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***FEES FOR ADMISSION AND SERVICES
REGARDING COUNTY RECREATION
TRAILS; SNOWMOBILES***

§ 90.001 LEGISLATIVE INTENT.

The purpose of this Local Law is to establish a fee for admission to and services rendered on County recreation trails and to protect the public health, welfare and safety by regulating the operation of snowmobiles on public recreation trails and places of the County of Warren in a manner which will be compatible with the use of such trails and public places other than highways for vehicular and pedestrian travel and other uses, and which will

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promote the safe and proper use of snowmobiles for recreation and commerce and minimize detrimental effects of such use on the environment.
(Local Law 2 of 1973, passed 11-19-1973)

§ 90.002 DEFINITIONS.

The terms, words and phrases used in this Local Law shall have the same meaning as such terms, words and phrases are defined in N.Y. Parks Rec. & Hist. Preserv. Law § 21.05.

COUNTY. The County of Warren.

RECREATION TRAIL. The areas, right-of-way, easements and other interests in real property acquired by the county for use of the public.
(Local Law 2 of 1973, passed 11-19-1973)

§ 90.003 OPERATION OF SNOWMOBILES ON COUNTY RECREATION TRAILS AND OTHER PUBLIC PLACES.

Operation of snowmobiles on county recreation trails shall be subject to the applicable provisions of N.Y. Parks Rec. & Hist. Preserv. Law Title D, Article 21, the rules and regulations of the Office Of Parks and Recreation, the rules and regulations of the Division of Lands and Forests, and the rules, restrictions and conditions set forth in this Local Law.
(Local Law 2 of 1973, passed 11-19-1973)

§ 90.004 RECREATION TRAILS, OTHER THAN HIGHWAYS.

(A) Subject to the restrictions and conditions in this Local Law and the rules and regulations of the Office Of Parks and Recreation, snowmobiles may be operated on or along all recreation trails of the County of Warren marked and designated as such by the Superintendent of Public Works of Warren County and set forth on a map of said trails filed in the office of the Superintendent of Public Works.

(B) Except as provided in division (A) of this section, operation of snowmobiles on any other public places of the County is hereby expressly prohibited.
(Local Law 2 of 1973, passed 11-19-1973)

§ 90.005 CONDITIONS AND RESTRICTIONS.

Whenever the operation of a snowmobile is permitted on recreation trails of Warren County, the following conditions and restrictions are hereby imposed on all such snowmobile operations:

(A) *Operating hours.* The County recreation trails shall be open for use during such hours as shall be determined by Resolution duly adopted by the Warren County Board of Supervisors. The hours of operation shall be posted at appropriate places along the trails.

(B) *Direction of operation.* Operation of snowmobiles on County recreation trails shall be only in the direction, if any, marked by appropriate route direction markers.

(C) *Unattended snowmobiles.* It shall be unlawful for any owner or operator to leave or allow a snowmobile to be left unattended on any County highway, County recreation trail 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.

(D) *Obedience to vehicular traffic controls.* Each person operating a snowmobile on any County recreation trail 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 directions of any state or local police officer or other law enforcement officer authorized to direct or regulate traffic.

(E) *Other restrictions.*

(1) *Operation while under the influence of alcohol or drugs.* No person shall operate a snowmobile on any street, highway or recreation trail

or any other public place in Warren County while under the influence of alcohol or drugs.

(2) *Speed.*

(a) No person shall drive a vehicle on any County recreation trail at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

(b) Except where a special hazard exists that requires lower speed for compliance with division (E)(2)(a) of this section no person shall drive a vehicle on any County recreation trail at a speed in excess of 45 mph.

(F) *Restrictions upon unauthorized vehicles.*

(1) All vehicles other than a snowmobile shall be considered an unauthorized motor vehicle and no person shall operate an unauthorized vehicle at any time upon the County recreation trails.

(2) The restriction contained herein shall not apply to the following:

(a) Vehicles operated by the owners of real property upon lands owned by them and comprising a part of the County recreation trails or their duly authorized agents;

(b) Equipment owned by the County of Warren;

(c) Necessary vehicles associated with permits issued to the Federal Aviation Administration and Classic Cablesystems Corporation;

(d) Necessary emergency or police vehicles; and

(e) Vehicles operated on State lands. (Local Law 2 of 1973, passed 11-19-1973; Local Law 8 of 1976, passed 12-17-1976; Local Law 4 of 1978, passed 2-17-1978; Local Law 3 of 1979, passed 10-12-1979)

§ 90.006 TRAIL ADMISSION PERMITS.

In order to pay for part of the cost of clearing, grooming, maintaining and policing County recreation trails, it is deemed necessary to charge an admission fee to the County trail system, parking privileges and for services rendered in the policing and protection of the users of the trails. No person shall operate a snowmobile on any County recreation trail unless the operator shall have first obtained a trail permit for admission to said trail system in accordance with the provisions of this Local Law.

