

(Please Use this Form for Filing your 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.

xx ~~County~~ x
xx ~~City~~ xxx ofCarrollton.....
Town
xx ~~Village~~ x

Local Law No.2..... of the year 19 ..87....

A local law To Regulate the Operation of ATV's on Town of Carrolllton Roads
(Insert title)

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

xx ~~County~~ x
xx ~~City~~ xxx ofCarrollton..... as follows:
Town
xx ~~Village~~ x

Section 1. Legislative Intent: The purpose of this local law is to protect the public health, welfare and saftey by regulating the operation of ATV's on public highways of the Town of Carrolllton in a manner which will be compatible with the use of such highways for vehicle and pedestrian travel and other uses, and which will promote the safe and proper use of ATV's for recreational 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 2280 of the N.Y.S. Vehicle and Traffic Law.

(b) "Shoulder" means that portion of a highway immediately adjacent to the right side of a roadway which is customarily used only for emergency travel and parking.

(c) Whenever the word Town is used herein it shall mean the Town of Carrolllton.

Section 3. Operation on Town Streets or Highways. Operation of ATV's on highways and public ways of the Town shall be subject to the applicable provisions of Section 2280 of the Vehicle and Traffic Law, the rules and regulations of the office of parks and recreation, and the rules, restrcitions and conditions set forth in section four of this local law.

(1) Uncongested highways. Only the following streets or highways of the Town are hereby designated as uncongested for the purpose of operation of ATV s on the shoulders thereof as authorized by Section 2280 of the Vehicle and Traffic Law:

ALL TOWN OF CARROLLTON ROADS

Section 4. Conditions and Restrictions. Whenever the operation of a ATV is permitted on the shoulder, roadway or inside bank of any Town street or highway or portion thereof as provided in this local law, the following conditions and restrictions are hereby imposed to all such ATV operations:

(1)Prohibited Operating Hours. No person shall operate ATV's on any Town highway between the hours of 11:00p.m. and 6:00a.m. except

(If additional space is needed, please attach sheets of the same size as this and number each)

that on Friday and Saturday the prohibited hours shall be between 1:00a.m and 6:00a.m.

(2) Maximum Speed Limit. No person shall operate ATV's on any Town highway over the maximum speed limit of 15 miles per hour.

(3) Financial Security. It shall be unlawful for any person to operate a ATV on any Town highway unless the owner or operator of such ATV 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 requires 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 ATV 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 ATV by any such owner or operator.

(4) Direction of Operation. No person shall operate an ATV within the street or highway right of way of the Town except on the right side of such right of way and in the same direction as the highway traffic.

(5) Unattended ATV. It shall be unlawful for any owner or operator to leave or allow a ATV to be left unattended on any Town highway while the motor is running or with any keys for starting the same, left in the ignition or elsewhere in said ATV.

(6) Obedience to Vehicular Traffic Controls. Each person operating a ATV on any Town highway shall observe strictly all vehicular traffic signs and signals and all other rules and regulation applicable to vehicular traffic, and shall obey the orders and direction of any state or local police or other law enforcement officer authorized to direct or regulate traffic.

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 \$5.00dollars nor more than \$100.00 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 judgement 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 home rule law, provided however, that no ATV shall be operated under the provisions hereof until such time as the signs and markers are installed or constructed in accordance with Section 2280 of the Vehicle and Traffic Law and the rules and regulations of the New York State Office of Parks and Recreation and the Department of Transportation.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 19.87
County
City of Carrollton was duly passed by the Town Board
Town (Name of Legislative Body)
Village
on May 12 1987 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19..... not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer *
and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19..... not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer *
on 19..... Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the appli-
annual
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City of was duly passed by the on
Town (Name of Legislative Body)
Village
..... 19..... not disapproved
and was approved by the on
repassed after disapproval Elective Chief Executive Officer *
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

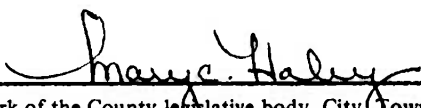
I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ^{special} ~~general~~ election held on 19 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 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, 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 of 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 above.


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

Date: 5/12/87

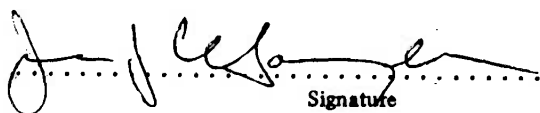
(Seal)

(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 Cattaraugus.....

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.


.....
Town Attorney.....
Title

Date: 5/12/87

County
City of Carrollton
Town
Village