

**Village of Hilton
Legal Notice
Hilton Village Board**

Please take notice that the Village of Hilton Board of Trustees will hold a public hearing on Tuesday, January 5, 2021 at 6:00 p.m. in the Hilton Community Center, 59 Henry Street to consider Local Law #1, 2021 as follows:

To replace Chapter 259, Recreational Vehicles of the Hilton Code in its entirety.

§ 259-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

RECREATIONAL MOTOR VEHICLE

Expressly limited to “off road” vehicles such as minibikes, trail bikes, motor scooters, dune buggies and swamp buggies and any other similar motor vehicle of the type that is normally used on land for recreation, entertainment, or pleasure. The use of the lawn mower, powered garden vehicles, other similar utilitarian domestic vehicles and vehicles required to be registered with the DMV are specifically excepted here from.

§ 259-2 Purpose.

It is the purpose of this chapter to preserve and promote the health, safety and general welfare of those inhabitants of the Village of Hilton who wish to use and operate Recreational Motor Vehicles on private property or municipal property. It is also the purpose of this chapter to prevent those inhabitants of the Village of Hilton who wish to use and operate Recreational Motor Vehicles from trespassing on public or private property in the village of Hilton, from annoying inhabitants and from creating a public nuisance.

§ 259-3 Prohibitions

It shall be unlawful to operate or for the owner to permit the operation of any Recreational Motor Vehicle as defined in §259-1.

- A.** On the private property of another without the express prior written consent of the owner and the occupant of said property. Such consent may be revoked at any time by the grantor thereof. Where such express prior written consent has been obtained, the operator or person at the site responsible for such operation shall keep said consent on his person and available for immediate display at all times during the period of such operation. Excepted from the operation of this subsection are any private clubs or other organizations that permit the operation of Recreational Motor Vehicles on their property in connection with the principal use of said property by members of such club or organization.
- B.** On any public grounds or property, including Village-owned land, which shall include but not be limited to parks; ball parks; recreation areas; Village-owned streets, easements and sidewalks or areas dedicated to or commonly used for vehicular or pedestrian traffic; Village storage facilities; garage areas; and Board of Education lands, unless specifically designated, set aside and reserved therefor by resolution of the Village Board.

- C. In such manner as to create loud or unnecessary noise so as to unnecessarily disturb or interfere with persons in the peaceful and quiet enjoyment of their property. To this end, no person shall operate a Recreational Motor Vehicle before the hour of 9:00 a.m. and after one hour before sundown or 7:00 p.m., whichever is earlier.
- D. In a careless, reckless or negligent manner so as to endanger the safety or property of any person.
- E. While in an intoxicated condition or under the influence of narcotics or drugs as defined by §1194 of the Vehicle and Traffic Law.

§ 259-4 Enforcement:

The Monroe County Sheriff's Department and /or any Law Enforcement Officer with jurisdiction in the Village of Hilton.

§ 259-5 Confiscation of vehicles:

Any member of the Monroe County Sheriff's Department or any other law enforcement officer who shall encounter any person operating a Recreational Motor Vehicle or conveyance in violation of this chapter, or if the vehicle is operated by an individual under 16 years of age, or the Sheriff's deputy is unable to determine the owner of the vehicle or notify the owner of the vehicle, is authorized to impound said vehicle or conveyance to a place designated by the Monroe County Sheriff's Department or his designee. The owner or duly designated agent of the owner of such vehicle or conveyance may regain the same upon the payment of all expenses and charges necessarily and actually incurred by the removal and/or storage of said vehicle or conveyance.

§ 259-6 Penalties for offenses.

- A. Any person, firm or corporation violating or permitting the violation of any provision of this chapter shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Any person of the age of 18 years or over, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not to exceed \$500 or by imprisonment in the county jail for a term not exceeding 15 days, or both the case of a second or subsequent violation
- B. In addition, any and all persons, firms or corporations violating or permitting a violation of any of the provisions of this chapter or omitting or refusing to do any act required by this chapter shall severally, for each and every violation and noncompliance respectively, be liable for a civil penalty of \$50. The imposition of all penalties for any violation of this chapter shall not excuse the violation or permit it to continue. The application of the above penalties or the provisions of this chapter shall not be held to prevent the enforcement of this chapter by other action.

For additional information please contact the Village Office at 585-392-4144.

Shari Pearce, Village Manager/Clerk

Dated: December 20, 2020