

OFFICE OF THE CLERK OF THE LEGISLATURE

Betsy Sherman-Saunders
Clerk of the Legislature
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46 East Bridge Street
Oswego, New York 13126
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NOTICE OF ADOPTION

Per Section 214 of the County Law, you are hereby notified that on May 12, 2022, the Oswego County Legislature adopted the following:

**LOCAL LAW 4 OF 2022 AMENDING LOCAL LAW NUMBER 4 OF 2015,
A LOCAL LAW PERMITTING AND
REGULATING ALL - TERRAIN VEHICLE (ATV)
OPERATION ON CERTAIN COUNTY ROADS**

Copies of Local Law #4 of 2022 are posted in the Oswego County Courthouse on East Oneida Street in Oswego, at the County Clerk's Office at 46 E. Bridge Street in Oswego and available online at oswegocounty.com. Requests can also be e-mailed to betsy.saunders@oswegocounty.com

By Order of the Oswego County Legislature
May 12, 2022
Betsy Sherman-Saunders, Clerk

RESOLUTION NO. 125

A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 4 OF 2022, ENTITLED LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 2015, A LOCAL LAW PERMITTING AND REGULATING ALL - TERRAIN VEHICLE (ATV) OPERATION ON CERTAIN COUNTY ROADS

By Legislator Stephen Walpole:

WHEREAS, a public hearing was held on May 12th, 2022 and all interested parties having had an opportunity to be heard,

NOW, upon the recommendation of the Infrastructure, Facilities and Technology Committee of this body, be it

RESOLVED, that Local Law Number 4 of the year 2022 entitled "LOCAL LAW NUMBER 4 OF 2022, ENTITLED LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 2015, A LOCAL LAW PERMITTING AND REGULATING ALL - TERRAIN VEHICLE (ATV) OPERATION ON CERTAIN COUNTY ROADS" be and is hereby adopted and enacted in its entirety.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

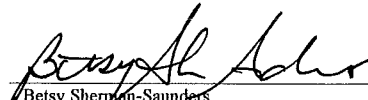
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss:

THIS IS TO CERTIFY THAT I, BETSY SHERMAN-SAUNDERS, Clerk of the Oswego County Legislature have compared the foregoing copy with the original resolution now on file in my office which was adopted by the Oswego County Legislature on May 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the said Legislature of Oswego County, New York, on this 13th day of May 2022.


Betsy Sherman-Saunders
Clerk of the Oswego County Legislature

COUNTY OF OSWEGO
LOCAL LAW 4 OF 2022 AMENDING LOCAL LAW NUMBER 4 OF 2015,
A LOCAL LAW PERMITTING AND
REGULATING ALL - TERRAIN VEHICLE (ATV)
OPERATION ON CERTAIN COUNTY ROADS

BE IT ENACTED by the County Legislature of the County of Oswego as follows: Local Law Number 4 of 2015 be and is hereby AMENDED IN ITS ENTIRETY to read as follows:

Section 1. This local law shall be known as the "County Road ATV Use Law."

Section 2. Purpose and Findings

The purpose of this Local Law is to open for travel by all-terrain vehicles certain portions of the County Road System pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York. This Legislature hereby finds and determines that the opening of certain County Roads to ATV use is necessary in order for ATVs to access trails adjacent thereto. This Legislature further finds that promoting opportunities for recreational use of all-terrain vehicles will stimulate the local economy and offer enjoyment to the citizens of the County and those tourists traveling in the area.

Section 3. Definitions

ATV: An all-terrain vehicle, as defined in Section 2228(1) of the New York State Vehicle and Traffic Law.

County: County of Oswego

County Bridge/Culvert: A County owned bridge or culvert on a town road designated for ATV operation.

County Road: A highway designated as a County Road on the Official County Highway Map as provided by Section 115 of the Highway Law of the State of New York.

Designated Road: A County Road, or portion thereof, designated for use by ATVs by this Local Law.

Owner: "Owner" as defined by Section 2401(3) of the Vehicle and Traffic Law.

Operator: "Operator" as defined by Section 2401(4) of the Vehicle and Traffic Law.

ATV Trail System: A system of trails suitable for use by ATVs operated by clubs and/or Oswego County that includes developed trails on certain municipal, state, and privately owned lands and designated connecting highways.

Vehicle and Traffic Law: The Vehicle and Traffic Law of the State of New York.

Section 4. Designated Roads

The following County Roads, or the indicated portions thereof, are hereby designated as open to travel by ATVs:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART
HEREOF

Section 5. Rules, Conditions, and Restrictions

The following rules, conditions and restrictions shall be applicable to all County Roads opened to ATV use pursuant to this Local Law.

