Parks & Recreation Law. Such proof shall be displayed by the owner or operator of any snowmobile upon request to any law enforcement officer or to any person who has suffered or claims to have suffered either personal injury or damage to property as a result of the operation of such snowmobile by any such owner or operator.

(3) Direction of Operation. No person shall operate a snowmobile within the street or highway right of way of the Town between sunrise and sunset except on the right side of such right of way and in the same direction as the highway traffic. Operation on other public places shall be only in the direction, if any, marked by appropriate route direction markers.

(4) Unattended Snowmobiles. It shall be unlawful for any owner or operator to leave or allow a snowmobile to be left unattended on any Town highway or public place, while the motor is running, or with any key for starting the same left in the ignition or elsewhere in said snowmobile.

(5) Obedience to Vehicular Traffic Controls. Each person operating a snowmobile on any Town highway shall observe strictly 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.

(6) Prohibited operation in designated quiet zone.

Section 5. Violations. Failure to comply with any of the provisions of this local law shall be deemed a violation and the violator shall be liable to a fine of not less than \$5 dollars nor more than \$100 dollars.

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 local 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 twenty-seven of the municipal home rule law, provided however, that no snowmobile shall be operated under the provisions hereof until such time as the signs and markers are installed or constructed in accordance with Title D of the Parks & Recreation Law and the Department of Transportation.

Duly adopted by the Allegany Town Board on February 15, 1973.


TOWN CLERK