(A) *Issuance of permit.* The Superintendent of the Warren County Department of Public Works and his designated agents are hereby authorized to issue a trail admission permit to the owner of each snowmobile prior to the owner's entrance upon the County recreation trail system. Such trail admission permit shall be valid for a period of six months for the period commencing November 1 and ending May 1 of each year.

(B) *Fees.* Fees for trail permits for admission to and service on said trails shall be collected by the Warren County Clerk, or his designated agents. The amount of such fee for trail permits and/or the replacement of a lost, mutilated or destroyed permit shall be set by the Board of Supervisors by Resolution at any time.

(C) *Application.* The owner of each snowmobile requiring a permit under this section shall present an application for such trail permit to the County Clerk or his designated agents, on a blank prepared and furnished by the County Clerk for that purpose. Such application shall be accompanied by such evidence of ownership and registration as may be required by the County Clerk. No trail admission permit may be issued unless the snowmobile shall have first been registered with the Commissioner of Motor Vehicles under N.Y. Veh. & Traf. Law § 2222.

(D) *Snowmobiles owned by governmental agencies.* A trail admission permit shall not be required for snowmobiles owned by governmental agencies or volunteer organizations if used exclusively for rescue and emergency purposes.

(E) *Exemption.* No trail admission permit shall be required for the use of State lands, highways or trails connecting into and made a part of the overall County trail network.

(F) *Location of permits.* No snowmobile operated by a person required to obtain a trail permit for admission to the trail system pursuant to the provisions of this Local Law shall be permitted to operate on any County recreation trail unless said snowmobile has affixed on the lower left hand corner of the windshield a valid trail admission permit. (Local Law 2 of 1973, passed 11-19-1973; Local Law 3 of 1976, passed 10-15-1976; Local Law 3 of 1979, passed 10-12-1979; Local Law 5 of 1984, passed 12-14-1984)

USE OF COUNTY BIKEWAY

§ 90.020 LEGISLATIVE INTENT.

The purpose of this Local Law is to establish rules and regulations for the use of the Warren County Bikeway to protect the public health, welfare and safety of the users thereof in a manner which will be compatible with the use thereof. (Local Law 7 of 1978, passed 7-14-1978)

§ 90.021 DEFINITIONS.

For the purpose of this Local Law, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BICYCLE. Every device propelled by the feet acting upon pedals and having wheels any two of which are more than 14 inches in diameter.

BICYCLE PATH/BIKEWAY. An off-street route especially designed for bicycles to be used by bicyclists only, as designed by official signs or markers.

BIKE ROUTE. Streets or avenues specially designed by the community as safer and more

convenient bicycle routes for young and adult riders, clearly marked and distinctive to alert motorists to drive carefully.

CARRIER. Any device attached to the bicycle designed for carrying articles.

CURB. The lateral boundaries of that portion of a street designed for the use of vehicles, whether marked by a curb or not.

DRIVER/OPERATOR. Every person who drives or is in actual physical control of a vehicle.

MINI-BIKE. A two-wheeled motorized vehicle with less than 20-inch wheels usually designed for trails and off-street use.

MOTOR BIKE. A vehicle of the bicycle or tricycle type propelled by a motor.

MOTOR VEHICLE. Every vehicle which is self-propelled.

OWNER. A person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

RIGHT-OF-WAY. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

STREET/HIGHWAY. The entire width between the boundary lines or every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

ROADWAY. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. (Local Law 7 of 1978, passed 7-14-1978)

§ 90.022 TRAFFIC ORDINANCES APPLY TO PERSONS DRIVING BICYCLES.

Every person driving a bicycle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State.

(Local Law 7 of 1978, passed 7-14-1978)

§ 90.023 RIDING ON ROADWAYS AND BICYCLE PATHS.

(A) Every person operating a bicycle upon a roadway shall ride as near to the right hand curb or edge of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons driving bicycles upon a roadway, shall ride single file, if possible.

(C) Whenever a usable bicycle path has been provided adjacent to a roadway, bicycle drivers shall use such path and shall not use the roadway.

(D) The operator of any bicycle overtaking another bicycle or vehicle proceeding in the same direction shall pass such vehicle with due care, but no person driving a bicycle shall pass or attempt to pass another vehicle proceeding in the same direction unless such passing can be made in safety and at a place on a street other than an intersection without leaving the traveled portion of the road.

(Local Law 7 of 1978, passed 7-14-1978)

§ 90.024 RIDING ON BICYCLES; CARRYING EXTRA PASSENGERS.

(A) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(C) No bicycle except a tandem shall be used to carry any person except the operator unless equipped with a child's seat in which case the following conditions and regulations must be met:

(1) The operator shall be 18 years of age or older.

(2) The passenger shall be under the age of seven years and seated in the child's seat.

