

Local Law Filing

41 STATE 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 Minoa

Local Law No. Four (4) of the year 2010.

A local law adding a new Chapter 108, entitled “Park & Recreational Area Rules and Regulations, Village of Minoa” to the Code of the Village of Minoa, setting forth the Village of Minoa’s rules and regulations relative to its public park and recreational area for the purpose of providing comfortable, convenient, clean, attractive and safe places for the motoring public.

Be it enacted by the Village Board of the Village of Minoa as follows:

Section One. Chapter 108, entitled “Park and Recreational Area Rules and Regulations, Village of Minoa” is hereby added, reading in its entirety as follows:

CHAPTER 108

Park and Recreational Area Rules and Regulations, Village of Minoa

§108-1. Title.

This Chapter 108 shall be known as “Park and Recreation Area Rules and Regulations, Village of Minoa.”

§108-2. Legislative Intent and Purpose.

These rules and regulations set forth the Village’s policies regarding its public park and recreational area for the purpose of providing comfortable, convenient, clean, attractive and safe places for the motoring public.

§108-3. Establishment, Effect of.

- A. The establishment of these rules and regulations, applicable parts thereof, and enforcement thereof shall only apply and be enforceable to the extent that signage specifically advising of the provisions of this Chapter 108 (and excluding any exempted provisions duly approved by the Village Board, as provided at §108-4) is prominently posted at the main entranceway to a park or recreation area subject hereof.
- B. As provided at §108-4, one time/event exemptions may be issued by, or in connection with, an Event Permit duly issued by resolution of the Village Board and which permit shall be possessed at all times by the Permittee and posted in the park or recreation area at the time of the event.

- C. The establishment of these Rules and Regulations and/or applicability to a certain area or areas, whether or not designated as a “park” or similar area, shall not in and of itself, be evidence of the alienation of same by the Village of Minoa as parklands or for park purposes.

§108-4. Rules and Regulations.

Except as may be otherwise specifically permitted by duly issued Event Permit from the Village Board of Trustees or by duly adopted resolution excluding or exempting (a) certain park or recreation area(s) from (a) specific rule(s) or regulation(s) hereunder (and which exclusion(s) or exemptions(s) is/are duly noted (affirmatively or by omission) on the appropriate signage), the following specified activities or actions are prohibited or regulated as described in all Village of Minoa park and recreation areas:

- A. Driving or parking of any motorcycle or passenger vehicle in areas other than those specifically provided.
- B. Driving, parking, operating of any passenger bus or motorized cycle, mini-bike, scooter, moped, go-cart, all terrain or similar vehicle.
- C. Parking or standing of any vehicle in excess of a posted time limit or in any event from dusk to sun-up the following day.
- D. Defacing or damaging of buildings or other facilities, including writing, cutting, painting, breaking, or any other destructive act.
- E. Igniting or maintaining fires for heating or cooking equipment, except in areas or facilities designated for that purpose.
- F. Depositing or disposing of refuse or waste of any kind, except picnic waste which shall be deposited only in areas and containers provided for such purposes and denoted as such by the Village. If no such refuse containers are provided, or if those provided are filled, all such waste or refuse shall be disposed of off site. In addition, and notwithstanding the availability of containers, all refuse and waste resulting from special events authorized by Event Permit shall be removed entirely from, and disposed off site.
- G. Consumption of alcoholic beverages of any kind.
- H. Discharging or shooting firearms, bow and arrows, or any hunting or fishing.
- I. Maintenance or repairing of vehicles (including without limitation, oil change, filter replacement, draining of coolant and other fluids, motor disassembly or assembly and the like).
- J. Release of any animals. Canines shall be permitted only on leashes of lengths intended to enable close control at all times. Regardless of same, no canine shall be maintained that incessantly barks, growls or appears in any similar way menacing or threatening to humans or other animals. All pet waste shall be promptly removed, contained in an air and water tight bag or other container and disposed of as provided under §108-4F (above).
- K. Picking, breaking, damaging or abusing of any plants or vegetation or parts thereof, including any wetland or other legally or environmentally protected vegetation.
- L. Use of area or facilities for ice skating, swimming, bathing, boating, or for washing of garments or clothing of any kind.

- M. Sale of any product or service, or conduct of any other commercial enterprise.
- N. Driving of any motor vehicle in excess of five (5) miles per hour.
- O. Use of such area or facilities when posted as closed for season or otherwise.
- P. Engaging in any loud, boisterous or abusive conduct or engaging in or soliciting lewd or lascivious conduct, including but not limited to sexual, sexually provocative, indecent exposure or similar.
- Q. The foregoing rules and regulations shall be in addition to any other provision of the Village Code, Town of Manlius, Onondaga County or New York State laws which prohibit or restrict such or similar conduct and which impose penalties for the violation or other commission of same.

§108-5. Penalties.

Any person violating any of these specified rules and regulations shall in addition to any other violation and penalty under Village Code, Town of Manlius, Onondaga County or New York State law, pertaining to such conduct, be guilty of a misdemeanor and subject to a penalty of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) and costs, together with any amount necessary to reimburse the Village of Minoa for expense of repairing any damage.

§108-6. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid provision, the court shall attempt to modify same to a provision which is not invalid or unconstitutional and which best achieves the intent of the invalid provision.

Section Two (2). Effective Date.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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. 4 of 2010 of the ~~(County)~~(City)(Village)(Village) of Minoa was duly passed by the Village Board of the Village of Minoa on November 1, 2010, in accordance with the applicable provisions of law.

~~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 19__ of the (County)(City)(Village)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed

_____ (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____, 199_ (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 199_ of the (County)(City)(Village)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was _____ (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 _____ 19__, 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 19__ of the (County)(City)(Village)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not approved)(repassed after _____ (Name of Legislative Body)

disapproval) by the _____ on _____ 19__. Such local law was subject to _____ (Elective Chief Executive Officer*)

permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__, in accordance with the applicable provisions of law.

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 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 _____ 19__, became operative.

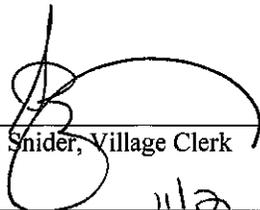
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No _____ of 19__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19__, 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 Villages 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 one (1) above.

(Seal)



Suzanne Snider, Village Clerk

Date: 11/2, 2010

(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 ONONDAGA

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
Steven J. Primo

Attorney for the Village
Title
County
City of Minoa
Village ~~Town~~

Date: 11/1, 2010

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide 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 Village where such officer is vested with the power to approve or veto local laws or ordinances.