

**TOWN OF SODUS**

**Proposed Local Law No. 2 of 2021**

**A Local Law to Amend the  
Code of the Town of Sodus to Add and Amend  
Chapter 91: Parks**

Be it enacted by the Town Board of the Town of Sodus as follows:

I. The Code of the Town of Sodus Chapter 61 of the 1994 Code, as amended, is further amended as follows:

1. The order and titles of the existing sections of Chapter 91 of the Code of the Town of Sodus are to be amended and read as follows:

~~§ 91-1. Hours Open; Parking Restrictions. Purpose.~~

~~§ 91-2. Prohibited Structures: Definitions.~~

~~§ 91-3. Animals Prohibited: Hours Open; Parking Restrictions; Special Permits.~~

~~§ 91-4. Rubbish Prohibited: Prohibitions.~~

~~§ 91-5. Penalties for Offenses Administration.~~

2. The following sections are to be added to the list of sections of Chapter 91 of the Code of the Town of Sodus and are to be read as follows:

§ 91-6. Enforcement; Ejection from park lands.

§ 91-7. Penalties

3. The sections of Chapter 91 of the Code of the Town of Sodus, the titles and order of which were amended by I-1 of this Proposed Local Law are to read as follows:

a. Section 91-1 of Chapter 91 of the Code of the Town of Sodus is amended to read as follows:

**§91-1. Purpose.**

The Purpose of this chapter shall be to preserve the public peace and good order on lands operated as public parks by the Town of Sodus and to contribute to the safety and enjoyment of the users of such parkland by regulating the house of use, the use of motorized vehicles and by prohibiting certain activities inimical to customary park recreation use. The rules and regulations set forth herein shall apply to and be in effect in all parks under the control, supervision, and jurisdiction of the Town of Sodus.

b. Section 91-2 of Chapter 91 of the Code of the Town of Sodus is amended to read as follows:

**§ 91-2. Definitions.**

For the purpose of this chapter, terms used herein are defined as follows:

**MOTOR VEHICLE** – Every device in, upon or by which a person or property is or may be transported. Automobiles, minibikes, motorcycles, snowmobiles, Go-carts, all-terrain vehicles (ATV's) and dirt bikes are specifically included in the definition of "vehicle".

**PARKS** - The grounds, buildings thereon, waters therein and any other property necessary for the operation thereof and constituting a part thereof, which is now or hereafter will be maintained, operated, controlled and/or leased by the Town of Sodus for public park purposes.

- c. Section 91-3 of Chapter 91 of the Code of the Town of Sodus encompasses the provisions of the previous § 91-1 and is amended to read as follows:

**§ 91-3. Hours open; parking restrictions; Special permits.**

- A. Harriman Park shall be open to the public between the hours of 6:00 a.m. and 8:30 p.m. and shall otherwise be closed. Camp Beechwood and Sodus Center Park shall be open dawn to dusk and shall otherwise be closed. During hours that the parks are closed, entrances to or occupancy of any park area is prohibited, except in the case of Camp Beechwood by registered campers.
- B. No vehicles, trailers, semitrailers, motor homes or camping vehicles of any kind whatsoever shall be parked, placed or stored in any Town park of the Town of Sodus, except in places specifically designated as parking areas, and with the further exception that vehicles may be parked on that part of Harriman Park lying to the west side of Route 14 between the hours of 6:00 a.m. and 8:30 p.m.
- C. There shall be no overnight camping or parking in Harriman Park and Sodus Center Park at any time.
- D. All pets must be kept on leashes and the public must pick up and remove waste from the Town park.
- E. All posted rules and regulations must be followed.
- F. Special permits: Upon approval of the Town Board, the Town Clerk may issue a special permit for an event in a Town park. Such special permit

may vary any of the terms in this Chapter. The fee for such special permit is \$50 payable to the Town Clerk.

- d. Section 91-4 of Chapter 91 of the Code of the Town of Sodus encompasses the provisions of the previous § 91-2, §91-3, and § 91-4 and is amended to read as follows:

**§ 91-4. Prohibitions.**

- A. The following acts are prohibited in Town parks, and no person other than members of authorized law enforcement agencies shall:

- (1) Construct, place or store a building, platform, tent or other structure of any kind without a permit.
- (2) ~~No dirt, filth, waste or rubbish shall be deposited or placed in any of said public parks.~~ Throw, cast, lay, drop, discharge, deposit, bring into or leave in any part of the park land any garbage or other waste or other obnoxious material otherwise than in containers provided for such purpose.
- (3) Operate any motor vehicles within the area of the park lands; provided, however, that the operation of licensed vehicles for the transportation of the public to and from the park lands is permitted within designated roadways and the parking of such vehicles is also permitted within designated parking areas.
- (4) Discharge any firearm, spring gun or air gun or bow and arrow or carry any concealed weapons considered to be dangerous.
- (5) Injure, deface or disturb any part of the park or any building, sign, equipment or any other property therein or remove, injure or destroy any tree, flower, shrub, rock or mineral therein.
- (6) Set fire or assist others to set fire to any timber, trees, shrubs, grass, leaves or any other combustible material or suffer any fire upon other lands to extend onto any part of any park. Fires within Town fireplaces and stationary or portable grills are permitted within designated areas, but must be completely extinguished after use.
- (7) Solicit or engage in any business or commercial transaction involving the sale of goods, without a permit from the Town Clerk.
- (8) Drive or propel or cause to be driven any permitted vehicle at a rate of speed greater than 10 mph.

