

Resolution 28-26
Prohibition of Snowmobiles and Motored-Vehicles on Village Sidewalks

Motion made by Board Member Kim Boomhower

At the special session of the Village Trustees of the Village of Earlville (Herein: "Village"), County of Madison, State of New York held at the office of said Village Trustees in the Village of Earlville, Counties and State aforesaid, on the 21st day of January 2009,

Present: **Toni Campbell – Mayor**
 Kim Boomhower – Trustee
 Mark Doeberl – Trustee
 Gerald Hayes – Trustee
 Christian Vischi – Clerk/Treasurer

WHEREAS a majority of said Board being present and said meeting having been duly called; and

WHEREAS the Village seeks to provide for the promotion and protection of the health, safety and welfare of the people of the Village of Earlville by regulating the operation of snowmobiles and motored-vehicles upon the sidewalks within the corporate limits of the Village of Earlville in a manner which will be compatible with the use of such sidewalks for pedestrian travel; and

WHEREAS New York State Office of Parks, Recreation and Historic Preservation Law prohibits snowmobile use on private property without the consent of the owner;

NOW THEREFORE, on motion duly made and carried:

BE IT RESOLVED, that it shall be unlawful for any person to use, operate or ride upon a snowmobile, four-wheeler, three-wheeler, motorcycle or any other device originally intended for travel on the public highways whether licensed or unlicensed upon any sidewalk of the village. Any person or persons who violates, is prosecuted and convicted of any of the provisions of this resolution, or pleads guilty to such violation, shall be subject to a first offense fine of fifty dollars (\$50.00). Each additional offense within 365 days shall be subject to an additional fine of not more than two-hundred and fifty dollars (\$250.00).

BE IT FURTHER RESOLVED, that the penalties of this resolution for snowmobile operators are waived during a qualified state of emergency declared by emergency personnel of Madison and/or Chenango County.

Seconded by Board Member Mark Doeberl

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

	<u>Voted</u>
Kim Boomhower, Trustee	Yes
Mark Doeberl, Trustee	Yes
Gerald Hayes, Trustee	Yes

Carried: 3 - 0

Adopted this the 21st day of January, 2009.

ATTEST:

*Christian L. Vischi
Clerk-Treasurer, Village of Earlville Board of Trustees*