

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

*Copy of*  
**ORIGINAL**

(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

of.....Cambridge.....

Local Law No. ....1..... of the year 20.01.

A local law...entitled "Play Vehicle Law of the Village of Cambridge"  
(Insert Title)

.....  
.....  
.....

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

~~County~~

~~City~~

~~Town~~

Village

of.....Cambridge..... as follows:

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

**VILLAGE OF CAMBRIDGE**

**LOCAL LAW #1 OF 2001**

**A LOCAL LAW ENTITLED: "PLAY VEHICLE LAW OF THE VILLAGE OF CAMBRIDGE"**

BE IT ENACTED by the Board of Trustees of the Village of Cambridge as follows:

SECTION ONE

AUTHORITY

Section 1.1. This Local Law is enacted pursuant to the authority of Municipal Home Rule §10(1)(i), which authorizes a Village to adopt a local law not inconsistent with the provisions of the Constitution or not inconsistent with any general law relating to its property, affairs or government.

SECTION TWO

LEGISLATIVE FINDINGS

Section 2.1. The Board of Trustees of the Village of Cambridge finds that the use of Skateboards, In-Line Skates, Roller Skates and other similar Play Vehicles within the Downtown Business District of the Village of Cambridge has caused a nuisance condition and endangers Village residents accessing the shops and businesses within the Downtown Business District, and the property of the owners of those shops and businesses. The Board of Trustees further finds that the continued, ongoing use of these Play Vehicles presents a significant health and safety risk to those using the Play Vehicles, as well as to pedestrians and motorists. Additionally, the Board of Trustees finds that the careless use of these Play Vehicles within the Village at large

should be unlawful and that the public health, safety and welfare would be promoted by the adoption of certain rules and regulations governing the safe use of Play Vehicles within the Village.

### SECTION THREE

#### PURPOSE

Section 3.1. The purpose of this Local Law is to protect the public health, safety and welfare by imposing reasonable rules and regulations upon the use of Play Vehicles within the Village of Cambridge.

### SECTION FOUR

#### TITLE

Section 4.1. The title of this Local Law shall be “Play Vehicle Law of the Village of Cambridge”, and may be cited as Village of Cambridge Local Law No. 1 of 2001 (“VOC LL 2001-1”).

### SECTION FIVE

#### DEFINITIONS

Section 5.1. As used in this Local Law, the following words shall, unless the context clearly indicates otherwise, have the following meanings:

A. “Downtown Business District” means the following public streets:

(i) West Main Street, from its intersection with Railroad Avenue to its intersection

with Gilmore Avenue;

(ii) East Main Street, from its intersection with Railroad Avenue to its intersection with the easterly boundary line of the property located at, and commonly known as 54 East Main Street (now occupied by the business known as “Foggy Notions”);

(iii) South Park Street, from its intersection with Gilbert Street to its intersection with East Main Street;

(iv) North Park Street, from its intersection with East Main Street to its intersection with Park Place;

B. “In-Line Skates” means shoes, skates or footwear with a single row of roller wheels.

C. “Minor” means a person under the age of sixteen (16) years.

D. “Play Vehicle” means any device, not powered by a motor, used for propelling, transporting or carrying one or more persons, and of a type commonly used for recreation or entertainment purposes. By way of illustration, but not of limitation, the term “Play Vehicle” includes Skateboards, In-Line Skates, Roller Skates, Roller Blades, scooters, coasters, wagons, soap box carts, sleds, toboggans, inner tubes and other similar manually propelled devices. The term “Play Vehicle” does not, however, include a bicycle or tricycle, as defined in the New York Vehicle and Traffic Law.

E. “Public Street” means the entire width between the boundary lines of every way within the corporate limits of the Village of Cambridge publicly maintained by the Village of Cambridge for pedestrian and/or motor vehicle use, and includes the entire paved and improved surfaces thereof (from curb to curb, where curbs exist), including gutter areas, and sidewalks.