(9) Use unreasonably loud or obscene language, fighting or actions with the intent to cause public inconvenience, annoyance or alarm or interfere with any officer of the Town, County or State in the performance of his or her duty.

B. No alcoholic beverages shall be allowed or served on Town premises or park grounds without appropriate permits.

e. Section 91-2 of Chapter 91 of the Code of the Town of Sodus is amended to read as follows:

**§ 91-5. Administration.**

The Code Enforcement Officer, Supervisor, and/or Deputy Supervisor are charged with administering this chapter, and the Town Highway Superintendent shall be responsible for the proper posting of signs in park land.

4. The sections of Chapter 91 of the Code of the Town of Sodus, the titles and order of which were added by I-2 of this Proposed Local Law are to read as follows

a. Section 91-6 of Chapter 91 of the Code of the Town of Sodus is added and will be read as follows

**§91-6. Enforcement; Ejection from park lands.**

A. Members of the state police, Wayne County Sheriff's Department or any other peace officer shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

B. Members of the state police, members of the Wayne County Sheriff's Department or other peace officers shall have the authority to eject from park lands any person acting in violation of this chapter.

b. Section 91-7 of Chapter 91 of the Code of the Town of Sodus encompasses the provisions of the pervious § 91-5 and is amended and added to read as follows:

**§91-7. Penalties for offenses.**

Any and every violation of the provisions of this chapter shall be deemed to be an offense punishable by a fine not exceeding \$200.

II. If any provision of this law is determined to be unconstitutional or invalid, the validity and enforceability of the remainder shall not be affected.

III. This local law shall take effect upon filing with the Secretary of State.



Lori Diver  
Sodus Town Clerk, RMC  
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Website: <https://townofsodus.net>

**RESOLUTION ENACTING LOCAL LAW**

**WHEREAS**, Proposed Local Law No. 2 of 2021 would amend and add sections to Chapter 91 of the Code of the Town of Sodus; and

**WHEREAS**, the Town Clerk caused a copy of a Notice of Public Hearing on Proposed Local Law No. 2 of 2021 to be published in the *Times of Wayne County* on May 2<sup>nd</sup>, 2021, and for it to be posted on the sign board of the Town maintained pursuant to Town Law §30(6) on May 11<sup>th</sup>, 2021; and

**WHEREAS**, the Notice of Public Hearing and the proposed text of Proposed Local Law No. 2 of 2021 were also posted on the Town website; and

**WHEREAS**, the Local Law has been on the desks of all Town Board members since April 7, 2021; and

**WHEREAS**, adoption of Proposed Local Law No. 2 of 2021 would be routine or continuing agency administration and management, and related local legislative decision-making, and therefore is a Type II action under the State Environmental Quality Review Act, pursuant to 6 N.Y.C.R.R. §617.5(c)(26, 33); and

**WHEREAS**, a public hearing was duly held on that Proposed Local Law on May 11, 2021 at 6:30 PM before the Town Board at the Sodus Town Hall and via Zoom, and all persons desiring to speak were heard; and

**WHEREAS**, due consideration has been given to the adoption of Proposed Local Law No. 2 of 2021, by all members of the Town Board who were present;

**NOW**, on Motion duly made and seconded, it is

**RESOLVED** that, pursuant to the Municipal Home Rule Law, Proposed Local Law No. 2 of 2021 is hereby enacted, and shall be filed with the Secretary of State.


STATE OF NEW YORK)  
COUNTY OF WAYNE)

I, Lori Diver, Town Clerk of the Town of Sodus, Wayne County, New York,

DO CERTIFY that I have compared the attached document with the original thereof recorded in my office of the Regular Town Board Meeting held May 11<sup>th</sup>, 2021, in the Town of Sodus, Wayne County, New York; and that the same is a true and correct copy of said original and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Sodus.

Date: May 17, 2021

  
Lori Diver  
Sodus Town Clerk, RMC

The Town of Sodus is an Equal Opportunity Provider and Employer,  
Complaints of discrimination should be sent to:  
USDA, Director, Office of Civil Rights, Washington, DC 20250-9410