

## **Chapter 99**

### **SNOWMOBILES**

**[HISTORY: Adopted by the Town Board of the Town of Canadice 3-13-1995 as L.L. No. 1-1995. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Vehicles and traffic — See Ch. 115.

#### **§ 99-1. Legislative intent.**

The purpose of this chapter is to protect the public health, welfare and safety by regulating the operation of snowmobiles on public highways and places in the Town of Canadice 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.

#### **§ 99-2. Definitions and word usage.**

- A. The terms, words and phrases used in this chapter shall have the same meaning as such terms, words and phrases are defined in § 21.05 of the Parks, Recreation and Historic Preservation Law.
- B. Whenever the word "town" is used herein, it shall mean the "Town of Canadice."

#### **§ 99-3. Operation on town streets and highways.**

The operation of snowmobiles on highways and public ways of the town and of the County of Ontario shall be subject to the applicable provisions of Articles 21 through 27 of the Parks, Recreation and Historic Preservation law, the rules and regulations of the Office of Parks, Recreation and Historic Preservation and the rules, restrictions and conditions set forth in § 99-4 of this chapter.

- A. Streets and highways. Only the following streets or highways or portions thereof of the town are hereby designated for the purpose of operation of snowmobiles on the shoulders and inside banks thereof as authorized by § 25.05 of the Parks, Recreation and Historic Preservation law:
  - (1) Canadice Hill Road from its intersection with County Road with County Road No. 37, southerly.
  - (2) Canadice Lake Road.
  - (3) The north side of Town Line Road.

B. Limited operation on highway.

- (1) Emergency. A snowmobile may be operated on a highway for the purpose of an emergency as authorized by § 25.05 of the Parks, Recreation and Historic Preservation Law.
- (2) Roadway. A snowmobile may be operated on the roadway of the following highways or portions thereof described herein, if it is determined that the outside bank or shoulder of such highways or portions are nonexistent, or by reason of normally prevailing snow conditions and conditions of terrain are impassable:
  - (a) (Reserved)

**§ 99-4. General operation.**

Snowmobiles may be operated on the extreme right-hand side of the highway right-of-way of all designated town highways in the Town of Canadice, Ontario County, New York. Such operation shall be subject to all pertinent laws and statutes now or hereafter in effect and shall be further subject to the provisions of this chapter, including the following limitations and provisions:

- A. Such operation shall be permitted daily between the hours of 8:00 a.m. and 11:00 p.m., except on Fridays and Saturdays when such operation may continue until 1:00 a.m. of the following day.
- B. The operation of snowmobiles shall not be permitted on private driveways, private roads or other private property without the express written permission of the owner thereof.
- C. All snowmobiles shall be operated on the extreme right-hand side of the highway right-of-way in the same direction as highway traffic in the nearest lane of the roadway.
- D. All snowmobiles shall display a lighted head lamp and lighted tail lamp and shall travel in single file and not operate in tandem or abreast of each other, except in overtaking another snowmobile.
- E. No person under sixteen (16) years of age, unless having completed and passed the New York State safety course and carrying the certificate issued by the state on their person, shall operate a snowmobile on town highways, unless accompanied by a parent or guardian.
- F. No person shall operate a snowmobile on the town highways while pulling a person on skis or drawing or towing a sleigh, sled or toboggan which carries or transports any person.
- G. No person shall operate a snowmobile on the town highways at a speed in excess of twenty-five (25) miles per hour.
- H. A person operating a snowmobile on town highways shall observe and obey all vehicular signs and signals and all rules, statutes and regulations applicable to vehicular traffic and shall obey the orders and directions of authorized law enforcement personnel.

- I. No person shall operate a snowmobile within the highway right-of-way, at any point within five hundred (500) feet of a school or church during the hours such school or church is in session and at any point within five hundred (500) feet of a hospital, sanitarium or rest home.
- J. No person shall operate a snowmobile on any school property in the town.
- K. No owner or operator of a snowmobile shall have or allow a snowmobile to be left unattended within the bounds of any town highway or public place without turning off the motor and locking the ignition and removing the key for starting.
- L. In addition to any other noise restrictions imposed by the town, all snowmobiles operating within the bounds of town highways shall be equipped with a muffler system which will limit the noise produced by the snowmobile to such a level that a person of reasonable sensibilities would not be disturbed by the noise, but in no event shall the noise level exceed eighty-two (82) decibels as measured on the A-weighted scale at fifty (50) feet.<sup>1</sup>
- M. Any person operating or riding as a passenger on snowmobiles being operated within the bounds of town highways shall at all times wear a safety helmet.

**§ 99-5. Penalties for offenses.**

A violation of any of the provisions of this chapter shall be punishable as provided in § 27.11 of the Parks, Recreation and Historic Preservation Law, as amended from time to time, and shall be deemed a violation and the violator shall be liable to a fine of not less than one hundred dollars (\$100.).

**§ 99-6. When effective.**

This chapter shall take effect immediately upon its filing in accordance with the provisions of § 27 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 the requirements of Article 25 of the Parks, Recreation and Historic Preservation Law and the rules and regulations of the New York State Office of Parks, Recreation and Historic Preservation.

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.