(3) The child's seat shall be fastened securely to the bicycle and shall be located behind the operator's seat, shall be so designed and manufactured for this specific purpose and be equipped with safety belt, arm rest, back rest, foot and spoke protection, and have a firm seat and back and shall be attached to frame at three points with bolts or nuts - two of which are at either side of the wheel axle.

(4) Only one child's seat shall be attached to a bicycle.

(5) A child's seat may be used only after it has been inspected by the Sheriff's Department and found to comply with the provisions of this Local Law.

(6) A bicycle equipped with a child's seat shall be operated only during the hours of daylight when such seat is occupied.

(Local Law 7 of 1978, passed 7-14-1978)

§ 90.025 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

(A) Any person operating a bicycle shall obey the instruction of official traffic control devices applicable to vehicles, unless otherwise directed by a police officer.

(B) Entry and exit to any County bicycle path or bicycle route or bikeway shall be at designated spots only. Such points of entry and exit shall be designated by the County Department of Parks and Recreation.

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(C) (1) Except as expressly provided for in division (C)(2) of this section herein, all motor bikes, mini bikes, mopeds, motor vehicles, horses and animals are hereby prohibited from the use of any bicycle path, bike path or bikeway, as defined herein, except motor vehicles or motor bikes used by the police and any other authorized personnel in the town in which the bikeway is situated.

(2) Snowmobiles may be operated on the Warren County Bikeway from a point beginning at approximately 920 feet south of the centerline of County Route 59 (Bloody Pond Road), and extending the boundary of the Lands of the State of New York north of the bridge over State Route 9L (exclusive of segments within Town Highway ROW), from the day following the close of the local Big Game muzzleloader season (as annually determined by NYSDEC), through the following March 31, and only between the hours of 8:00 a.m. to 10:00 p.m., unless otherwise restricted by applicable law or regulation. Notwithstanding the foregoing, the Superintendent or his designee may restrict snowmobile access and usage on the above described section of the Warren County Bikeway if weather conditions are not conducive to snowmobile use or, for other reasons as determined by the Superintendent or his designee.

(D) Hikers, snowshoers, and cross-country skiers shall be permitted upon a bicycle path, with the right of way given to bicycles. Cross-country skiers on summer training wheels and skateboard shall not be permitted upon a bicycle path without written approval of the Superintendent of Public Works. (Local Law 7 of 1978, passed 7-14-1978; Local Law 11 of 2011, passed 11-9-2011)

§ 90.026 OPERATING HOURS.

Other than for the limited exception for snowmobile usage as provided for in § 90.025(C)(2) herein, the Warren County Bikeway shall be open for use commencing one hour before sunrise and closing one hour after sunset, or except as shall otherwise be

determined by resolution duly adopted by the Warren County Board of Supervisors.

(Local Law 7 of 1978, passed 7-14-1978; Local Law 11 of 2011, passed 11-9-2011)

RULES AND REGULATIONS FOR USE OF COUNTY RECREATIONAL FACILITIES

§ 90.040 LEGISLATIVE INTENT.

The purpose of this Local Law is to establish rules and regulations for the use of the various Warren County recreational facilities to protect the public health, safety and welfare as well as preserve the facilities in a manner which will be compatible with the use thereof.

(Local Law 2 of 1984, passed 6-15-1984)

§ 90.041 APPLICATION.

The provisions of this Local Law shall apply to the following Warren County facilities hereinafter referred to as "facilities":

- (A) All canoe access sites;
- (B) All boat launch ramps and sites;
- (C) Fish Hatchery;
- (D) Nature trails;
- (E) Country ski areas and trails;
- (F) Picnic areas;
- (G) Bikeways;

(H) Such other facilities as may be subjected to the provisions of this Local Law by Local Law or Resolution of the Warren County Board of Supervisors.

(I) Railroad right-of-way.

(Local Law 2 of 1984, passed 6-15-1984; Res. 457 of 1999, passed - -1999; Local Law 2 of 1999, passed 8-13-1999)

§ 90.042 DEFINITIONS.

For the purpose of this Local Law, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEPARTMENT. The Warren County Department of Public Works.

SUPERINTENDENT. The Warren County Superintendent of Public Works.
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.043 CAMPS, TENTS, TRAILERS AND THE LIKE.

No camp, tent, trailer, shelter, lean-to or structure of any kind shall be erected or maintained within the area of any of the facilities except as shall otherwise be provided by Resolution of the Warren County Board of Supervisors.

(Local Law 2 of 1984, passed 6-15-1984)

§ 90.044 HOURS OF OPERATION.

The facilities shall be closed to any and all public use of any kind between the hours of sunset and sunrise except as shall otherwise be provided by Resolution of the Warren County Board of Supervisors.

(Local Law 2 of 1984, passed 6-15-1984)

§ 90.045 MOTOR VEHICLES.

