

COUNTY OF WARREN

LOCAL LAW NO. 11 OF 2011

A LOCAL LAW AMENDING LOCAL LAW NO. 8 OF 1978 AND LOCAL LAW NO. 2 OF 1984 TO AUTHORIZE SNOWMOBILE USAGE ON THE WARREN COUNTY BIKEWAY IN A CERTAIN SECTION DESIGNATED WITHIN LOCAL LAW NO. 11 OF 2011

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Legislative Intent and Local Law Amended/Superseded. The purpose of this Local Law is to amend Local Law No. 8 of 1978 “A Local Law Providing for the Rules and Regulations for the Use of the Warren County Bikeway”, and to also amend Local Law No. 2 of 1984 “A Local Law Providing Rules and Regulations for the Use of Warren County Recreational Facilities”, as that law was previously amended by Local Law No. 3 of 1989 and by Local Law No. 2 of 1999, and specifically to amend Sections 6 and 7 of Local Law No. 8 of 1978 and Section 6 of Local Law No. 2 of 1984 to allow snowmobiles to operate in or on a section of the Warren County Bikeway specifically designated in Local Law No. 11 of 2011 beginning on the day following the close of the local Big Game muzzleloader season (as annually determined by NYSDEC), through the following March 31st.

SECTION 2. Subsection 3 of Section 6 of Local Law No. 8 of 1978 of the County of Warren is hereby amended to read as follows:

Section 6. Obedience to Traffic Control Devices.

(3). **Except as expressly provided for in subparagraph (a) of Subsection (3) of Section 6 herein,**

~~All~~ motor bikes, mini bikes, mopeds, motor vehicles, horses and animals are hereby prohibited from the use of any bicycle path, bike path or bikeway, as defined herein, except motor vehicles or motor bikes used by the police and any other authorized personnel in the town in which the bikeway is situated.

(a) Snowmobiles may be operated on the Warren County Bikeway from a point beginning at approximately 920' south of the centerline of County Route 59 (Bloody Pond Road), and extending the boundary of the Lands of the State of New York north of the bridge over State Route 9L (exclusive of segments within Town Highway ROW), from the day following the close of the local Big Game muzzleloader season (as annually determined by NYSDEC), through the following March 31st, and only between the hours of 8:00 a.m. to 10:00 p.m., unless otherwise restricted by applicable law or regulation. Notwithstanding the foregoing, the Superintendent or his designee may restrict snowmobile access and usage on the above described section of the Warren County Bikeway if weather conditions are not conducive to snowmobile use or, for other reasons as determined by the Superintendent or his designee.

SECTION 3. Section 7 of Local Law No. 8 of 1978 of the County of Warren is hereby amended to read as follows:

Section 7. Operating Hours. **Other than for the limited exception for snowmobile usage as provided for in Section 6(3)(a) herein,** ~~The~~ Warren County Bikeway shall be open for use commencing one hour before sunrise and closing one hour after sunset, **or** except as shall otherwise be determined by resolution duly adopted by the Warren County Board of Supervisors.

SECTION 4. Except as amended herein, all of the terms and conditions of Local Law No. 8 of 1978, shall remain in full force and effect.

SECTION 5. Section 6 of Local Law No. 2 of 1984 of the County of Warren is hereby amended to read

as follows:

Section 6. ~~Motor vehicles, e~~Except ***as provided for in subsection (a) herein, or*** as ***otherwise*** provided by resolution of the Warren County Board of Supervisors, ***motor vehicles*** are prohibited from operating in or on the areas of the facilities except as ***may be*** permitted on roads and parking areas designated and marked for motor vehicle use by the Superintendent.

(a) Snowmobiles may be operated on the Warren County Bikeway from a point beginning at approximately 920' south of the centerline of County Route 59 (Bloody Pond Road), and extending the boundary of the Lands of the State of New York north of the bridge over State Route 9L (exclusive of segments within Town Highway ROW), from the day following the close of the local Big Game muzzleloader season (as annually determined by NYSDEC), through the following March 31st, and only between the hours of 8:00 a.m. to 10:00 p.m., unless otherwise restricted by applicable law or regulation. Notwithstanding the foregoing, the Superintendent or his designee may restrict snowmobile access and usage on the above described section of the Warren County Bikeway if weather conditions are not conducive to snowmobile use or, for other reasons as determined by the Superintendent or his designee.

SECTION 6. Except as amended herein and as previously amended by Local Law No. 3 of 1989 and Local Law No. 2 of 1999, all of the terms and conditions of Local Law No. 2 of 1984, shall remain in full force and effect.

SECTION 7. Severability. If any section, subdivision, paragraph, subparagraph, clause, or item of this title is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 8. Effective Date. This local law shall take effect immediately upon filing with the Office of the New York State Secretary of State.