

TOWN OF IRA

REGULATION OF
SNOWMOBILES

And ATVS

In the Town of Ira

LOCAL LAW #1, 1994
Amended 2001

LOCAL LAW #1, 1994, TOWN OF IRA

Regulation of Snowmobiles and ATVs in the Town of Ira, New York

1. After January 1, 1971, no person shall operate or permit to be operated a snowmobile and/or ATV in the Town of Ira unless it is registered and numbered according to the laws of the State of New York.
2. It shall be unlawful for any person to drive or operate a snowmobile and/or ATV in the following unsafe or harassing ways:
 - (a) Imprudent speed: At a rate of speed greater than reasonable or proper under the surrounding circumstances.
 - (b) Reckless operation: In a careless, reckless or negligent manner so as to create an actual risk to the person or property of another or to cause injury or damage thereto.
 - (c) Intoxication and drugs: Within an intoxicated condition or under the Influence of narcotics or drugs as defined by Section 114a of the Vehicle and Traffic Law.
 - (d) Lights: Between sunset and sunrise or when required for safety without displaying at least one lighted headlight and lighted tail light.
 - (e) On lands of another or private land:
 1. All snowmobile and/or ATV operators and/or organizations, shall obtain from the property owner, or his or her agents, written permission to enter upon and cross over his/her land for any reason whatsoever. In addition, all snowmobile and/or ATV operators and/or organizations must covenant to hold harmless the property owner from any responsibility or liability whatsoever resulting from an accident as a result of the snowmobile and/or ATV traversing the property.
 2. Any snowmobile and/or ATV operator and/or organization traveling without written permission upon private land of an individual shall be deemed to be unlawfully thereon and shall therefore be deemed to be in violation of this section.

3. Operation on Streets and Highways:

- (a) The shoulder of all street and highways of the Town of Ira shall be open to Snowmobile travel and it shall be lawful for any snowmobile to use and travel on the shoulders of the streets of the Town of Ira unless otherwise prohibited specifically by the Parks, Recreation & Historic Preservation Law. The snowmobile shall yield to the right of way of all other traffic and pedestrians which constitutes an immediate hazard.
- (b) Snowmobiling within the Town of Ira shall be restricted to marked trails and public roadways, unless such roadway is designated as being closed to snowmobiles and posted as such, with the exception of accessing trails from the user's place of residence directly to the marked trails and roadways from the shortest distance possible. Roadways in the Town of Ira closed to snowmobile traffic that shall be posted as such include, but are not limited to: That Portion of Veley Road that is in the Town of Ira.
- (c) No person under the age of sixteen years of age shall operate a snowmobile on any part of the Town of Ira highway.

4. Special Events: No special events shall be held within the limits of the Town of Ira unless application is made to the Town Board.

5. Equipment: All snowmobiles and/or ATVs operated in the Town of Ira:

- (a) Shall be equipped with lights, brakes and reflective material in compliance with the Parks, Recreation & Historic Preservation Law.
- (b) Shall be equipped with an adequate muffler system in good working condition. All snowmobiles manufactured after June 2, 1972, shall be equipped with a muffler that limits engine noise to not more than 82 decibels as measured on the "A" scale at 50 feet. All snowmobiles manufactured after June 1, 1974, shall be equipped with a muffler system that limits engine noise to not more than 73 decibels.

6. Operation by Youthful Operators:

A. SNOWMOBILES: 1. Youth ages 10 to 16:

May operate a snowmobile only if he/she has both successfully completed safety training as approved by the Commissioner of Parks, Recreation & Historic Preservation, and is the holder of a snowmobile safety certificate. This must be presented upon demand by a magistrate or law enforcement officer.

A. SNOWMOBILES CONTINUED:

2. Youth less than 10 years old:

May operate a snowmobile only on the land owned or leased by his/her parent or guardian, or if accompanied by a person over 18 years old, or if accompanied by a person who holds a snowmobile safety certificate and is at least 14 years old.

B. ATVs:

1. Youth ages 10 to 15

You may drive an ATV only if:

- a) Under adult supervision, or
- b) Without adult supervision on lands owned or leased by your parent or guardian or
- c) On any lands where ATV use is permitted, without adult supervision, if you have completed an ATV safety training course approved by the DMV. You should carry your certificate when driving.

2. Youth less than age 10:

You may drive an ATV ONLY:

- a) Under adult supervision, or
- b) Without adult supervision, on lands owned or leased by your parent or guardian.

3. ADULT SUPERVISION means supervision by a person at least 18 years of age, or a person 16 or 17 years of age who holds an ATV safety training certificate.

7. Liability for Negligence:

- (a) Negligence in the use or operation of a snowmobile and/or ATV is attributable to the owner. Every owner of a snowmobile and/or ATV used or operated in this Town shall be liable and responsible for death or injury to persons or damage to property resulting from negligence in the use or operation of such snowmobile and/or ATV by any person using or operating the same with permission, written, express or implied, of such owner, provided however, that such operator's negligence shall be attributed to the owner as to any claim or cause of action accruing to the operator or his legal representatives for such injuries or death.

7. Liability for Negligence Continued:

- b) Each owner of a snowmobile and/or ATV shall carry a Liability Insurance of of at least the amount as required by New York State Law only if it is to be driven on any land other than his own or on the shoulders of any public highway or public lands owned by the Town of Ira.

8. Exceptions:

- a) No snowmobiles shall be operated on a Town of Ira shoulder of highways when wind and blizzard conditions reduce visibility to 300 feet or less, except as defined by Section 25.05, of the Parks, Recreation & Historic Preservation Law.
- b) No person shall be permitted to operate a snowmobile on the Town of Ira shoulder of highways or land owned by the Town of Ira between the hours of 10'clock AM and 6 o'clock AM, Monday thru Friday, except as in an emergency as defined by Section 25.05, of the Parks, Recreation & Historic Preservation Law.

9. Penalties for offenses: Any snowmobile and/or ATV operator and/or organization found to be in violation of this ordinance/local law shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00).

10. Definition of:

- (a) **ATV:** An all-terrain vehicle is any self-propelled vehicle, manufactured primarily for use on off-highway trails or in competitions, that is not more than 60 inches wide and weighs no more than 800 pounds. This includes vehicles with two or more wheels, but not those propelled by an "endless belt" tread.
- (b) **SNOWMOBILE:** A self-propelled vehicle designed for travel on snow or ice steered by skis or runners, and supported in part by skis, belts or cleats.
- (c) **OPERATE:** Means to ride in or on, other than as a passenger, use or control the operation of a snowmobile and/or ATV in any manner, whether or not said snowmobile or ATV is in motion.

10. Definition of Continued:

(d) OPERATOR: Means every person who operates or is in actual physical control of a snowmobile or ATV.

11. All rules and regulations for ATVs and Snowmobiles, set forth by New York State Department of Motor Vehicles shall be complied with as though set forth at length herein, and as they may be amended from time to time.

12. This Local Law hereby repeals Town Ordinance #2, 1971 of the Town of Ira.

13. This Local Law shall become effective upon filing same with the New York Department of State. 11/1994 Amended 2001 (3a)

Local Law #2 of the Year 2001

