

ORDINANCE #7 -- Amended
TOWN OF SCHROON

SECTION 1: PURPOSE

The Town Board of the Town of Schroon finds that the use of all Town Highways and certain roadways as uncongested and safe for snowmobile travel on the shoulders thereof and would promote the economic and recreational interests of said Town. Therefore, the Town of Schroon by this amended Ordinance #7 is opening all Town Roads for the use of snowmobiles on the shoulders thereof; also, permitting similar additional usage of any other designated Town highways. The Town of Schroon supports the expansion of the Town's snowmobile trail network on the Forest Preserve where permissible now or in the future, on private properties with permission of property owners as well as snowmobile trail linkage with all of the Town of Schroon's neighboring communities.

SECTION 2: AUTHORITY

Amended Ordinance #7 is enacted pursuant to the provisions of Title D of the Parks, Recreation, and Historical Preservation Law.

SECTION 3: TITLE

The title of amended Ordinance #7 shall be "Use of Town Roads by Snowmobiles."

SECTION 4: DEFINITIONS

As used in amended Ordinance #7, all words shall be defined as defined in Title D of the Parks, Recreation, and Historical Preservation Law.

SECTION 5: OPERATION

It shall be legal for all snowmobiles properly licensed and registered and insured as required by the Vehicle and Traffic Law of the State of New York to operate on the shoulders of all Town Roads in the Town of Schroon. It shall furthermore be legal for all snowmobiles properly licensed and registered and insured to operate on all Qualified Abandoned Town Roads in the Town of Schroon that do not dead-end on private property unless there is authorization from the private land owner for a snowmobile trail to cross their property.

All roads shall be identified by road markers in such manner as may be provided by the Rules and Regulation of the State Commissioner of Transportation, in accordance with said Statute.

No person shall operate a snowmobile on a Town Road in the Town of Schroon at a rate of speed in excess of 25 MPH.

All operators shall be in single file when driving upon or crossing a Town Road.

Youth ages 14 through 17 years old may operate a snowmobile, on lands upon which snowmobiling is allowed, without adult or other supervision if they have completed a snowmobile safety training course recognized by the State of New York. If youth ages 14 through 17 years have not completed the training course, they may operate a snowmobile if accompanied by (within 500 feet of) a person who is at least 18 years of age. Youth ages 10 through 13 may operate a snowmobile, on lands upon which snowmobiling is allowed, if they have completed a snowmobile safety training course recognized by the State of New York and are accompanied by (within 500 feet of) a person who is at least 18 years of age.

Children less than age 14 without a safety certificate may operate a snowmobile only on lands owned or leased by their parent or guardian.

A non-resident operator who is a resident of another state or country and is the holder of a valid snowmobile safety certificate issued by that state or country shall be considered the same as the holder of a New York State Safety Certificate.

SECTION 6: VIOLATIONS AND PENALTIES

A. Unless otherwise specifically provided, any person who violates any provision of this chapter or of any rule, regulation or order adopted pursuant thereto shall be guilty of a traffic infraction, if such provision, rule, regulation or order is one which regulates traffic as specified in § 155 of the Vehicle and Traffic Law but does not relate to snowmobiles; or violation for any other offense.

B. A traffic infraction shall be punishable as provided in Subdivision (b) of § 1800 of the Vehicle and Traffic Law in the same manner as if the offense were a violation of the Vehicle and Traffic Law. A violation shall be punishable as provided in the Penal Law.

C. Upon conviction of a violation of any provision this chapter, the court may also require the convicted person, as a condition of the sentence in addition to any other penalty, to successfully complete a snowmobile safety course approved by the Commissioner of Parks, Recreation and Historic Preservation.

SECTION 7: SEVERABILITY

Should any sections or provisions of amended Ordinance #7 be declared invalid, such decision shall not affect the validity of the remaining portions of amended Ordinance #7.

SECTION 8: EFFECTIVE DATE

This amended Ordinance #7 shall take effect immediately upon its due passage and adoption, and its required public noticing and a copy thereof be filed with the: Commissioner of the New York State Office of Parks, Recreation and Historic Preservation, New York State Police, Essex County Department of Motor Vehicles and the Department of Transportation. Ordinance #7 was adopted on December 3, 1970 and subsequently amended on August 10, 1978. This additional amended Ordinance #7 was passed on _____, 2013.