- a) The utilization of County Roads by ATVs shall be only and solely for the purpose of traveling directly from one ATV trail head to another.
- b) No Person shall operate an ATV on a Designated Road, between the hours of 10:00 p.m. and 7:00 a.m.
- c) No person shall operate an ATV on a Designated Road, while within the corporate limits of a village, at a speed exceeding twenty miles per hour.
- d) An operator of an ATV shall operate the ATV as far to the right upon a designated roadway as conditions allow.
- e) No sleigh, sled, toboggan or trailer shall be towed on a designated roadway by an ATV.
- f) No person shall operate an ATV on any part or portion of a Designated Road, other than on the traveled 'roadway,' unless the person is bringing the ATV to a stop or has stopped the ATV.
- g) No person shall operate an ATV more than one abreast in a single lane on a Designated Road.
- h) No person shall operate an ATV in excess of twenty-five (25) miles per hour or the posted speed limit whichever is less.

- i) All ATV use shall be in compliance with the applicable provisions of the Vehicle and Traffic Law and all ATVs shall comply with NYS DMV registration, insurance, lighting and equipment requirements.

Section 6. Penalties

Any person who violates any provisions of this Local Law shall be guilty of an offense as defined by Section 10.00 of the Penal Law of the State of New York, and the violator or offender shall be liable for a fine of not less than \$25.00 and not more than \$150.00 for the first offense; for a fine not less than \$50.00 and not more than \$200.00 for a second offense committed within two years from a previous conviction under this Local Law; and a fine of not less than \$100.00 and no more than \$500.00 for a third or subsequent offense all committed within three years.

Section 7. Severability

If any part of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision in application directly involved in the controversy in which such judgment shall have been rendered; and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the County Legislature of the County of Oswego hereby declares that it would have passed this Local Law or the remainder of it had such invalid application or provision been apparent.

Section 8. Posting of Designations and Regulations

In accordance with the requirements of 2405 of the Vehicle and Traffic Law, the Superintendent shall install signs and markers identifying the Designated Roads. Said Superintendent shall also post signs on which shall appear the regulations, conditions and restrictions set forth in this Local Law, to the extent that such regulations, conditions and restrictions exceed those set forth in the Vehicle and Traffic Law.

Section 9. Prior Local Laws Superseded

All other Oswego County ATV local laws be and are hereby SUPERSEDED by this enactment (LL. 1 of 2005; LL. 1 of 2006; LL 3 of 2018

Section 10. Effective Date & Filing

This Local Law shall take effect upon filing with the Secretary of State. A certified copy of this local law shall also be filed with the Commissioner of Motor Vehicles pursuant to Vehicle and Traffic Law Section 2405.

OSWEGO COUNTY LEGISLATURE

SCHEDULE A

- Town of Albion:** County Route 52 from its intersection with the Richards Trail, Town of Orwell, a distance of 3560 feet to its intersection with the Potters Trail, Town of Albion.
- Village of Altmar:** County Route 22 from its intersection with Smokey Road to the intersection of River Street. Distance 1,460 feet;
- County Route 52 from its intersection with Tar Hill Road to the intersection of Cemetery Street. Distance 3,700 feet.
- Town of Orwell:** County Route 2 from its intersection with Dam Road to the intersection with Jackson Road. Distance 4,075 feet;
- County Route 30 from its intersection with the North Hill Trail a distance of 1,650 feet to its intersection with the South Hill Trail;

County Route 22 from its intersection with the South Hill Trail a distance of 1,550 feet to its intersection with the Bennett's Bridge Trail.

County Route 2 from its intersection with the Drakes Trail a distance of 3,000 feet to the intersection with the Diner Trail;

Commencing at a trail head 100 +/- feet easterly from the intersection of CR 2 from the intersection of Jackson Road, Town of Orwell, thence proceeding easterly approximately 4.988 miles (26,337 feet) to the intersection of CR 17, Town of Redfield; and, continuing thence.

Town of Parish: County Route 26 from its intersection with Bars Trail proceeding easterly a distance of 3,500 feet to its intersection with Walter Trail; AND

CR 26 beginning at a point 1.26 mile easterly from the intersection of CR 26 with CR 22 and then running westerly along CR 26, in the Town of Parish, approximately 4.42 miles to the intersection of SR 69 in the Town of Parish.

Town of Redfield: CR 17 from the intersection of CR 2, Town of Redfield, southerly approximately 0.522 miles (2,756 feet) to the intersection of CR 47, Town of Redfield; and, continuing thence; AND

CR 47 from the intersection of CR 17, Town of Redfield, northeasterly approximately 3.849 miles (20,323 feet) to a trail head located approximately 2,640 +/- feet westerly along CR 47 as measured from the intersection of CR 47 with the Lewis County Line.

Town of Richland: County Route 2A from its intersection with the Portly Angler Trail a distance of 2,750 feet to its intersection with the Oswego County ATV Trail.

Town of Williamstown:

County Route 30 beginning at a point approximately 0.17 miles (885 feet) north from the intersection of CR 30A and running south along County Route 30, in the Town of Williamstown, approximately 1.52 miles (8,010) feet to the intersection of County Route 30 and the abandoned railroad tracks in the Town of Williamstown.

By Order of the Oswego County Legislature
May 12, 2022

Betsy Sherman-Saunders, Clerk
Oswego County Legislature