

Board of Supervisors
WAYNE COUNTY

RESOLUTION NO. 503-15: ADOPTION OF LOCAL LAW NO. 6-2015, REPEALING LOCAL LAW NO. NO. 7-2014, ENTITLED "ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS" AND ENACTING THE WAYNE COUNTY PARKS LAW

Mr. Miller presented the following:

WHEREAS, a Local Law repealing Local Law No. No. 7-2014, entitled "Establishing rules and regulations for County Parks" and enacting the Wayne County Parks Law, was presented to the Board of Supervisors on Tuesday, July 21, 2015; and

WHEREAS, a public hearing on the proposed local law was held on Tuesday, September 15, 2015 at 7:05 p.m. in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE — STATE OF NEW YORK
LOCAL LAW NO. 6 FOR THE YEAR 2015

A Local Law repealing Local Law No. No. 7-2014, entitled "Establishing rules and regulations for County Parks" and enacting the Wayne County Parks Law.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. TITLE

This local law shall be known as the Wayne County Parks Law.

SECTION 2. TEXT

WAYNE COUNTY PARKS LAW

Table of Contents

Section 1.	Legislative Intent
Section 2.	Definitions
Section 3.	Hours of Closing
Section 4.	Reservations
Section 5.	Camping
Section 6.	Disorderly Conduct
Section 7.	Harassment
Section 8.	Weapons and Explosives
Section 9.	Loitering
Section 10.	Commercial Activities, Signs, Advertisements, Banners
Section 11.	Games Regulated
Section 12.	Sophisticated Toys
Section 13.	Hunting, Fishing And Molesting Wildlife
Section 14.	Preservation of Property and Natural Features
Section 15.	Littering, Rubbish, Garbage, Sewage and Noxious Materials
Section 16.	Alcohol Beverages
Section 17.	Animals
Section 18.	Swimming, Swimming Areas and Beaches
Section 19.	Boating
Section 20.	Fires, Picnics, Cooking
Section 21.	Bicycles
Section 22.	Snowmobiles, Off-Road Vehicles, All Terrain Vehicles and Limited Use Vehicles
Section 23.	Indecent Conduct and Exposure
Section 24.	Compliance with Orders of Policing Agencies
Section 25.	Use of Motor Vehicles
Section 26.	Parental Responsibility
Section 27.	Air Gliding
Section 28.	Fees
Section 29.	Park Season
Section 30.	Permits

Section 31. Rules and Regulations

Section 32. Penalties

Section 33. Severability

Section 1. Legislative Intent

The provisions set forth herein shall apply to and be in effect in all parks under the control, supervision and jurisdiction of the County of Wayne.

Section 2. Definitions

The following terms shall have the meanings indicated in this section:

- A. "County" shall mean the County of Wayne.
- B. "Board of Supervisors" shall mean the Board of Supervisors of the County of Wayne.
- C. "Committee" shall mean the Public Works Committee of the Wayne County Board of Supervisors.
- D. "Superintendent of Public Works" or "Superintendent" shall mean the Wayne County Superintendent of Public Works or his or her duly authorized agent or representative.
- E. "Law Enforcement Officer" shall mean any police officer, peace officer, Wayne County Sheriff's Deputy, New York State Trooper, or any other law enforcement official of the County of Wayne, the State of New York, or any other applicable jurisdiction having jurisdiction or authority to enforce this law.
- F. "Park" shall mean the grounds, buildings thereon, waters therein, boat launches, towpaths or trails, the Maxwell Creek parking lot and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the County of Wayne for public parking purposes.
- G. "Person" shall mean any individual, firm partnership, corporation or association of persons and the singular number shall include the plural.
- H. "Authorized Personnel" shall mean any person, department, or agency given the right to function by the Wayne County Board of Supervisors.

Section 3. Hours of Closing

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of

Section 30 of this law:

- A. No person shall remain, stop or park within the confines of any park, between the hours of dusk to dawn, prevailing local time in the County of Wayne except:
 - 1) in an emergency
 - 2) with a special permit of the Superintendent
- B. In case of an emergency or when in the judgment of the Superintendent the public interest demands it, any portion of a park may be closed to the public or the designated persons until permission is given to reopen.

Non-observance of Section 3 shall constitute a violation.

Section 4. Reservations

- A. Permits shall be required for the use of all park pavilions.
- B. Permits for use of park pavilions shall be issued on a first come, first served basis, at the Wayne County Department of Public Works office, 7312 Route 31, Lyons, New York, Monday through Friday from 7:00 a.m. to 3:30 p.m., except on legal holidays.
- C. Applicants for permits or reservations must be 21 years of age or over, and be a resident of Wayne County. All permits must be signed by the applicant prior to use of the pavilions. The signer of the permit shall be responsible for all damage to the park pavilion and agrees, as a condition for the granting of the permit, to indemnify the County of Wayne for all such damages.
- D. As a condition for granting a permit, the Superintendent of Public Works may require proof of insurance or a security deposit, in accordance with rules and regulations promulgated pursuant to Section Thirty-One herein.