(A) Except as provided for in division (B) herein, or as otherwise provided by resolution of the Warren County Board of Supervisors, motor vehicles

are prohibited from operating in or on the areas of the facilities except as may be permitted on roads and parking areas designated and marked for motor vehicle use by the Superintendent.

(B) Snowmobiles may be operated on the Warren County Bikeway from a point beginning at approximately 920 feet south of the centerline of County Route 59 (Bloody Pond Road), and extending the boundary of the Lands of the State of New York north of the bridge over State Route 9L (exclusive of segments within Town Highway ROW), from the day following the close of the local Big Game muzzleloader season (as annually determined by NYSDEC), through the following March 31, and only between the hours of 8:00 a.m. to 10:00 p.m., unless otherwise restricted by applicable law or regulation. Notwithstanding the foregoing, the Superintendent or his designee may restrict snowmobile access and usage on the above described section of the Warren County Bikeway if weather conditions are not conducive to snowmobile use or, for other reasons as determined by the Superintendent or his designee.

(Local Law 2 of 1984, passed 6-15-1984; Res. 457 of 1999, passed - -1999; Local Law 2 of 1999, passed 8-13-1999; Local Law 11 of 2011, passed 11-9-2011)

§ 90.046 ANIMALS.

Dogs, except for seeing eye dogs in actual use, or cats are not permitted in the facilities, except in the parking fields where they must be confined to vehicles or kept on leash. Other animals are not permitted anywhere in the area. Proof of a valid and current rabies inoculation is required for dogs.

(Local Law 2 of 1984, passed 6-15-1984)

§ 90.047 FIRES.

Fires for cooking, smudge or picnic purposes will be permitted only in the fireplaces provided and all garbage and other waste materials must be deposited in the receptacles provided for that purpose.

(Local Law 2 of 1984, passed 6-15-1984)

§ 90.048 GARBAGE, SEWAGE AND THE LIKE.

No person shall dispose of any garbage, sewage, metal or glass containers, refuse, waste, fruit, vegetables, foodstuffs, paper or other litter except in receptacles where provided for such purposes.
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.049 IMPROPER LANGUAGE AND BEHAVIOR.

No person shall use threatening, abusive or insulting language, perform any obscene or indecent act, throw stones or other missiles, interfere with, encumber, obstruct or render dangerous any drive, path, dock, beach or public place, do any act tending to or amounting to an offense or criminal act, enter or leave except at established entrances or exits, engage in, instigate, aid or encourage a contention or fight or assault any person.
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.050 DEMAND OR DIRECTION OF AUTHORIZED PERSON.

No person shall at any time fail to comply with a reasonable demand or direction of any authorized person in using access roads, parking areas or launching sites or fail to comply with directions or signs.
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.051 PARKING.

No person shall park any motor vehicle, including self-propelled and non-self-propelled vehicles, except on and within areas designated and marked as such parking areas by the Superintendent.
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.052 WATERS OF THE FACILITY.

No person shall throw, cast, lay, deposit or discharge into or leave in any waters flowing within or

standing on said facilities any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

(Local Law 2 of 1984, passed 6-15-1984)

§ 90.053 INJURING FACILITIES OR BUILDINGS.

No person shall injure, deface, disturb, steal, molest or defoul any part of the facilities or buildings, spring, well, sign, equipment or other structure or property found therein; nor shall any tree, flower, fern, shrub, grass, rock or other mineral or any part thereof be removed, injured, cut or destroyed.
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.054 SIGNS.

No person shall erect a sign, notice or poster at any place within the area without a permit therefor, nor shall any musical instrument, radio, recording device, electronic instrument, talking machine or drum be operated nor any noise be made for the purpose of attracting attention to any exhibition of any kind
(Local Law 2 of 1984, passed 6-15-1984)

§ 90.055 TRESPASSING AND ILLEGAL FISHING AT THE COUNTY FISH HATCHERY.

(A) No person shall enter upon the County Fish Hatchery grounds after or before regular visiting hours as established by the Superintendent of Public Works.

(B) No person shall fish or remove fish from the hatchery beds or tanks at any time except authorized personnel.

(C) Any unauthorized person violating this Local Law by trespassing upon the fish hatchery grounds or removing fish from the fish hatchery beds or tanks shall be liable to a fine of not less than \$100 for each violation and no more than \$500.
(Local Law 3 of 1989, passed 8-18-1989)

***RULES AND REGULATIONS FOR THE
USE OF ALL TERRAIN VEHICLES***

§ 90.070 DEFINITIONS.

For the purpose of this Local Law, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ATV. A three or four wheel low pressure tire vehicle capable of cross-country travel on land, snow, ice, marsh or other natural terrain, having a width of 45 inches or less, not weighing more than 500 pounds and having a seat designed to be straddled by the operator.

