LOCAL LAW #2 to regulate the operation of snowmobiles on public highways and places of the Town of Worcester. Be it enacted by the Town Board of Worcester 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 of the Town of Worcester 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.

Section 2. Definitions. (a) The terms, words and phrases used in this local law shall have the same meaning as such terms. Words and phrases defined in section 8-0105 of the conservation law. (b) “Shoulder” means that portion of a highway immediately adjacent to the right side of a roadway, which is customarily used only for emergency travel and parking. (c) Whenever the word town is used herein, it shall mean the Town of Worcester.

Section 3. Operation on town streets or highways. Operation of snowmobiles on highways and public ways of the town shall be subject to the applicable provisions of article eight of the conservation law, the rules and regulations of the office of parks and recreation, and the rules, restrictions and conditions set forth in the section five of this local law.

(1) Uncongested Highways. Only the following streets or highways of the town are hereby designated as uncongested for the purpose of operation of snowmobiles on the shoulders thereof as authorized by section 8-0303 of the conservation law:

On Up County Road – from Tuscan Road to Waterman Road
On Waterman Road – from Up County Road to the Maryland Town Line
On Mereness Road – from West Hill Road to the Decatur Town Line
On Lum Road – from West Hill Road to the Decatur Town Line
On Schenevus Road – from South America Road to the Town of Maryland Line
On Smith Road – from Charlottesville Road to Lutheranville Road
On Brady Road – from County Rt. 39 to Dead End
On Morell Road – from County Rt. 39 to Dead End
On Roe Road – from head Road to Lutheranville Road

(2) Unplowed Highways. The following town highways are hereby identified as customarily unplowed for the purpose of snowmobile operation as authorized by section 8-0303 of the conservation law:

On Hill Road – from Brighton Road to West Hill Road
On Hollenbeck Cross Road – from Hollenbeck Road to Charlottesville Rd.
On Smith Road – from Hollenbeck Road to Charlottesville Road
(3) Limited Operation on Highways. (a) Emergency. When authorized of directed by a local or state police officer, town supervisor, town highway supervisor, or officer of the local fire department or emergency squad, a snowmobile may be operated on any portion of the highway for the purpose of an emergency as authorized by section 8-0303 of the conservation law. (b) Impassable outside bank or slope. A snowmobile may be operated on the inside bank of the following highways or portions thereof described herein, it being hereby determined that the outside bank or slope of such highways or portions are non-existent, or by reason of normally prevailing snow conditions and conditions of terrain are impassable:
   a. On Tuscan road - from Route 7 to Route 7
   b. On Brighton Road – from Route 7 to Route 7
   c. On Charlottesville Road – from Mattice Cattle Crossing to Lutheranville Road
   d. On Lutheranville Road – from Charlottesville Road to Schoharie County Line
   e. On Hollenbeck Road – from D & H tracks to Hollenbeck Cross Road

(4) Except as provided in this section, operation of snowmobiles in any other public place of the town is hereby expressly prohibited.

Section 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) Age Limit. No person under sixteen years of age, unless accompanied by a parent or legal guardian, shall operate a snowmobile on any town highway.

(1A) Operating Hours. No person shall operate a snowmobile on any town highway between the hours of 11 P.M. and 8 A.M.; except that on Friday and Saturday and on a day preceding a Holiday, persons will be permitted to operate a snowmobile until 2 A.M. the following day.

(2) Financial Security. It shall be unlawful for any person to operate a snowmobile on any town highway unless the owner or operator of such a snowmobile is insured against public liability and carries with him proof of financial responsibility, such as certificate of liability insurance of the type, coverage and minimum amount as defined and required by owners and operators of motor vehicles by the vehicle and traffic law of the State of New York. Such proof shall be displayed upon request to any law enforcement officer or to any person who has suffered claims either personal injury or damage to property as a result of 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 between sunrise and sunset except on the right side of such right of way and in the same direction as highway traffic. Operation on other public
places shall be only in the direction, if any, marked by appropriate route direction markers.

(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 while the motor is running, or with the key for starting same left in the ignition or elsewhere in said snowmobile.

(5) Obedience to Vehicular Traffic Laws. Each person operating a snowmobile on any town highway shall observe strictly all vehicular traffic signs and signals and all other rules and regulations applying 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.

Section 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 that 5 dollars or more than 100 dollars per violation.

Section 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.

Section 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.