

A Local Law: Regulating the operation of snowmobiles on Public Highways in the Village of Cassadaga

Be it enacted by the: Board of Trustees of the Village of: Cassadaga 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 in the Village of Cassadaga 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 are defined in Section 21.05 of the Parks and Recreation Law of the State of New York.

B. Whenever the word "Village" is used it shall mean the Village of Cassadaga.

Section 3. Operations on Village Streets and Highways.

A. Operation of snowmobiles on highways and public ways of the Village of Cassadaga, where permitted, shall be subject to the applicable provisions of articles twenty-one through twenty-seven of Parks and Recreation Law, the rules and regulations of the Office of Parks and Recreation, and the conditions set forth in this local law.

B. Operation of snowmobiles on highways, sidewalks and public ways of the Village of Cassadaga is prohibited, except for the following designated areas:

(1) The following portion of High Street is hereby designated for the purpose of operation of snowmobiles on the shoulders and inside banks thereof as authorized by section 25.05 of the Parks and Recreation Law; that portion of High Street running from and between the point on High Street which is 100 feet distant from its intersection with the easterly edge of New York State Route 60 and easterly from said point on High Street, a distance of two-tenths of a mile.

(2) The following portion of Alden Road is hereby designated for the purposes of operation of snowmobiles on the shoulders and inside banks thereof as authorized by section 25.05 of the Parks and Recreation Law; that portion of Alden Road running from and between the point on Alden Road of its intersection with the D.A.V., railroad crossing, and continuing with Burnham Place a distance of three-tenths (3/10ths) of a mile to Maple Avenue.

C. A snowmobile may be operated on the side of the roadway of such designated portions of High Street and Alden Road and Burnham Place, in circumstances where it is determined that the outside bank or shoulder or such street or highway is impassable or non-existent by reason of prevailing snow conditions or conditions of terrain, or potential disturbance of the sidewalk area or pedestrian traffic adjacent thereto.

D. No person shall operate a snowmobile on any Village Street or highway between the hours of 11:00 P.M. and 9:00 A.M., except that on Saturday and Sunday the prohibited hours shall be between 1:00 A.M. and 9:00 A.M.

E. Except as otherwise provided in Section 25.05 of the New York State Parks and Recreation Law, snowmobiles operating in the Village of Cassadaga where permitted in this local law, shall not exceed a speed limit of ten (10) miles per hour.

Section 4. Obedience to Vehicular Traffic Controls.

Each person operating a snowmobile on a Village street or highway shall 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 Officers authorized to direct or regulate traffic.

Section 5. Violations.

A violation of any of the provisions of this local law shall be punishable as provided in Section 27.11 of The Parks and Reaction 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 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 law.

Section 7. Effective Date.

This Local law shall take effective immediately upon filing with the Secretary of State.