

1-6-72

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Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County
City of GUILFORD
Town
Village

Local Law No. 1 of the year 19 72

A local law REGULATING THE OPERATION, DRIVING AND INSURING OF SNOWMOBILES
WITHIN THE TOWN OF GUILFORD

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County
City of GUILFORD as follows:
Town
Village

SECTION 1 - LEGISLATIVE INTENT

The purpose of this Local Law is to protect the public health, welfare, and safety, by regulating the operation, driving and insurance of snowmobiles within the Town of Guilford, 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 the use of designated streets or highways and portions thereof, 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 3 of the Conservation Law of the State of New York.

SECTION 3 - SHORT TITLE

This Local Law shall hereafter be known and cited as the "Town of Guilford Snowmobile Local Law".

SECTION 4 - DEFINITIONS

For the purpose of this Local Law, the definition of words, phrases,

and terms defined by Section 8-0105 of the Conservation Law and/or by rules and regulations of the office of Parks and Recreation used in this law shall have the same meaning, definition and construction as such words, phrases and terms have in the said Section 8-0105 of the Conservation Law and/or by rules and regulations of the office of Parks and Recreation.

(b) Wherever the word "Town" is used herein, reference should be to the Town of Guilford.

(c) Sidewalk, means that portion of a street, road or highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(d) Traffic control device, means all signs, signals, markings, and devices, placed or erected by authority of a public party or official having jurisdiction for the purpose of the regulating, warning or guiding of traffic or snowmobiles.

(e) Traffic-control signal, means any device, whether manually, or mechanically operated, by which traffic or snowmobiles are alternately directed to stop and permitted to proceed.

SECTION 5 - DRIVING AND OPERATION OF SNOWMOBILES ON TOWN STREETS AND HIGHWAYS AND/OR PORTIONS THEREOF

The shoulders and inside banks of the following town highways and/or portions thereof, are hereby designated for the use of snowmobiles:

- (a) Shumway Hill-White-Wahlberg Road
- (b) Aldrich Road
- (c) Ivan Greenleaf Road
- (d) Crandall Road
- (e) Smith Road
- (f) Old New York State Route #8 at Lathams Corners
- (g) Ken Broad Road
- (h) Elmer Miller Road

- (i) Frink Road
- (j) Gonzer Road
- (k) Phillips - Odell Road
- (l) Creek-Fred Smith Road
- (m) Fred Utter Road
- (n) Medbury Road
- (o) Campmeeting Woods Road
- (p) Rockdale Road
- (q) Old New York State Route #8 at Rockdale
- (r) East Guilford Cemetery Road
- (s) Brown Road
- (t) Allen Road
- (u) Keach (Keech) Road
- (v) North Pond Road
- (w) George Wade Road
- (x) Lake Road
- (y) Joslyn (Joslin) Road
- (z) Furnace Hill Road
- (aa) Gospel Hill Road
- (bb) Glovers Corner Road to Yaleville Corner Road
- (cc) Charles Shapley Road
- (dd) Union Valley - Cooper School House Road
- (ee) Town Line Road
- (ff) Searles Hill Road
- (gg) Hamilton Road
- (hh) Hohraltex Road
- (ii) K. Parker Road
- (jj) Junction Road
- (kk) Charles Wicks Road
- (ll) Ives Settlement Road
- (mm) Hay Path Lane Road
- (nn) Parker Road
- (oo) Ken Stead Road from County Road #33 to Norwich Town Line
- (pp) Miller Road from H. Miller's residence to Shurway Hill-White-Wahlberg Road
- (qq) Hoffman Road (Northerly half) from Glovers Corners Road to Chiovaro's residence
- (rr) Hucklaban Road from Ives Settlement Road to Donald Savory residence
- (ss) Hucklaban Road from County Road #38 to Edward Davies' residence
- (tt) Peter Stobbs Road from County Road #33 to Sutton's residence
- (uu) Robb Ross - Robinson Road from Parker Road to C. Rolf's residence

The following town highways or portions thereof are hereby designated as customarily unplowed, and snowmobiles may be driven and operated thereon, only during the periods when and at locations where the highway is customarily unplowed and unused during the winter months for automobile travel:

(1) Bergen Road

- (b) Schlafer Road
- (c) Parker-Smith Hill Road
- (d) Drachler Road
- (e) Ken Stead Road from County Road #33, to Shumway Hill-
White-Wahlberg Road
- (f) Miller Road from County Road #35 to H. Miller residence
- (g) Hoffman Road (Southernly portion) from Glovers Corners
Road to Chiovaros' residence
- (h) Peter Stobb Road from Glovers Corners Road to Suttons'
residence
- (i) Robb Ross-Robinson Road from County Road #35 to C. Rolf's
residence

SECTION 6 - CONDITIONS AND RESTRICTIONS ON SNOWMOBILE DRIVING AND
OPERATION

Whenever the operation or driving of a snowmobile is permitted on any highway or any portion thereof, of the Town, as provided by Section 5 above, the following conditions and restrictions are hereby established and shall be applicable to all such snowmobile driving and operation.

(a) No person shall drive or operate a snowmobile upon a public or private sidewalk or walkway.

(b) No person operating or driving a snowmobile on a town highway or any portion thereof, shall operate and drive such snowmobile within three hundred (300) feet of any property occupied and used as a school during the school noon hour, school recess, or while children are going to or leaving school during opening or closing hours.

(c) No person shall drive or operate a snowmobile on any town highway or portion thereof, designated herein, between the hours of 12:00 P.M. and 7:00 A.M., except that on Friday and Saturday, the prohibited hours shall be between 1:00 A.M. and 7:00 A.M., with the 1:00 A.M. commencing on the following day.

(d) No person shall drive or operate a snowmobile, except at special events, sanctioned and approved by the office of Parks and Recreation, or the Commissioner of the Department of Conservation, in any manner which create loud, unnecessary or unusual noise, 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 device to defeat the operation of a muffler in good working condition.

(e) The liability insurance provisions of Section 8-0303, of the Conservation Law of the State of New York shall be applicable to all snowmobiles driven or operated across, upon or over any town street, highway or any portion thereof. The failure to produce proof of insurance as provided in this sub-division shall be presumptive evidence in any court of competent jurisdiction of operating a snowmobile which is not insured as required by this sub-division.

(f) Each person operating or driving a snowmobile on any highway or any portion thereof, within the town, shall observe strictly all traffic signs, signals and devices, and all other applicable rules, regulations and laws applicable to vehicular traffic as set forth in Title 7, of the Vehicle and Traffic Law of the State of New York, and shall obey the orders and directions of any State or Local Police, or other law enforcement officer, or any Peace Officer authorized by law to direct or regulate traffic.

SECTION 7 - VIOLATIONS

Persons in violation of 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), except that the punishment for a violation of the liability insurance provisions of this Local Law shall be as prescribed in Section 8-0303 of the Conservation Law of the State of New York.

SECTION 8 - 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 holdings shall not affect the validity of the remaining portion thereof.

SECTION 9 - EFFECTIVE DATE

This Local Law shall be effective immediately, except that no snowmobile shall be operated or driven under the authority hereof, until such time as appropriate traffic and snowmobile control signs or devices are erected in compliance with the rules and regulations of the New York State Department of Transportation and/or the Office of Parks and Recreation.