LOW PRESSURE TIRE. Any pneumatic tire six inches or more in width, designed for use on wheels with a rim diameter of 12 inches or less, and utilizing an operating pressure of ten pounds per square inch or less, as recommended by the vehicle manufacturer. (Local Law 2 of 1986, passed 5-16-1986)

§ 90.071 RULES AND REGULATIONS.

(A) All ATVs shall have a trail permit affixed to the vehicle in an amount determined by resolution of the Board of Supervisors.

(B) The maximum speed limit for operation of ATV's shall be 30 mph, unless otherwise posted.

(C) All operators of ATVs shall obey all speed and sign regulations.

(D) All operators of ATVs shall remain on marked trails.

(E) Permissible hours of operation for ATVs shall be from dawn to dusk.

(F) No ATVs shall be operated at night on the recreational trails of the County of Warren.

(G) All operators of ATVs shall be required to wear an approved protective helmet and eye protection.

(H) All operators of ATVs are subject to the N.Y Veh. & Traf. Law and the N.Y. Parks, Rec. & Hist. Preserv. Law as they apply to ATVs.

(I) All ATV vehicles shall be operated with lights on during operation.

(J) A maximum of one operator shall be permitted on an ATV vehicle.

(K) No towing of a sled, wagon or similar equipment shall be permitted during the operation of an ATV.

(Local Law 2 of 1986, passed 5-16-1986)

§ 90.072 EQUIPMENT.

All ATVs operating on the recreational trails of the County of Warren shall be equipped with:

(A) ***Headlights.*** All ATVs shall be operated with at least one white or amber headlamp having a minimum candlepower of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during hours of darkness under normal atmospheric conditions.

(B) ***Taillights.*** All ATVs shall be operated with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

(C) ***Brakes.*** All ATVs shall be operated with a brake system in good mechanical condition.

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(D) *Mufflers*. All ATVs shall be operated with an adequate muffler system in good working condition.

(1) Each ATV shall not exceed noise levels of 82 decibels sound pressure level at 50 feet on the "A" scale.

(2) No person may modify the exhaust system of any ATV in any manner which will increase the noise emitted.

(3) Each ATV shall be equipped with a U.S. Forest Service approved spark arrestor.
(Local Law 2 of 1986, passed 5-16-1986)

§ 90.073 INSURANCE.

All operators of ATVs shall be required to have insurance as prescribed by the N.Y. Veh. & Traf. Law as it applies to ATVs.
(Local Law 2 of 1986, passed 5-16-1986)

§ 90.074 TRAILS.

All ATVs must remain on designated trails while in operation. No unauthorized vehicles shall be permitted on said trails.
(Local Law 2 of 1986, passed 5-16-1986)

§ 90.075 OPERATION BY YOUTHFUL OPERATORS.

(A) No person under the age of ten years shall operate an ATV on Warren County recreational trails.

(B) Persons over the age of ten years but less than 16 years are required to obtain a safety certificate as prescribed by N.Y. Veh. & Traf. Law Article 26, when such law becomes effective.

(C) No person under the age of 16 may operate on Warren County recreational trails without being accompanied by a parent or guardian 18 years of age or older.

(D) No person under the age of 16 years shall operate an ATV on Warren County recreational trails which has an engine cubic displacement of more than 85 cubic centimeters.

(Local Law 2 of 1986, passed 5-16-1986)

§ 90.999 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Failure to comply with any of the provisions of §§ 90.001 through 90.006 shall be deemed a violation and the violator shall be liable to a fine of not less than \$25 nor more than \$100.

(C) Failure to comply with any of the provisions of §§ 90.020 through 90.026 shall be deemed an offense and the violator shall be liable to a fine of not less than \$25 nor more than \$100.

(D) Each failure to comply with any of the provisions of §§ 90.040 through 90.054 shall be deemed an offense and the violator shall be liable to a fine of not less than \$25 nor more than \$100. Each day that a violation of this Local Law continues shall be considered to be a separate punishable offense.

(E) Any person violating any provision of § 90.055 shall be subject to the penalty provisions of § 90.055(C).

(F) Violation of §§ 90.070 through 90.075 may result in a fine of not less than \$25 or greater than \$100.

(Local Law 2 of 1973, passed 11-19-1973; Local Law 7 of 1978, passed 7-14-1978; Local Law 2 of 1984, passed 6-15-1984; Local Law 2 of 1986, passed 5-16-1986)

CHAPTER 91: AQUATIC SPECIES

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§ 91.01 TITLE.

This Local Law shall be known and may be cited as “A Local Law in Relation to Preventing the Spread of Aquatic Invasive Species in Warren County”. (Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

§ 91.02 LEGISLATIVE INTENT.

