

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 LAKE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of WATKINS GLEN, NEW YORK

Local Law No. 6, of the Year 2003

A Local Law establishing hours of operation, the issuance of permits for use, and prohibited acts for parks in the Village of Watkins Glen

Be it enacted by the Board of Trustees of the

Village of Watkins Glen as follows:

§1 Title. This Local Law shall be known and may be cited as the “Parks Law of the Village of Watkins Glen.”

§2 Application. This Local Law shall apply to all parks owned, operated, licensed, used or otherwise under the control or supervision of the Village of Watkins Glen at the time of enactment or in the future.

§3 Definitions. For the purposes of this Local Law, the terms used herein are defined as follows:

PARK — A park or any other area owned or used by the Village of Watkins Glen devoted to active or passive recreation.

PERMIT — Any written license issued by or under the authority of the Village of Watkins Glen permitting the performance of a specified act or acts or the conduct of a particular function, program or activity.

PERSON — Any natural person, corporation, company, association, joint-stock association, firm, copartnershp or other entity or form of association.

VEHICLE — Any vehicle propelled by power other than muscular power.

§4 Prohibited acts. The following acts are prohibited, and no person shall:

- A. Injure, deface, disturb or befoul any part of the park or any building, sign, equipment or other property therein nor remove, injure or destroy any tree, flower, shrub, rock or other mineral found therein.
- B. Interfere with any lamp, lamppost or electric light apparatus nor extinguish the light therein, except upon proper authority.
- C. Set fire or assist another to set fire to any timber, trees, shrubs, grass, leaves, growth or any other combustible material or suffer any fire upon other land to extend onto any part of the park.
- D. Throw, cast, lay, drop, discharge, deposit, bring into or leave in any part of the park any garbage, sewage, refuse, waste or other obnoxious material otherwise than in receptacles or pits provided for such purpose.
- E. Drive or propel, or cause to be driven or propelled, or park or store any motorcar, motorcycle, snowmobile, all-terrain vehicle, wagon or any vehicle other than a bicycle within the park.
- F. Gamble in the park or bring into the park or have in his possession while in there any implement or device commonly used or intended to be used for gambling purposes.
- G. Bring into or keep in the park any cat or other animal destructive of bird life or wildlife; bring into, have or keep in the park any dog or other pet or domesticated animal of a destructive nature unless the same is on leash or in a cage.
- H. Use loud, boisterous or indecent language or interfere with any officer of the park, village, town, county or state in the performance of his duty.
- I. Conduct himself in such a manner as to:
 - (1) Endanger the life, limb or property of the other visitors to the park.
 - (2) Be suggestive of immoral acts.
 - (3) Be offensive or injurious to the morals of any person frequenting the park.
- J. Introduce or carry any firecrackers or fireworks or throw, cast, kick or strike any baseball, golf ball, football, basketball or other object except in places designated therefor.
- K. Engage in, instigate, aid or encourage a contention or fight.

- L. Loiter or remain within the park or any part thereof after the posted closing hours at such park without general or special permission.

§5 Hours; permits.

- A. Hours. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year from 8:00 a.m. to 10:00 p.m. unless otherwise designated by the Village Board. Any person found in a park after 10:00 p.m. shall be in violation of this Local Law.
- B. Permits to use parks.
 - (1) Groups of ten (10) or more persons shall apply for a permit at least fourteen (14) days prior to the day requested.
 - (2) Applications shall be filed with the Village Clerk.
 - (3) The Village Board shall issue a permit if it finds that:
 - (a) The proposed activity or use will not unreasonably interfere with or detract from the general public enjoyment of the park.
 - (b) The proposed activity or use will not unreasonably interfere with the promotion of public health, welfare, safety and recreation.
 - (c) The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
 - (d) The proposed activity will not entail unusual, extraordinary or burdensome expense or police operation.
 - (e) The facilities desired have not been reserved for other use on the day and at the hour requested in the application.
 - (f) A refundable deposit is posted as security against damage to the park facilities. This deposit may be required at the discretion of the Village Board in an amount to be determined by the Village Board in view of the circumstances of the application.
 - (4) Liability insurance may be required for groups using the park facilities on a periodic scheduled basis.
 - (5) Within seven (7) days after receipt of an application, the Village Board shall apprise an applicant, in writing, of the reason for refusing a permit.

- (6) Effect of a permit.
 - (a) A permittee shall be bound by all park rules and regulations and all applicable laws fully as though the same were inserted in said permit.
 - (b) The permit shall cover use of the described site only and shall not include permission to use any other area.
- (7) The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of negligence of the person or persons to whom the permit has been issued.
- (8) The Village Board shall have the authority to revoke a permit upon finding a violation of any rule or law or upon good cause shown.

§6 Enforcement; ejection from park; seizure of property.

- A. Members of the Watkins Glen Police Department and of the Schuyler County Sheriff's Department and any other police agency shall, in connection with their duties imposed by law, diligently enforce the provisions of this Local Law.
- B. Ejection. Members of the Watkins Glen Police Department and of the Schuyler County Sheriff's Department and any other police agency shall have the authority to eject from the park any person acting in violation of this Local Law.
- C. Seizure of property. Any police officer shall have the power to seize and confiscate any property, thing or device in the park or used in violation of this Local Law.

§7 Penalties for offenses.

- A. Violation of any provision or regulation of this Local Law shall be punishable by a fine not to exceed two hundred fifty dollars (\$250.00) or by imprisonment for not more than fifteen (15) days, or both. Further, it is the recommendation of the Board that, where appropriate, the Court require those who commit acts of defacement or vandalism to restore the property so damaged.
- B. The Village Board also ordains that a violation of this Local Law shall constitute disorderly conduct, and the person or persons violating the same shall be a disorderly person or persons.
- C. In addition to all other remedies, the Village Board may also enforce obedience to this Local Law by injunction.

§8 Amendments. The Village Board may from time to time amend, supplement, change, modify and repeal this Local Law pursuant to the provisions of the Village Law and the General Municipal Law applicable thereto.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ 6. _____ of 2003.
of the ~~(County)(City)(Town)~~(Village) of Watkins Glen was duly passed by the
Village Board on 10/20 2003, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____
of the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 20____, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ and was deemed duly adopted on _____ 20____,
(Elective Chief Executive Officer)*
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____
of the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 20____, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 20____. Such local law was submitted
(Elective Chief Executive Officer)*
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of
the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in
accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____
of the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 20____, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 20____. Such local law was subject to
(Elective Chief Executive Officer)*
permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in
accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

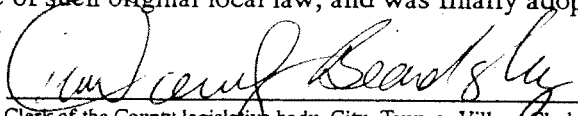
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

DONNA J. BEARDSLEY, Village Clerk

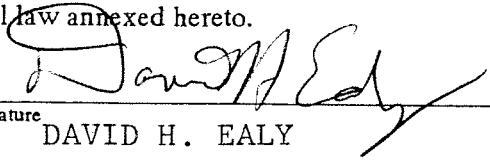
Date: October 24, 2003

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Schuyler

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature DAVID H. EALY
VILLAGE ATTORNEY

Title

~~County~~
~~Town~~ of Watkins Glen, New York
~~City~~
Village

Date: October 24, 2003