

VILLAGE OF CAYUGA HEIGHTS
DRAFT
PROPOSED LOCAL LAW E OF THE YEAR 2018

A LOCAL LAW TO AMEND
ARTICLE XIII OF THE ARTICLES OF
THE VILLAGE OF CAYUGA HEIGHTS

CONCERNING THE REGISTRATION AND USE OF BICYCLES

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I **PURPOSE AND INTENT**

It is the intent of this Local Law to eliminate the requirements concerning registration of bicycles of Article XIII, "Registration and Use of Bicycles," of the Articles (the "Articles") of the Village of Cayuga Heights (the "Village"), as said Article XIII had been amended by Local Law 3 of 1990 (as so amended, "Article XIII"). It is also the intent of this Local Law to establish rules allowing bicycles, and other wheeled equipment, to be used on Village sidewalks by persons with disabilities and by children age twelve (12) and younger. The Village's Board of Trustees has determined that the requirements of Article XIII related to the registration of bicycles have not been enforced and are not necessary. The Village's Board of Trustees further has determined that, to promote the use of bicycles and other wheeled equipment in a safe manner by persons with disabilities and by children age twelve (12) and younger, persons with disabilities and children age twelve (12) and younger should be permitted to operate bicycles and other wheeled equipment on the Village's sidewalks. The purpose of this Local Law is to delete in their entirety the requirements of Article XIII, and establish by this Local Law that persons with disabilities and children age twelve (12) and younger shall be permitted to operate bicycles and other wheeled equipment on the Village's sidewalks.

SECTION II **AUTHORITY**

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal home Rule Law, and pursuant to the grant of powers to local governments provided in Section 180 of the General Municipal Law to regulate the use of bicycles on the public highways, streets, avenues, walks, parks and public places.

SECTION III **TITLE OF THIS LOCAL LAW**

This Local Law shall be known as the Bicycle Use Law.

SECTION IV **AMENDMENT ARTICLE XIII OF THE ARTICLES OF THE VILLAGE**

- A. The text of Article XIII of the Articles of the Village is hereby deleted in its entirety.
- B. The following requirements shall govern the operation of bicycles and other wheeled equipment, including skateboards, roller blades, roller skates, scooters, wheelchairs and adult tricycles (collectively referred to herein as “bicycles and other wheeled equipment”). For the purposes of this Local Law, “bicycles and other wheeled equipment” shall not include baby strollers or carriages or other conveyances for children not able to walk. For the purposes of this Local Law, “persons with disabilities” shall mean individuals who require the use of a bicycle or other wheeled equipment as a means of transportation or mobility.
 - 1. Persons with disabilities and children age twelve (12) and younger shall be permitted to ride, drive or operate bicycles and other wheeled equipment on the Village’s sidewalks.
 - 2. Other than as specified in subsection (1) above, no person shall ride, drive or operate a bicycle or other wheeled equipment on any sidewalk in the Village.
- C. In any case that a person is riding, driving or operating a bicycle or other wheeled equipment on a Village sidewalk, such person shall yield the right of way to any pedestrian using the sidewalk.
- D. In the event of a violation of the requirements of this Local Law by a child age thirteen (13) through fifteen (15), the summons for such violation shall be issued to the parent or guardian of such child. In the event of a violation of the requirements of this Local Law by any person age sixteen (16) or older, the summons for such violation shall be issued to such person.

SECTION V **SUPERSEDING EFFECT**

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of the Zoning Law of the Village of Cayuga Heights are deemed to be in conflict with the requirements of this Local Law, the terms of this Local Law shall govern and control.

SECTION VI **PARTIAL INVALIDITY.**

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION VII **EFFECTIVE DATE.**

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.