

CHAPTER 70: TRAFFIC RULES

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SPEED LIMITS

§ 70.01 VILLAGE MAXIMUM SPEED LIMIT.

The speed of 30 mph shall be the maximum limit on all streets.

(Prior Code, § 1-1-1) Penalty, see § 70.99

Cross-reference:

Speed limits on certain streets, see Ch. 72, Sch. III

§ 70.02 DAMAGE TO STREET SURFACE BY VEHICLE PROHIBITED.

(A) No vehicle or combination of vehicles or conveyances of any kind shall be operated or moved or caused or knowingly permitted to be operated or moved on any of the streets of the village if the operation or moving of same shall cause damage to the surface of the streets.

(Prior Code, § 1-10-1) Penalty, see § 70.99

(B) No vehicle or combination of vehicles of any name or nature quipped with chains, lugs or other projection from its rims or tires, except in emergency ice conditions, shall be operated or moved on any streets in the village if the operation thereof shall cause damage to the surface of the streets.

(Prior Code, § 1-10-2)

SNOWMOBILES

§ 70.15 INTENT AND DEFINITIONS.

(A) *Legislative intent.* The purpose of this subchapter is to designate certain village streets for use by snowmobiles in accordance with the authority granted to the village by N.Y. Parks and Recreation Law §§ 25.05 and 25.09.

(B) *Definition.*

(1) For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

(2) The terms, words and phrases used in this subchapter shall have the same meaning as those terms, words and phrases are defined in N.Y. Parks and Recreation Law § 21.05, and that section is incorporated herein by reference as presently composed or subsequently modified.

VILLAGE. The Village of Franklinville.

(Prior Code, §§ 21-1-1, 21-1-2)

§ 70.16 STREET AND HIGHWAY OPERATION.

Operations of snowmobiles within the village shall be subject to the rules and regulations of the office of parks and recreation N.Y. Parks and Recreation Law Art. 25, and as follows.

(A) *Streets and highways.* Only on the shoulders and inside banks of village highways or portions thereof are hereby designated for the purpose of operation of snowmobiles as authorized by N.Y. Parks and Recreation Law § 25.09: All village roads within the village, except North and South Main Street which is a state highway.

(B) *Limited operation on highway; emergency.* A snowmobile may be operated on a highway for the purpose of an emergency as authorized by N.Y. Parks and Recreation Law § 25.05(2)(a)(b).

(Prior Code, § 21-1-3)

ALL TERRAIN VEHICLES

§ 70.30 INTENT AND DEFINITIONS.

(A) *Legislative intent.* The Board of Trustees finds that the unrestricted use of ATVs result in severe economic damage including but not limited to habitat destruction and fragmentation, soil compaction and erosion which requires extensive and costly restoration, as well as the related noise pollution to surrounding neighborhoods through ATV operation and general nuisance to the public at large. Therefore, the Board finds additional restrictions are required to be placed on the use of ATVs in the village, which are not found in the pertinent State Vehicle and Traffic Law.

(B) *Definitions.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALL TERRAIN VEHICLE or ATV. Any self-propelled vehicle with two or more wheels which is manufactured for sale for operation primarily on off-highway/road trails or off-highway/road competitions and only incidentally operated on public highways provided that the vehicle does not exceed 70 inches in width, or 1,000 pounds of dry weight, including dirt bikes. **ATV** shall not include agricultural vehicles, nor any vehicles used for snowplowing (not for hire), lawn mowing, law enforcement, fire, emergency, military or a special event.

SPECIAL EVENT. Any organized rally, race, parade, exhibition or demonstration of limited duration, which is conducted according to a schedule and in which general public interest is manifested.

(Ord. 7-2006, passed 9-10-2006)

§ 70.31 OPERATION PROHIBITED.

The operation of an ATV as defined in §70.30(B) above is strictly prohibited within the jurisdictional boundaries of the village.

(Ord. 7-2006, passed 9-10-2006) Penalty, see § 70.99

§ 70.32 IMPOUNDMENT AND REDEMPTION.

(A) In addition to the penalties set forth in §70.99(E) below, a police officer or peace officer may immediately impound an ATV operated in violation of § 70.31 above.

(B) The impounded ATV shall be stored by the Police Department pending the identification of the owner and notice of the impoundment.

(C) The Police Department shall not be liable for any damages arising out of the provision of an erroneous name or address of the owner.

(D) The owner of ATV utilized in violation of this law may redeem the same upon satisfactory proof of ownership and payment of a \$100 redemption fee.

(Ord. 7-2006, passed 9-10-2006)

§ 70.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating any of the provisions of §70.01 shall, upon conviction, be punished by a fine not to exceed \$100 or by imprisonment not to exceed 30 days, or both the fine and imprisonment.

(Prior Code, § 1-1-2)

(C) Any person operating or causing or knowingly permitting those vehicles to be moved or operated (as seen in § 70.02) shall be liable to a penalty not to exceed \$50 and, in addition thereto any violation thereof shall constitute disorderly conduct

and any person violating the same shall be a disorderly person.

(Prior Code, § 1-10-3)

(D) Failure to comply with any of the provisions of §§70.15 or 70.16 shall be deemed a violation and the violator shall be liable to a fine of not less than \$10 nor more than \$100.

(Prior Code, § 21-1-4)

(E) Failure to comply with § 70.31 shall constitute a violation and shall be punishable by a fine of not less than \$100 nor more than \$250. Any person who violates § 70.31 after having been previously convicted of violating § 70.31 within the last five years shall be punishable by a fine of \$250. The parent or legal guardian of a person under the age of 16 accused of violating § 70.31 will be held responsible for the violation, and may be summoned to answer the violation in a court of competent jurisdiction. In no event shall it be a defense that the parent or legal guardian has exercised due diligent supervision over the activities of the person under the age of 16.

(Ord. 7-2006, passed 9-10-2006)