

Local Law Filing

(Use this form to file a 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.

County City Town Village
(Select one.)

of Sackets Harbor

FILED
STATE RECORDS

DEC 06 2011

Local Law No. 2 of the year 2011

DEPARTMENT OF STATE

A local law Regulating the Use of Skateboards, In-Line Skates, and Roller Skates
(Insert Title)

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

County City Town Village
(Select one.)

of Sackets Harbor as follows:

See attached sheets

(If additional space is needed, attach pages the same size as this sheet, and number each.)

1. Legislative findings

It is in the public interest and a matter of public safety to provide for the safe, orderly and regular flow of pedestrian and vehicular traffic on public thoroughfares and to otherwise regulate the use of skateboards, in-line skates and roller skates in the Village of Sackets Harbor, so as to promote the health and welfare of the citizens of the Village, in particular young children using these devices on sidewalks and public roads.

2. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

IN-LINE SKATES

Shoes, skates or footwear with a single row of roller wheels and commonly referred to as "roller blades."

ROLLER SKATES

Shoes, skates or footwear with two or more rows of roller wheels.

SKATEBOARD

A narrow board of wood, plastic, fiberglass or similar material with roller skate or other type of wheels attached to each end and used for gliding or moving on any hard surfaces, without a mechanism or other device for steering while being used, operated or ridden.

3. Prohibited locations

It shall be unlawful to operate skateboards, in-line skates or roller skates within the Village of Sackets Harbor at any of the following locations:

Street	Side	Location
W. Main Street	Both Sides	From Broad St. to Hill Street
Bayard Street	Both Sides	From W. Main to W. Washington Street
Ray Street	Both Sides	From W. Main to W. Washington Street
Hill Street	Both Sides	From W. Main to W. Washington Street
E. Main Street	Both Sides	From Village line to Woolsey Street
Sackets Harbor Central School		Entire Property
Village Municipal Buildings and adjacent paved parking and driving areas		Entire Property

4. Unlawful activities

No person shall use or operate a skateboard, in-line skates or roller skates upon any permitted public streets (including the entire paved and improved surfaces thereof, including gutter areas, from curb to curb, where curbs exist) sidewalks or on any public lands within the Village of Sackets Harbor:

- a. in a careless manner or without due caution;
- b. while endangering or in any manner to create a risk or danger to any person or property;
- c. in any manner which impedes or interferes with pedestrian or vehicular traffic. Persons operating a skateboard, in-line skates or roller skates shall yield the right-of-way to pedestrians and vehicular traffic;
- d. in violation of any provisions of Article 34 of the Vehicle and Traffic Law of the State of New York (Helmet Law); or
- e. after 9 o'clock p.m. or prior to ½ hour before sunrise.

5. Required precautions

a. Every person operating a skateboard, in-line skates or roller skates shall operate the same in strict observance of Article 34 of the New York State Vehicle and Traffic Law relating to the operation of bicycle and play vehicles, except as to those provisions which by their nature can have no application.

b. The operator of a skateboard, in-line skates or roller skates emerging from any alley, driveway or building shall, upon approaching a sidewalk, yield the right-of-way to all pedestrians on said sidewalk and any motor vehicles operating in the vicinity of the sidewalk.

c. Whenever any person shall operate a skateboard, in-line skates or roller skates upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an appropriate audible signal before overtaking and passing such pedestrian.

d. No person shall operate a skateboard, in-line skates or roller skates after sunset unless he or she is wearing reflective clothing, which shall be visible from a distance of not less than 300 feet from the front, side and rear when directly in front of the lawful beams of headlights on a motor vehicle. "Reflective clothing" shall be defined, for the purposes of this chapter, as any shirt, vest or jacket or any other readily visible piece of apparel equipped with a reflective surface.

6. Penalties for offenses

Any parent, custodian or guardian who permits a person under 16 years of age to violate any provision of this chapter and any person 16 years of age or older who violates any provision of this chapter shall each be guilty of a violation and, upon conviction thereof, shall be subject to a fine not to exceed \$50 for the first offense and not more than \$100 for each offense thereafter, or by impounding of such person's skateboard, in-line skates or roller skates for a period not to exceed 90 days, or any combination thereof.

7. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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 20¹¹ of the ~~(County)(City)(Town)(Village)~~ of Sackets Harbor was duly passed by the Board of Trustees on June 14, 20¹¹, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

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

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

* 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the 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 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) 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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 1 above.

Robert Head Kaur

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

Date: 6/14/2011

(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 Jefferson

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.

David B. Geurtsen

Signature
David B. Geurtsen, Attorney

Title

~~County~~
~~City~~ of Sackets Harbor
~~Town~~
Village

Date: November 28, 2011