The Warren County Board of Supervisors hereby finds and determines that aquatic invasive species can displace native species and alter natural ecosystems, and cause negative environmental and economic impacts such as that presently occurring with regard to the Asian clam infestation in Lake George. Ultimately, residents and visitors to Warren County alike are negatively impacted by the decline of water bodies subjected to aquatic invasive species. It is the intent of this law to protect the ecology of water bodies wholly or partially located and/or accessed in Warren County by preventing the introduction of any aquatic invasive species and therefore helping to protect the environment and economy of Warren County . (Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

§ 91.03 DEFINITIONS.

For the purpose of this Local Law, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AQUATIC INVASIVE SPECIES. With respect to waters located and/or accessed in Warren County, any aquatic species, including its eggs, spores or other biological material capable of propagating or reproducing that species, that are not natural to said waters located or accessed in Warren County, including all of its cultivars and varieties, whose introduction causes or is likely to cause economic or environmental harm or harm to human health. **INVASIVE SPECIES**, as that term is used herein, includes but is not limited to Asian clam (*Corbicula fluminea*), Eurasian watermilfoil and zebra mussels.

LAUNCH. To place a watercraft into a waterbody for any purpose and any activity that takes place within 50 feet of the high water mark of the waterbody for the purpose of placing a watercraft into a waterbody, including moving by trailer or other device or carrying by hand a watercraft toward a waterbody, or entering a queue prior to launching.

PERSON. Any individual, governmental entity, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not, and every officer, agent, or employee thereof.

WATERBODY. The same meaning as **WATERS**.

WATERS. Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuarites, marshes, inlets and canals within the territorial limits of the County of Warren,

and all other bodies of surface or underground water, natural or artificial, inlands, fresh, public or private, which are wholly or partially within or bordering the County or within its jurisdiction.

WATERCRAFT. Every motorized or non-motorized boat or vehicle capable of being used or operated as a means of transportation in or on water. (Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

§ 91.04 PROHIBITIONS (UNLAWFUL ACTIONS).

It shall be unlawful for any person to:

(A) Launch or attempt to launch in Warren County a watercraft into a waterbody with any aquatic invasive species or other plant or animal, or parts thereof, visible to the human eye in, on, or attached to any part of the watercraft, including in live wells and bilges; the motor, rudder, anchor or other appurtenants; any equipment or gear; or the trailer or any other device used to transport or launch a watercraft that may come into contact with the water;

(B) To enter a public highway in Warren County after leaving a launch site without first removing by hand any aquatic invasive species or other plant or animal, or parts thereof, visible to the human eye in, on, or attached to any part of the watercraft, including in live wells and bilges; the motor, rudder, anchor or other appurtenants; any equipment or gear; or the trailer or any other device used to transport or launch a watercraft that may come into contact with the water. Removed items must be discarded away from the shoreline, in such a manner as to prevent the removed items from re-entering the waterbody;

(C) Introduce, throw, dump, deposit, place or cause to be propagated, transplanted, introduced, thrown, dumped, deposited or placed in any water body, in whatever capacity and for whatever purpose while in Warren County, an aquatic invasive species. (Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

§ 91.05 EXCEPTIONS TO PROHIBITIONS.

The provisions of § 91.04 of this Local Law shall not apply to:

(A) The carrying and use of bait for the purpose of fishing, consistent with all applicable laws and regulations related to bait fish;

(B) The use of the above-water portions of native plants for camouflage of the watercraft for the purpose of hunting, consistent with all applicable laws and regulations related to the use, possession and harvesting of plants;

(C) Pets or hunting dogs;

(D) The intentional transport of plants or animals, including for food and landscaping, provided they are fully and securely contained within or on board the watercraft; and

(E) The use of plants or animals for habitat restoration, weed control, scientific research, aquaculture, or other activity, consistent with all applicable laws and regulations related to their use, possession or harvest.

(Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

§ 91.06 ENFORCEMENT.

This Local Law shall be enforced by the Warren County Sheriff in the same manner as a traffic violation is handled and processed. This Local Law may also be enforced by the New York State Department of Environmental Conservation and the New York State Police. This Local Law may also be enforced within the boundaries of the Lake George Park in Warren County by patrolmen of the Lake George Park Commission pursuant to the powers conferred upon such patrolmen under applicable provisions of N.Y. Env'tl. Conserv. Law Articles 43 and 71.

(Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

§ 91.99 PENALTY.

Any person who engages in any activity prohibited by this Local Law shall be guilty of a violation. Every person convicted of a violation of this Local Law shall be punished by a fine of up to \$500 for a first offense and a fine up to \$1,000 for a second conviction of a violation of this Local Law in a 24-month period or in each case imprisonment not to exceed 15 days or both said fine and imprisonment. (Local Law 9 of 2011, passed 9-16-2011; Local Law 6 of 2013, passed 4-19-2013)

CHAPTER 92: HUNTING AND/OR TRAPPING ON COUNTY AIRPORT PROPERTY

Section

- 92.01 Statutory authorization
- 92.02 Hunting and/or trapping
- 92.03 Posting

- 92.99 Penalty

Notices shall be in a form approved by the Warren County Attorney.
(Res. 468 of 1998, passed - -1998; Local Law 3 of 1998, passed 7-17-1998)

§ 92.01 STATUTORY AUTHORIZATION.