Non-observance of the rules in Section 4 shall constitute grounds for denial or cancellation of any permit applied for or issued pursuant to this Section, and denial of applications for future permits, as set forth in Section Thirty-Two herein.

Section 5. Camping

A. CAMPING IS NOT ALLOWED

- B. Special Camping Permits can be issued by the Superintendent of Public Works for

camping in County Parks for special groups/organizations. (i.e. Boy Scouts and Girl Scouts Troops).

- C. When camping locations are made available within a park; rules and regulations particular to each location shall be promulgated pursuant to Section 31 herein.
- D. Permits for camping shall be issued by the Superintendent of Public Works or his designee. All requests must be in writing.

Non-observance of Section 5 shall constitute a violation.

Section 6. Disorderly Conduct

No person with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall:

- A. engage in fighting or violent, tumultuous or threatening behavior while in a park;
- B. make unreasonable noise in a park;
- C. use abusive or obscene language or make an obscene gesture while in a park;
- D. without lawful authority, disturb any lawful assembly or meeting of persons in a park;
- E. obstruct vehicles or pedestrian traffic in a park;
- F. congregate with other persons in a public place and refuse to comply with a lawful order of a law enforcement officer to disperse or leave the park;
- G. create a hazardous or physically offensive condition by any act which serves no legitimate purpose.

Non-observance of Section 6 shall constitute a violation.

Section 7. Harassment

- A. No person shall strike, shove, kick or otherwise subject another person to physical contact, or attempt to do the same, with the intent to harass, annoy, or alarm such other person.
- B. No person shall follow a person about a park with the intent to harass, annoy, or alarm such other person.
- C. No person shall engage in a course of conduct or repeatedly commit acts which alarm or seriously annoy such other person and which serve no legitimate purpose.
- D. No person shall threaten or menace any other person with any instrument or by using any animal to do the same, with the intent to harass, annoy, or alarm such other person.

Non-observance of Section 7 shall constitute a violation.

Section 8. Weapons and Explosives

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person, except law enforcement officers, shall use, carry, or possess any firearm within the park, nor shall any person, except law enforcement officers, discharge any firearm within the park. This section shall not be applied in such manner as to preclude transitory possession of an unloaded firearm transported across or through county park property exclusively to gain access to and egress from a watercraft for the purpose of hunting, nor shall this section be applied in such manner as to preclude possession of an unloaded firearm which is otherwise secured in a locked compartment or other container within a motor vehicle which is located on park property.
- B. No person, except law enforcement officers, shall use, carry or possess any noxious materials (noxious materials for the purposes of this section shall be defined as irritant gas dispensers, commonly called "Tear gas" or "Mace") within a park.
- C. No person shall use, carry, or possess air or gas guns, slingshots, bow and arrows, missiles or missile throwing devices unless such person is a participant in a program for which a permit has been obtained subject to Section Thirty below.
- D. No persons, except duly authorized personnel, shall use, carry or possess any fireworks or explosive substances within the parks.
- E. No person shall possess any other dangerous weapons within the park.

Non-observance of Section 8 shall constitute a violation.

Section 9. Loitering

No person shall loiter in or near toilets or rest room facilities within a park.

Non-observance of Section 9 shall constitute a violation.

Section 10. Commercial Activities, Signs, Advertisement, Banners

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person shall solicit or engage in any business, trade, commercial transaction, or other activity within a park involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested, except pursuant to a duly authorized concession agreement or other agreement for park purposes which shall have been subject to the prior approval or authorization of the Board of Supervisors.
 - B. No person shall post any political sign, political banner, or commercial advertisement of any kind within a park without prior approval of the Superintendent of Public Works.
- Non-observation of Section 10 shall constitute a violation.

Section 11. Games Regulated

- A. No person shall engage in games involving thrown or propelled objects, such as footballs, baseballs, horseshoes, golf balls, Frisbees, or similar objects, except in areas designated for such usage, and then only subject to such rules and regulations as may be promulgated pursuant to Section 31 herein. All games of any description must be conducted in a safe and orderly manner and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit and paying such fee.
 - B. Notwithstanding the provisions of subdivision A, the use of lawn darts in the park is absolutely prohibited.
 - C. No person shall ride on or use skateboards, roller skates, or ice skates within a park.
 - D. Inflatable amusement equipment ("Bounce House"), "dunk tanks", etc. are not allowed.
- Non-observance of Section 11 shall constitute a violation.

