

SNOWMOBILE ORDINANCE
of the
TOWN OF BRIGHTON

Number 1 of the Year 1972

Amended August 15, 1977

AN ORDINANCE, to be known as **SNOWMOBILE ORDINANCE OF THE TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK**, regulating the use and operation of snowmobiles as recreational vehicles within the Town of Brighton, as authorized by Title D of the Parks and Recreation Law of the State of New York.

BE IT HEREBY RESOLVED, ENACTED AND ORDAINED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON, NEW YORK, AS FOLLOWS:

Section 1. PERMISSION TO USE

Snowmobiles, duly registered, or exempt therefrom, by law, shall be permitted to operate upon and use all those certain roads in this Town, as may be hereafter set forth under Section 2 hereof; and permission, hereunder granted, shall be subject to the rules, regulations, requirements and conditions, as provided herein.

Section 2. ROADS DESIGNATED FOR OPERATION

(Amended August 15, 1977 as follows:)

The following roadways of the Town of Brighton are hereby designated as open to use permitted under Section 1 hereof:

(a) All Town Highways of the said Town of Brighton.

(b) Franklin County Road, known as the Jones Pond Road, from the Town of Brighton Town Hall to the intersection of the Rainbow Road, which is also a County Road.

Section 3. AGE OF OPERATORS

No person under the age of 14 years shall operate a snowmobile on any of the roads of said Town.

Section 4. HOURS OF OPERATION

No person shall operate a snowmobile on any of the Town roads between the hours of 11:00 P.M. and 7:00 A.M., E.S.T. except on Fridays and Saturdays. The prohibited hours shall be from 12:00 P.M. to 7:00 A.M. on Fridays and Saturdays.

Section 5. WINDSCREEN

All snowmobiles operating within the Town of Brighton shall be equipped with a wind-screen unless the operator thereof wears a face shield or goggles at all times during such operation.

Section 6. REGULATIONS, REQUIREMENTS AND CONDITIONS

Snowmobiles shall be operated on and over the streets and roadways of the Town of

Brighton in accordance with the regulations, requirements and conditions hereafter promulgated and set forth, deemed by this Town to be reasonable rules of operation within this Town, which rules are promulgated in order to promote conservation of the local environment, the safety of the person and property of the public within this Town and to give effect to the legislative purpose of Title D of the Parks and Recreation Law of the State of New York within the jurisdictional limits of this Town; those regulations and conditions being as follows:

(a) No person shall operate a snowmobile on any sidewalk or right-of-way reserved only for pedestrian traffic except to cross the same at approximate right angles to reach property upon which operation of snowmobiles is lawful.

(b) A person operating a snowmobile shall ride only upon the permanent and regular seat attached thereto. Such operator shall not carry any other person or persons, nor shall any other person or persons ride on a snowmobile, unless the snowmobile is designed to carry more than one person and then only on the permanent and regular place as so equipped and provided.

(c) A snowmobile which shall be operated on the roadway or shoulder of a highway or on public lands of said Town shall be covered by a policy of insurance as described in Section 25.13, Parks and Recreation Law of the State of New York.

Proof of insurance as required by this section shall be produced and displayed by the owner or operator of such snowmobile upon the request of any magistrate or any person having authority to enforce the provisions of this Ordinance and shall be displayed to any person who has suffered, or claims to have suffered, personal injury or property damage as a result of the operation of such snowmobile by the owner or operator, if such insurance coverage was required under the circumstances of such operation.

No owner of a snowmobile shall operate or permit the same to be operated upon the roadways or the shoulders of highways or on public lands of said Town without having in full force and effect the liability insurance coverage required by this section, and no person shall operate a snowmobile upon said shoulder, roadway or public lands with knowledge that such insurance is not in full force and effect.

(d) 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 direction of any state, or local law enforcement officer authorized to direct or regulate traffic.

(e) 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.

Section 7. ENFORCEMENT

Every police and peace officer, every conservation officer in the Department of Environmental Conservation, and such employees as may be designated by the Commissioner of Parks and Recreation, shall enforce the provisions of this Ordinance.

Such enforcement officers shall be authorized to issue an appearance ticket or, in here thereof, a uniform appearance ticket and completed information as provided in Section 27.03, Parks and Recreation Law, for any violation of this Ordinance.

Section 8. **PENALTIES**

Any person who shall violate any of the terms and provisions of this Ordinance shall be guilty of a violation and shall be punished by a fine of not less than Five Dollars and not more than One Hundred Dollars.

Section 9. **SEVERABILITY**

The provisions hereof are to be considered as separable and separate and are not intended to conflict with the provisions of Title D, Parks and Recreation Law of the State of New York; and if any provisions shall be in conflict with said Parks and Recreation Law, or fail to be a valid regulation for any reason, then the remaining provisions shall have the same force and effect as though said conflict or failure had not occurred.

Section 10. **EFFECTIVE DATE**

This Ordinance shall take effect after publication pursuant to law.

Published November 24, 1972

Amendment 1 Published August 15, 1977, Section 2