

Local Law Filing

New York State Department of State
162 Washington Avenue, Albany, New York 12231

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.

Town of RUSSELL

Local Law No. 2 of the year 2018

A local law Permitting and Regulating All-Terrain Vehicle Operation on Certain Town Roads

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Russell as follows:

Section 1. This local law shall be known as the "Town Road ATV Use Law"

Section 2. Purpose and Findings

The purpose of this local law is to open for travel by all-terrain vehicles certain portions of the Town Road and Highway System pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York. This Board hereby finds that the opening of certain Town roads to ATV use is necessary in order for ATVs to access trails adjacent thereto. This Board further finds that promoting opportunities for recreational use of all-terrain vehicles will stimulate the local economy and offer enjoyment to the citizens of the Town and those tourists traveling in the area.

Section 3. Definitions

ATV: An all-terrain vehicle, as defined in Section 2228(1) of the New York State Vehicle and Traffic Law.

Town: The Town of Russell, County of St. Lawrence, New York

Town Bridge/Culvert: A Town-owned bridge or culvert on a Town road designated for ATV operation.

Designated Road: A Town road, or portion thereof, designated for use by ATVs by this local law.

Owner: "Owner" as defined by Section 2401(3) of the Vehicle and Traffic Law.

Operator: "Operator" as defined by Section 2401(4) of the Vehicle and Traffic Law.

St. Lawrence County Multi-Use Trail System: A system of trails suitable for use by ATVs operated by St. Lawrence County that includes developed trails on certain municipal, state, and privately owned lands and designated connecting highways.

Vehicle and Traffic Law: The Vehicle and Traffic Law of the State of New York.

Section 4. Designated Roads

The following Town roads, or the indicated portions thereof, are hereby designated as open to travel by ATVs:

Road	Length	Description
Dutton Road	2.07 Miles	County Route 27 to County Route 25
West Road	3.33 Miles	County Route 25 to Pyrites-Russell Road
Russell-Pyrites Road	2.00 Miles	West Road to County Route 24
Pestle Street Road	3.49 Miles	Lazy River Road to County Route 24
Lazy River Road	2.56 Miles	Pestle Street Road to Hermon Town Line

Section 5. Rules, Conditions, and Restrictions

The following rules, conditions and restrictions shall be applicable to all Town roads opened to ATV use pursuant to this local law.

- a) The utilization of Town roads by ATVs shall be only and solely for the purpose of traveling directly from one ATV trail or area to another.
- b) No person shall operate an ATV on a designated road between the hours of 12:00 a.m. and 6:00 a.m.
- c) No person shall operate an ATV on a designated road while within the corporate limits of the Village at a speed exceeding 20 miles per hour.
- d) No person shall operate an ATV on any part or portion of a designated road other than on the traveled roadway, unless the person is bringing the ATV to a stop or has stopped the ATV.
- e) No person shall operate an ATV more than one abreast in a single lane on a designated road.
- f) No person shall operate an ATV in excess of the posted speed limit.

CASE & LEADER LLP

ATTORNEYS AT LAW
107 EAST MAIN STREET
POST OFFICE BOX 13
GOUVERNEUR, NEW YORK 13642-0013

COPY

EDWARD H. CASE (1908-1988)
ROBERT J. LEADER
HENRY J. LEADER^o

^oALSO ADMITTED IN VERMONT

TELEPHONE
(315) 287-2000
FAX (315) 287-2002
(NOT FOR PROCESS)

June 8, 2018

State of New York
Department of State
Attn: Linda Lasch, Principal Clerk
State Records & Law Bureau
41 State Street
Albany, New York 12231-0001

Re: Town of Russell Local Law No. 2 of 2018

Dear Ms. Lasch:

We enclose herewith an original of the above-captioned Local Law for filing. This is sent to you pursuant to Section 27 of the Municipal Home Rule Law.

Would you please acknowledge receipt of same.

Thank you.

Very truly yours,

CASE & LEADER, LLP

Henry J. Leader, Esq.