Section 12. Sophisticated Toys

Models, such as miniature planes, boats and cars, that produce loud noises or are hazardous, and flying drones shall not be operated within the confines of a park except pursuant to a permit issued by the Superintendent of Public Works.

Non-observance of Section 12 shall constitute a violation.

Section 13. Hunting, Fishing and Molesting Wildlife

- A. No person shall take or attempt to take any fish from or send or throw any animal or thing into a pond or any of the waters of a park, except with permission of the Superintendent of Public Works, and with the exception that fishing may be permitted in season, in certain park waters designated by the Superintendent of Public Works. No person shall kill, injure, or unnecessarily disturb any fish, waterfowl, birds or animals. No person shall hunt, pursue with dogs, trap, or in any other way molest any wild bird or animal found within the confines of a park, or rob or molest any bird's nest or take the eggs of any bird.
- B. Notwithstanding the provisions of subdivision A, the Superintendent of Public Works is hereby authorized to grant limited permits for the trapping of wild animals in County parks if the Superintendent, after consulting the appropriate officials of the State Department of Environmental Conservation, certifies to the Board of Supervisors that the health, safety and welfare of residents of the County of Wayne are or may be adversely affected unless limited trapping of wild animals is permitted in one or more parks. The number and duration of such permits shall be only such as is necessary, in the opinion of the Superintendent of Public Works, to correct any circumstances that have caused or contributed to a threat to the public health, safety and welfare. The Board of Supervisors shall promulgate rules and regulations governing the issuance, supervision and termination of such permits. All permits issued pursuant to this subdivision shall be in accordance with the rules and regulations promulgated by the Board of Supervisors, and shall be consistent with all applicable provisions of the New York State Environmental Conservation Law and the regulations pertinent thereof.

Non-observance of Section 13 shall constitute a violation.

Section 14. Preservation of Property and Natural Features

- A. No person shall injure, damage, destroy, deface, disturb, remove or befoul any part of a park, nor any building, structure, sign, equipment or other property therein.
- B. No person shall write, paint, mark, carve or otherwise deface any part of a park, including but not limited to any tree, bench, building, structure, sign, equipment or other property therein.
- C. No person shall remove, injure or destroy any tree, flower, shrub, rock, mineral or other natural feature within a park.

Non-observance of Section 14 shall constitute a violation.

Section 15. Littering, Rubbish, Garbage, Sewage and Noxious Materials

- A. No person shall bring into, drop, deposit, dump or leave behind any rubbish, garbage, ashes, paper, cardboard, metal cans or other metallic substances, bottles, glassware, or any other refuse, waste material or other unwanted material of any kind in a park; except that any such materials resulting from picnics, camping, or other permitted activities shall be deposited in receptacles, pits or other containers provided for such purpose.
- B. No person shall abandon any motor vehicle, or other equipment or property of any kind in a park.
- C. No person in a park shall discharge into, throw, cast, lay, drop or leave any substance, matter or thing, either liquid or solid in any river, brook, stream, pond, storm sewer or drain in a park.

Non-observance of Section 15 shall constitute a violation.

Section 16. Alcohol Beverages are Restricted at All County Owned Parks

No person shall consume, or possess with intent to consume, any alcoholic beverage, as defined by Section 3 of the Alcoholic Beverage Control Law of the State of New York, in a park, without first obtaining a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law. Any permit to be issued by the Superintendent of Public Works for consumption and possession of alcoholic beverages at or for a public function or event (i.e. a function or event open to members of the general public and not restricted by membership) shall require proof of insurance Event Coverage naming/endorsing the County of Wayne on the Certificate of insurance as an Additional Insured, and the use of facilities permit shall further require indemnification of the County of Wayne by the organizers of the function or event.

Non-observance of Section 16 shall constitute a violation.

Section 17. Animals

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

- A. No person shall bring into, permit, have, or keep any animal in a park, except that dogs and cats are permitted if held in control by a leash not more than eight (8) feet long.
- B. Notwithstanding the above, cats and dogs are prohibited in all swimming areas, beaches and grass areas.
- C. Animals required for assistance of the handicapped are exempt from the provisions of subdivision B of this Section.
- D. No animal shall be left unattended in a park.
- E. Any individual bringing dogs or cats into a park shall be required to pick up and deposit in proper receptacles all solid waste from said animals.

Non-observance of Section 17 shall constitute a violation.

Section 18. Swimming, Swimming Areas and Beaches

- A. No person shall bathe, wade or swim within any park except at beaches therein as may be designated for that purpose by the Superintendent of Public Works and suitable swimming attire shall be required.
- B. No person shall carry onto, possess, scatter or throw on any beach a bottle, can or container of any kind, or broken glass, container caps, or other closure devices.
- C. The use of life rafts, inner tubes, and other objects intended to support persons is prohibited.
- D. No person shall operate a boat, surfboard, water skis, or similar aquatic equipment closer than 100 feet to a swimming area.
- E. No person shall permit a diapered infant to wade, bathe, or swim in park waters.