F. “Roller Blades” means shoes, skates or footwear with a single row of roller wheels.

G. "Roller Skates" means shoes, skates or footwear with two or more rows of roller wheels.

H. "Skateboard" means a flat or curved board of wood, plastic, fiberglass or similar material, with roller skates or other types of wheels or casters attached to each end, manually propelled, and used for gliding or moving on any hard surfaces, without a mechanism or other device for steering while being used, operated or ridden.

I. "Village" means the Village of Cambridge.

## SECTION SIX

### PROHIBITED ACTS

Section 6.1. No person shall ride, propel, use or operate a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle upon any ramp, stairway, railing, step, curb, bench or other structure or appurtenance in the Downtown Business District.

Section 6.2. No person shall ride, propel, use or operate a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle upon any ramp, stairway, railing, step, curb, bench or other structure or appurtenance upon any Public Street in the Village where signs posted by the Village of Cambridge prohibit the activity.

Section 6.3. No person shall ride, propel, use or operate a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle upon any public or private property that has been posted or designated by the owner of such property as an area in which the operation of such Play Vehicles is prohibited.

Section 6.4. No person shall ride, propel, use or operate a Skateboard, In-Line Skates,

Roller Skates, Roller Blades or other Play Vehicle upon any Public Street:

- (a) in a careless manner without due caution and circumspection;
- (b) while endangering, or in any manner to create a risk or danger to, any person or property;
- (c) in any manner to impede or interfere with pedestrian or vehicular traffic;
- (d) while being pushed or pulled by any motorized vehicle.

Section 6.5. No parent, guardian or legal custodian of any Minor or ward shall authorize or knowingly permit such Minor or ward to violate any of the provisions of this Local law.

## SECTION SEVEN

### GENERAL OPERATING RESTRICTIONS

Section 7.1. Every person riding, propelling, using or operating a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle within the Village of Cambridge shall operate the same in strict observance of the provisions of Article 34 of the New York State Vehicle and Traffic Law relating to the operation of bicycles and Play Vehicles, except those of such provisions of Article 34 which by their nature can have no application.

Section 7.2. The operator of a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle emerging from an alley, driveway, or building shall, upon approaching a sidewalk, yield the right-of-way to all pedestrians on or approaching said walk.

Section 7.3. Whenever any person shall ride, propel, use or operate a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and

passing such pedestrian.

Section 7.4. No person shall ride, propel, use or operate a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle after dark, unless he or she is wearing reflective clothing which is visible from a distance of not less than fifty (50) feet and a maximum of three hundred (300) feet from the front, side and rear when directly in front of the lawful beams of headlights on a motor vehicle. Reflective clothing shall be defined, for purposes of this Local Law, as any shirt, vest or jacket or any other readily visible piece of apparel equipped with a reflective surface.

Section 7.5. Every person riding, propelling, using or operating a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle upon the paved surface of any Public Street shall do so as near to the right hand curb or edge of the street, or if available, on the useable right hand shoulder of the street, in such manner as to prevent undue interference with the flow of vehicular traffic, except when reasonably necessary to avoid parked vehicles, pedestrians, or other obstructions or conditions which would make it unsafe to continue along near the right hand shoulder, curb or edge of the street.

Section 7.6. Every person riding, propelling, using or operating a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle in the Village of Cambridge who desires to cross a Public Street, or to turn from one Public Street onto another Public Street, shall only do so in the manner authorized by the New York State Vehicle and Traffic Law for pedestrian traffic.

Section 7.7. Every person riding, propelling, using or operating a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle on a Public Street shall do so in a

single file, and not abreast of another person operating a Skateboard, In-Line Skates, Roller Skates, Roller Blades or other Play Vehicle.

Section 7.8. Every person under the age of eighteen (18) years riding, propelling, using or operating a Skateboard, In-Lines Skates, Roller Skates, Roller Blades or other Play Vehicle on a Public Street shall at all times wear a protective helmet on his or her head in an appropriate and safely secured manner. The helmet shall meet minimum standards of testing and safety inspection as approved by the bicycle industry, and shall comply with applicable provisions of the New York State Vehicle and Traffic Law relating to bicycle helmets, and Part 50 of the regulations of the New York State Department of Motor Vehicles relating to protective helmets for In-Line Skates and Bicyclists.

