

# Local Law Filing

(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.

County  City  Town  Village  
(Select one.)

of NORTH DANSVILLE

Local Law No. 2 of the year 20 24

A local law REGULATING THE USE OF PARKS OF THE TOWN OF  
(Insert Title)  
NORTH DANSVILLE (THE "TOWN")

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of NORTH DANSVILLE as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

# **LOCAL LAW REGULATING THE USE OF PARKS OF THE TOWN OF NORTH DANSVILLE (THE "TOWN")**

## **Section 1. Purpose**

The purpose of this local Law is to regulate the use of the parks of the Town of North Dansville (the "Town").

## **Section 2. Definitions**

The following terms shall have the meanings indicated in this location:

**Parks** – The grounds, buildings therein, water therein and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated, and controlled by the Town for public park purposes.

**Persons** – Any individual, firm, partnership, corporation, or association of persons; the singular number shall include the plural.

**Town** – The Town of North Dansville.

## **Section 3. Prohibited Activities**

The following activities are prohibited in parks of the Town of North Dansville.

- a) Parking a motor vehicle in other than designated locations.
- b) Operating a motor vehicle in excess of five (5) miles per hour or in any manner contrary to posted regulations.
- c) Operating a motor vehicle on other than the designated roads.
- d) Operating or parking a snowmobile.
- e) Kite flying.
- f) Allowing dogs other than service dogs.
- g) Sports in locations other than those designated by the Town.
- h) Operating or parking a motorcycle, minibike, or other form of recreational motor vehicle except on designated roads.
- i) Parking any vehicles when the park is closed.
- j) Sale of alcoholic beverages as defined in the Alcohol Control Law,
- k) The use of or being under the influence of any alcoholic beverage or substance.
- l) The use of or being under the influence of any illegal drug or substance.

- m) Possession or use of firearms, bows and arrows or other dangerous weapons within the park. A dangerous weapon is defined as any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm, such as switchblade knives, knives, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, plastic knuckles, or metal knuckles.
- n) Disturbing the peace and good order in the parks by fighting or arguing in loud voices or threatening violence to any person or the property of others.
- o) Begging, hawking, peddling, or soliciting within the parks.
- p) Use of profane or abusive language while in the park.
- q) Injuring, defacing, destroying, disturbing, or removing any part of the park.
- r) Littering or leaving behind refuse and garbage except in receptacles provided for such purpose.
- s) Starting a fire in a park.
- t) Maintenance work on any motor vehicle, including but not limited to changing motor oil.

### **Section 3A. Reservations**

- a. Reservations are required for use of parks by groups of ten or more and for organized athletic events.
- b. No park or portion thereof will be reserved for any group whose size or activity in the opinion of the Town Supervisor will be detrimental to the park.
- c. Reservations for organized athletic events will be issued by and reservations for facilities by groups of ten or more will be issued by the Clerk of the Town.
- d. Reservations will be made only to Town residents or organizations.
- e. The use of town parks by groups of more than twenty-five is prohibited without first obtaining a permit for such use from the Town Clerk upon placing a cash deposit to guarantee that the area will be thoroughly cleaned up after such event and no damage will be caused thereto by the applicant. The amount of the deposit shall be as follows:

Group Size	Deposit
25 to 74	\$75.00
75 to 150	\$150.00
over 150	To be determined by the Town Board

Said deposit shall be refunded to the applicant after determination of damage and cleanup by the Superintendent of Public Works or their designee.

#### **Section 4. Hours of Closing**

No person shall be permitted to remain, stop, or park within the confines of any park between the hours of 9:00 PM and 7:00 AM prevailing local time except in emergencies or with a special permit from the Town. In case of an emergency or when in the judgment of the Town the public interest demands it, any portion of the park may be closed to the public or to a designated person until permission is given to reopen.

#### **Section 5. Penalties for Offenses: Enforcement**

- a. A violation of this local law shall constitute an offense punishable by a fine not to exceed two hundred and fifty dollars (\$250.00) for each and every such offense, and/ or up to 15 days in jail. Each day a violation occurs shall constitute a separate violation.
  
- b. Any state police officer or police officer of Livingston County or any of its municipal subdivisions may, without a warrant, arrest any offender whom (he/she) may detect in the violation of any of the provisions of the above sections, and take the persons so arrested forthwith before a magistrate having competent jurisdiction, and (he/she) shall have at all times a right to enter the premises of any building, structure or enclosure in any park for the purpose of arresting violators hereof, and may use all necessary means to attain that end.

#### **Section 6. Severability**

Should any sections, paragraphs, sentences, clauses, or phrases of this Local Law be declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remainder of said law shall not be affected thereby.

#### **Section 7. Repeal**

All ordinances, local rules, and regulations inconsistent herewith are hereby repealed.

#### **Section 8. Effective Date**

This local law shall take effect immediately.

(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. 2 of 2024 of the ~~(County)(City)(Town)(Village)~~ of NORTH DANSVILLE was duly passed by the TOWN BOARD on AUGUST 13 20 24, 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) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted  
*(Elective Chief Executive Officer\*)*  
on \_\_\_\_\_ 20\_\_\_\_, 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) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Elective Chief Executive Officer\*)*  
Such local law was submitted 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) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to 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 1 above.

LORI TYLER

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

Date: AUGUST 28, 2024

(Seal)