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LOCAL LAW #2, 1970
of the
TOWN OF WEST MONROE
RELATING TO THE OPERATION OF
SNOWMOBILES WITHIN THE TOWN.

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 within the Town of West Monroe in a manner which will promote their safe and proper use for recreation and commerce, minimize detrimental effects of such use on the environment, and permit use of the highways and other lands of the Town 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, hereinafter referred to as "Article 8".

Section 3. Short Title. This Local Law shall hereafter be known and cited as the "Town of West Monroe Snowmobile Local Law".

Section 4. Definitions. For the purpose of this Local Law the definition of words, 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 "Town" is used herein reference shall be to the Town of West Monroe.

Section 5. Operations of Town Highways and on Roadways. In addition to travel on the shoulders of the highway or road as permitted by clause "(3)" of paragraph "c" of subdivision "2" of Section 8-0303, a snowmobile may be operated on the extreme right side of the roadway or inside bank of all Town Highways in the Town of West Monroe; and all County Highways upon granting of permission by the County of Oswego.

Section 6. Conditions and Restrictions on Snowmobile Operation. Whenever the operation of a snowmobile is permitted on any highway of the Town, the following conditions and restrictions are hereby established and shall be applicable to all such snowmobile operation.

(a.) Public or Private Lands. No snowmobile shall be operated on any lands owned or occupied by a governmental agency or privately owned, except with the permission of any such owner or occupant.

(b.) Play Areas.
It shall be unlawful to operate a snowmobile on any highway in the Town unless the operator has reached the age of 16 years; or has attained the age of 14 years and holds a snowmobile safety certificate issued by the State of New York.

LOCAL LAW #2, 1970
of the
TOWN OF WEST MONROE

(c.) Unnecessary Noise. It shall be unlawful to operate a snowmobile, except at Special Events, sanctioned and approved by the Town Board, in any manner which creates loud, unnecessary or unusual noises 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, injures or endangers the health, safety, comfort or repose of the public. No person shall use a muffler cut-out, by-pass or any other device to defeat the operation of a muffler in good working condition.

(d.) Financial Security. It shall be unlawful for any person to operate a snowmobile on any road or highway within the Town unless such person is insured against public liability and carries with him proof of financial responsibility, such as a certificate of liability insurance of the type, coverage and of the minimum amount as defined and required of owners and operators of motor vehicles by the Vehicle and Traffic Law of the State of New York. 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.

(e.) Obedience to Vehicular Traffic Controls. Each person operating a snowmobile on any road or highway within the Town 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.

Section 7. Liability for Negligence. Negligence in the use or operation of a snowmobile is attributable to the owner. Every owner of a snowmobile used or operated in this Town shall be liable and responsible for death or injury to person or damage to property resulting from negligence in the use or operation of such snowmobile by any person using or operating the same with the permission, express or implied, of such owner, provided, however, that such operator's negligence shall not be attributed to the owner as to any claim or cause of action accruing to the operator or his legal representative for such injuries or death.

Section 8. 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 Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00).

LOCAL LAW #2, 1970
of the
TOWN OF WEST MONROE

Section 9. Validity. If any section, sub-section, paragraph, clause, sentence or phrase of this Local Law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 10. Effective Date. This Local Law shall be effective immediately, except that no snowmobiles shall be operated under the authority hereof until such time as the State Office of Parks and Recreation and/or the State Department of Transportation adopt rules and regulations with respect to the size, design, color and location of road and traffic signs or markers, required as provided in this Local Law and such signs are erected in compliance with such rules and regulations.