

TOWN OF NEW LISBON

LOCAL LAW No. 1—1972\*

A local law to regulate the operation of snowmobiles on public highways and places in the town.

Became a law February 3, 1972 with the approval by the qualified electors and passed by the local legislative body of the town of New Lisbon. Filed in the office of the secretary of state March 12, 1973.

*Be it enacted by the town board of the town of New Lisbon as follows:*

**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 on public highways and places in the town of New Lisbon in a manner which will be compatible with the use of such highways and places for vehicular and pedestrian travel and other uses, and which will promote the safe and proper use of snowmobiles for recreation and commerce and minimize detrimental effects of such use on the environment.

**§ 2. Definitions.** (1) 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 8-0105 of the Conservation Law.

(2) Whenever the word town is used herein it shall mean the town of New Lisbon.

**§ 3. Operation on town streets or highways.** Operation of snowmobiles on highways and public ways of the town and of the county of Otsego shall be subject to the applicable provisions of article eight of the Conservation Law, the rules and regulations of the offices† of parks and recreation, and the rules, restrictions and conditions set forth in section four of this local law.

(1) Streets or highways. All town highways of the town of New Lisbon are hereby designated for the purpose of operation of snowmobiles on the shoulders and inside banks thereof as authorized by section 8-0303 of the Conservation Law.

(2) Unplowed highways. All town of New Lisbon unplowed highways or portions thereof are hereby designated as customarily unplowed for the purpose of snowmobile operation as authorized by section 8-0303 of the Conservation Law.

(3) Limited operation on highway. (a) Emergency. A snow-

\* Filed in department of state too late for publication with 1972 laws.

† So in original.

mobile may be operated on a highway for the purpose of an emergency as authorized by section 8-0303 of the Conservation Law.

§ 4. **Conditions and restrictions.** Whenever the operation of a snowmobile 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 snowmobile operations:

(1) **Prohibited operating hours.** No person shall operate snowmobiles on any town highway between the hours of eleven P.M. and seven A.M.

(2) **Financial security.** It shall be unlawful for any person to operate a snowmobile on any public lands or places of the town of New Lisbon unless the owner or operator of such snowmobile is insured against public liability and carries with him proof of financial responsibility in the manner prescribed by the office of parks and recreation and of the minimum amount as provided in subdivision two of section 8-0303 of the Conservation Law. 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.

(3) **Direction of operation.** No person shall operate a snowmobile within the street or highway right-of-way of the town of New Lisbon between sunrise and sunset except on the right side of such right-of-way and in the same direction as the highway traffic.

(4) **Unattended snowmobiles.** It shall be unlawful for any owner or operator to leave or allow a snowmobile 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 snowmobile.

(5) **Obedience to vehicular traffic controls.** Each person operating a snowmobile 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.

§ 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 five dollars nor more than one hundred dollars.

§ 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 judgment shall not affect the validity of the remaining provisions of this local law.

§ 7. **Effective date.** This local law shall take effect immediately upon its filing in accordance with the provisions of section twenty-seven of the Municipal Home Rule Law, provided however, that no snowmobile shall be operated under the provisions hereof until such time as the signs and markers are installed or constructed in accordance with article eight of the Conservation Law and the rules and regulations of the New York State office of parks and recreation and the department of transportation.