

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
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 underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
SEP. 22 2003

~~COUNTY~~

~~CITY~~

Town

~~Village~~

Williamstown

MISCELLANEOUS
& STATE RECORDS

Local Law No. 4 of the year 2003

A local law regulating the operationg of all-terrain vehicles on
(Insert Title)

Happy Valley Road.

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

~~COUNTY~~

~~CITY~~

Town

~~Village~~

Williamstown

as follows:

SECTION 1: TITLE

This Local Law shall be known as a "Local Law Regulating the Operation of All-Terrain Vehicles on Happy Valley Road."

SECTION 2: PURPOSE

A. This Local Law regulating the operation of all terrain vehicles ("ATVs") on Happy Valley Road, Town of Williamstown is adopted pursuant to the Town's police powers under the Municipal Home Rule Law and Section 2405 of the New York State Vehicle and Traffic Law.

B. By the adoption of this local law the Town Board of the Town of Williamstown, County of Oswego, State of New York declares its intent in doing so to allow the operation of ATV's on Happy Valley Road and to allow the Town of Williamstown the ability to place further restrictions on ATV operation on Happy Valley Road by resolution of the Town Board. The Town Board hereby declares that the opening of Happy Valley Road to ATV's shall provide ATV operators with access to local businesses, which will provide the Town with economic benefits.

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

SECTION 3: DEFINITIONS

The terms, words and phrases used in this Local Law shall have the same meaning as such terms, words and phrases as defined in the New York State Vehicle and Traffic Law.

Whenever the word "Town" is used herein and shall mean the Town of Williamstown.

"ATV" or "all-terrain vehicle" shall mean an all-terrain vehicle as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York.

SECTION 4: OPERATION

The operation of ATV's shall be permitted on Happy Valley Road in the Town of Williamstown. The operation of ATVs on Happy Valley Road shall be in accordance with the New York State Vehicle and Traffic Law and other applicable statutes and regulations.

SECTION 5: RESTRICTIONS

A. The Town Board may provide restrictions on the operation of ATVs on Happy Valley Road by resolution approved by a majority vote of the Town Board.

B. The Town Board may terminate the operation of ATVs on Happy Valley Road by resolution approved by a majority vote of the Town Board.

C. Direction of Operation – Operation within those designated areas shall be confined to the right shoulder and extreme right of center of the main traveled way, except as necessary to gain access to or egress from such areas. Operation in other public places and on other public lands shall be confined to the direction, if any, marked by appropriate route direction markers.

D. Obedience to Vehicular Traffic Controls – Each person operating an ATV 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.

E. Operation Permitted Only in Absence of Adjacent Trails – The designated areas shall be utilized for ATV travel only if, and to the extent that, suitable trails adjacent thereto do not exist or are not accessible.

F. Operation of Private or Municipal Property – It shall be unlawful for any person to drive or operate an ATV on private lands or municipal property within the

Town without the written permission of the owners or occupants of said municipal property. Said written permission must be in the possession of the persons operating the ATV and must be presented, upon demand, to any peace officer or police officer so demanding.

G. Unattended ATVs – It shall be unlawful for any owner or operator to leave or allow an ATV 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 ATV.

H. Violations – The use and operation of ATVs in violation of this Local Law or further restrictions established by the Town Board of the Town of Williamstown shall be punishable by a fine of no more than \$100 for the first offense and no more than \$200 for each subsequent offense and shall be deemed a violation.

SECTION 6: SEVERABILITY

Should any portion whatsoever of this Local Law be held invalid or unenforceable for any reason, by any Court of competent jurisdiction, such portion shall be deemed severable, but only to the extent of such holding, and such holding shall not affect the remaining portions thereof.

SECTION 7: EFFECTIVE DATE

This Local Law shall take affect immediately upon filing with the Department 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. 4 of 20 03 of the ~~(County)(City)~~(Town)(Village) of Williamstown was duly passed by the Town Board on 7/16 20 03, 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.)~~

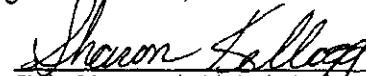
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


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

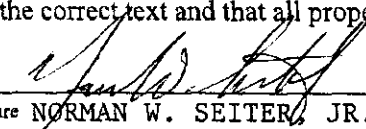
Date: 7/28/03

(Seal)

(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 Oswego

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.


Signature NORMAN W. SEITER, JR., ESQ.

Town Attorney

Title

~~COUNTY~~

~~XXXX~~ of

Williamstown

Town

~~XXXXXX~~

Date: 7/23/03