HJL:jlm
Enclosure

cc ✓ Hon. Tess Eells, Town Clerk

TESS ELLS
TOWN OF RUSSELL
PO BOX 628
RUSSELL NY 13684-0628

REFERENCE: 100748
20408735 THE TOWN of Russell

Laura Parmeter, being duly sworn says that she is a principal clerk of Northern New York Newspapers Corporation, a corporation duly organized and existing under the laws of the State of New York, and having its principal place of business in the Village of Canton, New York, and that said corporation is the publisher of the ST. LAWRENCE PLAINDEALER, a newspaper published in the Village of Canton, St Lawrence County, and State of New York, and that a LEGAL NOTICE, of which the annexed is a printed copy, has been published in said newspaper on the dates listed below:

Laura Parmeter
Laura Parmeter, Principal Clerk

PUBLISHED ON: 05/29

TOTAL COST: 16.90 AD SPACE: 15 LINE
FILED ON: 05/29/18

Sworn to before me this
1ST day of June, 2018
Eileen M Kast
Notary Public

EILEEN M KAST
Notary Public, State of New York
Registration No. 01KA6265648
Qualified in St. Lawrence County
Commission Expires July 16, 2020

Johnson Newspaper Corporation

Client:	100748	TOWN OF RUSSELL	Phone:	(315) 347-2358
Class.:	PO BOX 628			RUSSELL, NY 13684-0628
Ad #	20408735	Requested By: TESS	Fax:	
Sales Rep.:	W312	Scott Parks	Phone:	(315) 782-1000
		sparks@wdt.net	Fax:	(315) 661-2521
Class.:	0110	Public Notices		
Start Date:	05/24/2018	End Date:	05/29/2018	Nb. of Inserts: 2
PO #:		Entered By:	SPARKS	
Publications:	St Lawrence Plaindealer, Watertown Daily Times			
Paid Amount:	\$0.00	Balance:	\$34.40	
Total Price:	<input type="text" value="\$34.40"/>			Page 1 of 1

THE TOWN of Russell Town Board will be holding a Public Hearing on June 5th 2018 at 6:00 PM at the Russell Town Hall for Local Law #2 of 2018 PERMITTING AND REGULATING ALL-TERRAIN VEHICLE OPERATION ON CERTAIN TOWN ROADS. The Local Law shall be known as the "Town Road ATV Use Law". All interested parties are encouraged to attend to hear for/or against this Local law.

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HENRY J. LEADER ◊
◊ALSO ADMITTED IN VERMONT

March 8, 2018

TELEPHONE
(315) 287-2000
FAX (315) 287-2002
(NOT FOR PROCESS)

Hon. Timothy White, Supervisor
Town of Russell
PO Box 628
Russell, New York 13684

Re: Local Law Number 2 of 2018 – Town Road ATV Use Law

Dear Supervisor White:

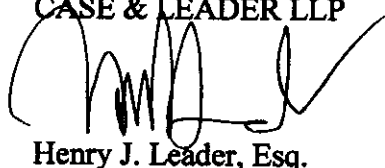
Pursuant to the Town's request, enclosed please find proposed Local Law Number 2 for the year 2018 providing for the operation of all-terrain vehicles on certain Town roads.

If this law meets with the Board's approval, we ask that the Town Clerk sign and return three originals to our office for filing with the Secretary of State.

Thank you.

Very truly yours,

CASE & LEADER LLP



Henry J. Leader, Esq.

HJL:jlm
Enc.

cc: Hon. Tess Eells, Clerk {w/ encs.}

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

June 25, 2018

Henry J Leader
Case & Leader LLP
107 East Main Street
Post Office Box 13
Gouverneur NY 13642-0013

RE: Town of Russell, Local Law 2 2018, filed on June 18, 2018

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



**Department
of State**

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(NOT FOR PROCESS)

July 2, 2018

Hon. Tess Eells, Clerk
Town of Russell
PO Box 628
Russell, New York 13684

Re: Local Law Number 2 of 2018

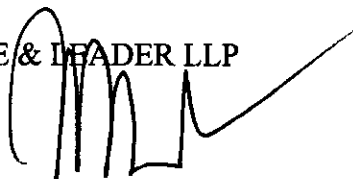
Dear Tess:

We enclose herewith the filing receipt confirming that Local Law 2 of 2018 was filed with the New York Department of State on June 18, 2018.

Thank you.

Very truly yours,

CASE & LEADER LLP



Henry J. Leader, Esq.

HJL:jlm
Enc.