This Local Law is adopted pursuant to and in accordance with the authorization provided by N.Y. County Law § 215 and N.Y. Mun. Home Rule Law § 10.
(Res. 468 of 1998, passed - -1998; Local Law 3 of 1998, passed 7-17-1998)

§ 92.02 HUNTING AND/OR TRAPPING.

No person shall hunt and/or trap upon property comprising the Warren County Airport which has been posted as provided by § 92.03 hereof. No person shall come upon or cross said Warren County Airport property while engaging in the activity of hunting or trapping.
(Res. 468 of 1998, passed - -1998; Local Law 3 of 1998, passed 7-17-1998)

§ 92.03 POSTING.

The Airport Maintenance Supervisor is hereby authorized and directed to, at appropriate locations, post the property comprising the Warren County Airport with notices indicating that hunting and/or trapping is not allowed anywhere upon the property.

§ 92.99 PENALTY.

(A) A violation of any one or more of the terms and provisions of this Local Law shall constitute an offense and that person guilty of such offense may be punished by a fine of not exceeding \$100 or by imprisonment not exceeding 30 days, or by both such fine and imprisonment.

(B) This Local Law may also be enforced by prescribing a penalty not exceeding \$100 in any one case, to be recovered in a civil action and any court having jurisdiction thereof, which action shall be brought in the name of the County.
(Res. 468 of 1998, passed - -1998; Local Law 3 of 1998, passed 7-17-1998)

CHAPTER 93: PROTEST ACTIVITIES AND FUNERAL SERVICES

Section

- 93.01 Title
- 93.02 Legislative findings
- 93.03 Purpose
- 93.04 Definitions
- 93.05 Prohibition

- 93.99 Penalty

§ 93.03 PURPOSE.

The purposes of this Local Law are to:

(A) Protect the privacy of grieving families within one hour prior to, during and one hour following the commencement of funerals;

(B) Preserve the peaceful character of cemeteries, mortuaries, funeral homes and places of worship within one hour prior to, during and one hour following the commencement of funerals; and

(C) Not violate the First Amendment Rights of individuals, but apply restrictions that are content neutral and contain a reasonable time and place limitations.

(Local Law 2 of 2011, passed 7-15-2011)

§ 93.01 TITLE.

This Local Law shall be known and may be cited as “A Local Law Limiting Protest Activities Before, During and After Funeral Services in the County of Warren”.

(Local Law 2 of 2011, passed 7-15-2011)

§ 93.02 LEGISLATIVE FINDINGS.

(A) It is generally recognized that families have a substantial interest in organizing and attending funeral services for deceased relatives.

(B) The right to protecting the interests of families in privately and peacefully mourning the loss of deceased relatives are violated when funerals are targeted for protest activities and other public demonstrations.

(C) First Amendment rights of individuals are important but restrictions that are content neutral and contain a reasonable time and place limitation are appropriate to protect the aforesaid rights of families. (Local Law 2 of 2011, passed 7-15-2011)

§ 93.04 DEFINITIONS.

For the purpose of this Local Law, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FUNERAL SERVICE. Ceremonies, processions and/or memorial services held in connection with the burial or cremation of the dead at cemeteries, mortuaries, funeral homes, places of worship or along processional routes.

PROTEST ACTIVITIES. Those activities engaged in by a person or persons, including but not limited to:

(1) That which disturbs or disrupts a funeral service or procession; and/or

(2) Singing, chanting, whistling, yelling, or honking of a motor vehicle horn, display of visual images or signs that convey messages of fighting words or threats of harm or which is likely to incite or produce an imminent breach of peace.

(Local Law 2 of 2011, passed 7-15-2011)

§ 93.05 PROHIBITION.

It is unlawful for any person to engage in protest activities within 750 feet of a funeral service within one hour prior to, during and one hour following the funeral service.

(Local Law 2 of 2011, passed 7-15-2011)

§ 93.99 PENALTY.

Any person knowingly violating the provisions of this Local Law shall be guilty of an unclassified misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000, and/or by imprisonment of up to one year.

(Local Law 2 of 2011, passed 7-15-2011)

CHAPTER 94: MASS TRANSPORTATION

Section

- 94.01 Policy
- 94.02 Contracts
- 94.03 Appropriation of money

§ 94.01 POLICY.

It is hereby declared to be the policy of the County of Warren that adequate, safe and efficient mass transportation facilities and services at reasonable cost to the residents of the County are essential to the growth of the County and the well being of its residents.

(Local Law 7 of 1977, passed 12-16-1977)

§ 94.02 CONTRACTS.

