

# 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.

STATE DEPARTMENT OF STATE  
**FILED**  
SEP 18 2006  
MISCELLANEOUS  
& STATE RECORDS

- County
- City of PRATTSVILLE
- Town
- Village

Local Law No. 2 of the year 20 06

A local law REGULATING THE USE OF PARKS, BUILDING AND FACILITIES  
(insert title)

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

- County
- City of PRATTSVILLE as follows:
- Town
- Village

### Section 1. Purpose

The purpose of this Local Law is to regulate the use of the parks of the Town of Prattsville (hereinafter referred to as the "Town").

### Section 2. Definitions

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

**Town Property**—The grounds, buildings, facilities, parks 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 purposes.

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

**Town**—The Town of Prattsville

### Section 3. Prohibited Activities

The following activities are prohibited:

- 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.

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

- d. Operating or parking a snowmobile.
- e. Horseback riding on other than the designated roads.
- f. Allowing dogs to run unleashed.
- g. Sports in locations other than those designated by the Town.
- h. Entering or using the parks during other than the designated hours posted by the Town.
- i. Refusing to comply with the time-sharing plan posted by the Town for the use of any recreational facility.
- j. Operating or parking a motorcycle, minibike or other form of recreational motor vehicle except on designated roads.
- k. Overnight parking of motor vehicles
- l. Sale of alcoholic beverages as defined in the Alcoholic Beverage Control Law in or on any Town property.
- m. The use of any alcoholic beverage in or on any Town property.
- n. The use of or being under the influence of any illegal drug or substance in or on any Town property.
- o. Possession or use of firearms, bow and arrow or other dangerous weapons within the park, unless authorized by law or the Town Board of the Town of Prattsville.
- p. 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.
- q. Begging, hawking, peddling or soliciting within the parks except as authorized by the Town of the Prattsville.
- r. Use of profane or abusive language while in the parks.
- s. Injuring, defacing, destroying, disturbing or removing any part of the parks.
- t. Loitering in or near park rest room buildings.
- u. Littering or leaving behind refuse and garbage except in receptacles provided for such purpose.
- v. Starting a fire in a park except in park grills, fireplaces or designated areas.
- w. Failure to extinguish before leaving the park all fires started or used. The dumping of ashes or fire onto the ground is absolutely prohibited.
- x. Golf practice except in designated areas.
- y. Posting or placing of private signs without first obtaining approval by the Town Board.

### Section 3A. Reservations

- a. Use by the Town of Prattsville of Town property for any Town sponsored event or program, shall have priority over any public use of such Town property, thus reservations are required for use of Town property by groups of five or more and for organized athletic events. Requests for reservations must be received by the Town Clerk at least thirty days in advance of the date of proposed use.
- b. No Town property or portion thereof will be reserved for any group whose size or activity in the opinion of the Town Board of the Town will be detrimental to such property.
- c. Reservations for organized athletic events will be issued, if appropriate by the Town Clerk.

- d. Reservations will be made only to Town residents or organizations.
- e. The use of Town property by groups of more than 25 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 properly cleaned up after such event and no damage will be caused thereto by the applicant. The amount of deposit shall be as follows:

<u>Group Size</u>	<u>Deposit</u>
25 to 74	\$50
75 to 150	\$100
over 150	To be determined by the Town Board

Fifty (50) percent of said deposit shall be refunded to the applicant after determination of damage and cleanup by the Superintendent of Highways or his designee.

#### Section 4. Hours of Closing

- a. No person shall be permitted to remain, stop or park within the confines of any Town property between the hours of 9:00 p.m. and 7:00 a.m. prevailing local time except in emergencies or with special permit from the Town Board. In case of an emergency or when in the judgment of the Town Board the public interest demands it, any portion of Town property may be closed to the public or to designated persons until permission is given to reopen.
- b. Notwithstanding the hours of closing stated herein, the Town Board may establish closing hours for designated Town property or any portion(s) thereof.

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

- a. A violation of this local law shall constitute an offense punishable by a fine not to exceed fifty dollars (\$50) for each and every such offense.
- b. Any state police officer or police officer of Greene 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 or on any Town property, including such grounds, buildings, structures or enclosures in any Town property which may be leased or set aside for private or exclusive use of any individual or groups of individuals, for the purpose of arresting violators hereof, and may use all necessary means to attain that end.

#### Section 6. Severability

Should any section, paragraph, sentence, clause or phrase 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 20 06 of the (County)(City)(Town)(Village) of PRATTSVILLE was duly passed by the Town Board on ~~August 9<sup>th</sup>~~ August 9<sup>th</sup> 20 06, 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 2, above.

*Mildred Harbress*

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

Date: 8/9/06

(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 GREENE

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.

*W. H. Rapp*

Signature ATTORNEY FOR THE TOWN

Title

County  
City of PRATTSVILLE  
Town  
Village

Date: 8/9/06