## SECTION EIGHT

### VIOLATIONS

Section 8.1. It is a violation of this Local Law for any person to do any act prohibited by this Local Law, or to fail to perform any act required by this Local Law.

Section 8.2. It is a violation of this Local law for any parent, guardian or legal custodian of any Minor or ward to authorize or knowingly permit such child or ward to violate any of the provisions of this Local Law. If a parent, guardian or legal custodian has been notified that his/her child or ward has violated any provision of this Local Law, it shall be presumed that any subsequent violations of this Local Law by such child or ward were committed with the authorization or knowing permission of that parent or custodian.



## SECTION NINE

### PENALTIES

Section 9.1. Any person violating any of the provisions of this Local Law shall be deemed guilty of an offense and, upon conviction thereof, shall be fined in an amount not less than \$25.00 nor more than \$250.00, or imprisoned for a period not to exceed fifteen (15) days, or both so fined and imprisoned.

## SECTION TEN

### THIRD PARTY LIABILITY

Section 10.1. It is expressly the purpose of this Local Law to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be protected or benefitted by the terms of this Local Law.

Section 10.2. It is the specific intent of this Local Law that no provision, nor any term, used in this Local Law is intended to impose any duty whatsoever upon the Village of Cambridge, or any of its officers or employees, -- other than the duty to provide consent forms pursuant to Section 6.5 -- for whom the implementation and enforcement of this Local Law shall be discretionary and not mandatory.

Section 10.3. Nothing contained in this Local Law is intended, nor shall it be deemed or construed to create or form the basis of, any liability on the part of the Village of Cambridge, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the Village of Cambridge related in any manner to the enforcement of this Local

Law by its officers, employees or agents.

## SECTION ELEVEN

### SEVERABILITY

Section 11.1. Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

## SECTION TWELVE

### REPEALER

Section 12.1. This Local Law shall supercede all prior local laws, ordinances, rules and regulations relative to the use or operation of Play Vehicles within the Village of Cambridge and they shall be, upon the effectiveness of this Local Law, null and void, to the extent that they are in conflict with any provision hereof.

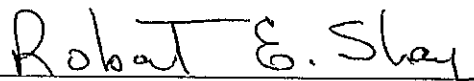
## SECTION THIRTEEN


### EFFECTIVE DATE

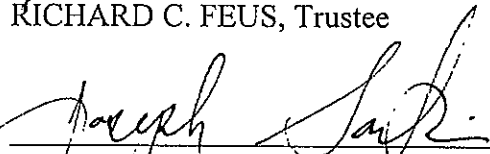
Section 13.1. This Local Law shall take effect immediately upon adoption and filing with the Secretary of State, as provided in Section 27(3) of the Municipal Home Rule Law of the State of New York.

BE IT ENACTED, this 3rd day of January, 2001 by the Board of Trustees of the Village


of Cambridge, of Washington County, New York.

  
ROBERT E. SHAY, Mayor

  
RICHARD C. FEUS, Trustee

  
JOSEPH F. SARTORIS, Trustee

  
DANIEL J. WALSH, Trustee

  
RONALD J. SELPÉAU, Trustee

ATTEST:

  
LINDA M. RECORD, Village Clerk

(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. .....1..... of 2001... of the (County)(City)(Town)(Village) of Cambridge was duly passed by the Board of Trustees on January 3, 2001, 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 (Name of Legislative Body) on ..... 20... , and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) and was deemed duly adopted 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 (Name of Legislative Body) on ..... 20... , and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) on ..... 20.... . 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 (Name of Legislative Body) on ..... 20... , and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) 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 \_\_\_\_\_, above.

*Linda M. Record*

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

Linda M. Record, Village Clerk

Date: January 3, 2001

(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 Washington

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

*Michael J. Catalfimo*

Michael J. Catalfimo, Village Attorney

Title

~~County~~

City of Cambridge

~~Town~~

Village

Date: January 3, 2001