In order to assure the provision of mass transportation services within the County of Warren, the Chairman of the Board of Supervisors is authorized with approval of the Board of Supervisors to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately owned or operated mass transportation facility or facilities.

(Local Law 7 of 1977, passed 12-16-1977)

§ 94.03 APPROPRIATION OF MONEY.

The Board of Supervisors of the County of Warren may appropriate such sums of money as it may deem proper to pay for such consideration and to provide for the continuation of mass transportation services at adequate levels and at reasonable cost to the residents of the County.

(Local Law 7 of 1977, passed 12-16-1977)

CHAPTER 95: CONDITION OF COUNTY PROPERTY

Section

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| 95.01 | Civil action or proceedings | upon any highway, bridge or culvert unless written notice thereof specifying the particular place was actually given to the Clerk of the Warren County Board of Supervisors or the Warren County Highway Superintendent and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.
(Local Law 4 of 1984, passed 9-14-1984) |
| 95.02 | Transmission of written notices to Clerk of County Board of Supervisors | |
| 95.03 | Indexed record to be kept by Clerk of County Board of Supervisors | |
| 95.04 | Transmission of written notices to County Highway Superintendent | |
| 95.05 | Indexed record to be kept by County Highway Superintendent | |
| 95.06 | To be considered additional requirements | |

§ 95.01 CIVIL ACTION OR PROCEEDINGS.

No civil action or special proceeding shall be maintained against the County of Warren for damages or injuries to person or property sustained by reason of any highway, bridge, culvert, highway marking, sign or device, or other property owned, operated or maintained by the County of Warren or any of its improvement districts, being defective, out of repair, unsafe, improperly placed, dangerous or obstructed unless written notice of such defective, unsafe, improper placement, dangerous or obstructed condition was actually given to the Clerk of the Warren County Board of Supervisors or the Warren County Highway Superintendent, and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, improper placement, danger or obstruction complained of, or, in the absence of such notice, unless such defective, unsafe, improper placement, dangerous or obstructed condition existed for so long a period that the same should have been discovered and remedied in the exercise of reasonable care and diligence, but no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice

§ 95.02 TRANSMISSION OF WRITTEN NOTICES TO CLERK OF COUNTY BOARD OF SUPERVISORS.

The Warren County Highway Superintendent or his designee shall transmit, in writing, to the Clerk of the Warren County Board of Supervisors within ten days after the receipt thereof of all written notices received by him pursuant to this Local Law enacted pursuant to N.Y. High. Law § 139.
(Local Law 4 of 1984, passed 9-14-1984)

§ 95.03 INDEXED RECORD TO BE KEPT BY CLERK OF COUNTY BOARD OF SUPERVISORS.

The Clerk of the Warren County Board of Supervisors shall keep an indexed record, in a separate book, of all written notices which he shall receive pursuant to this Local Law of the existence of a defective, unsafe, dangerous, improper placement or obstructed condition in or upon, or of an accumulation of ice or snow upon any County highway, bridge or culvert which record shall state the date of the receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The record of each

notice shall be preserved for a period of at least five years from the date it is received.

(Local Law 4 of 1984, passed 9-14-1984)

§ 95.04 TRANSMISSION OF WRITTEN NOTICES TO COUNTY HIGHWAY SUPERINTENDENT.

The Clerk of the Warren County Board of Supervisors, or his designee, shall transmit in writing to the Warren County Highway Superintendent within ten days after the receipt thereof a copy of all written notices received by him pursuant to this Local Law from all sources other than the Warren County Highway Superintendent.

(Local Law 4 of 1984, passed 9-14-1984)

§ 95.05 INDEXED RECORD TO BE KEPT BY COUNTY HIGHWAY SUPERINTENDENT.

The Warren County Highway Superintendent shall keep an indexed record, in a separate book, of a copy of all notices which he shall receive of the existence of such defective, unsafe, improper placement, dangerous or obstructed condition, or of such snow or ice, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The record of each notice shall be preserved for a period of five years after the date it is received.

(Local Law 4 of 1984, passed 9-14-1984)

§ 95.06 TO BE CONSIDERED ADDITIONAL REQUIREMENTS.

Nothing contained in this Local Law shall be held to repeal or modify or waive any existing requirement or statute of limitations which is applicable to such actions or special proceedings; but on the contrary, shall be held to be additional requirements to the right to maintain such action, nor shall anything herein contained be held to modify any existing law concerning the question of culpable conduct on the part of any claimant; nor shall anything herein contained be held to impose upon the County of

Warren or any of its improvement districts any greater duty or obligation with respect to its streets, highways, bridges, culverts, sidewalks, crosswalks or any other properties owned by the County of Warren than is otherwise imposed upon said County by the common or statutory law of the State of New York as the same shall be in effect at the time of the occurrence of any alleged damages.

(Local Law 4 of 1984, passed 9-14-1984)