Except as provided in Section 17, animals are prohibited in all swimming areas and beaches.

Non-observance of Section 18 shall constitute a violation.

Section 19. Boating

- A. Boating in or adjacent to a park is permitted only in areas designated for such use, and then only in strict compliance with all applicable federal, state, and municipal laws and ordinances and subsection D of Section 18 of this law. No person shall operate, row or paddle a boat or canoe in or upon park waters unless able to handle the same with safety to himself and other occupants thereof, and in such manner as not to annoy or endanger the occupants of other boats or canoes. No person shall stand up in or rock a rowboat or canoe, make a raft of boats or canoes.
- B. No person except those in the employ of the County of Wayne acting within the scope of their

duties shall, without written permission from the Superintendent of Public Works, place or propel upon the waters in any park any float, boat, or other water craft, or land from any boat at a place not designated by the Superintendent for that purpose.

- C. Docking a boat overnight is not permitted. Boat trailers shall not be left overnight.
- Non-observance of Section 19 shall constitute a violation.

Section 20. Fires, Picnic, Cooking

- A. No person shall start or use a fire on park property except in designated areas and facilities. No fire shall be left unattended.
 - B. No person shall picnic or cook in any area not designated by the Superintendent for that purpose.
- Non-observance of Section 20 shall constitute a violation.

Section 21. Bicycles

Riders of bicycles shall comply with all laws relating to bicycles in the New York State Vehicle and Traffic Law, and with all rules concerning vehicles contained in the Wayne County Parks Law and in addition thereto shall be subject to the following rules:

- A. No person shall ride a bicycle upon the lawns or foot trails of a park where posted that such use is prohibited.
 - B. Bicycles shall be ridden in the extreme right hand lane of park roads.
 - C. A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold onto any moving vehicle for the purpose of being drawn along.
 - D. No bicycle shall be pushed upon any park road where an adjoining foot walk is available.
 - E. Infants, children or extra passengers shall not be carried on bicycles in any manner whatsoever, unless such vehicle is equipped with a separate seat for that purpose.
 - F. Children under the age of 12 years, riding small bicycles (wheels less than 20 inches in diameter) may use the foot walks.
 - G. Wherever possible bicycles shall be parked in places provided for such purpose.
- Non-observance of Section 21 shall constitute a violation.

Section 22. Snowmobiles, Off-Road Vehicles, All Terrain Vehicles and Limited Use Vehicles

- A. No person shall operate a snowmobile within a park other than on a path or trail specifically designated as one allowing use of snowmobiles. A snowmobile shall be defined as any self-propelled vehicle designed for travel on snow or ice, steered by skis or runners and supported in whole or part by one or more skis, belts or cleats.
- B. No person shall operate any motor powered off-road vehicle, all-terrain vehicle, or limited use vehicle in any part of a park, except that off-road vehicles or limited use vehicles properly registered in accordance with the New York State Vehicle and Traffic Law, may be operated on park roads and parked in park parking lots in accordance with the provisions of Section Twenty-Five. Off-road vehicles, all-terrain vehicles or limited use vehicles shall include, but are not limited to, four-wheel drive vehicles; vehicles equipped for operation in or on sand, mud, snow, gravel, or wetland; dune buggies; motorcycles or mini-bikes equipped for off-road usage; dirt bikes, golf carts, tractors, lawnmowers, or any similar type of vehicle or conveyance, except for vehicles used for park maintenance by authorized personnel.

Non-observance of Section 22 shall constitute a violation.

Section 23. Indecent Conduct and Exposure

- A. No person shall intentionally expose the private or intimate parts of his or her body in a lewd manner or commit any other lewd act.
 - B. No person shall appear in a park in such manner that the private or intimate parts of his or her body are unclothed or exposed. This Section shall not apply to the breast feeding of infants.
- Non-observance of Section 23 shall constitute a violation.

Section 24. Compliance with Orders of Policing Agencies

No person shall fail or refuse to comply with any order relating to the regulation of activities hereunder, or the enforcement of provisions of this law, lawfully given by any law enforcement officer.

Non-observance of Section 24 shall constitute a violation.

Section 25. Use of Motor Vehicles

- A. No person shall drive any automobile, motorcycle or other motorized vehicle upon any part of a park except for the proper drives and parking areas, or permit the same to stand upon the drive or any part thereof so as to congest traffic or obstruct the drive. Paths established as foot paths, or bicycle paths shall not be used for motorized vehicular traffic.

- B. No person shall cause any taxi, bus, limousine or other vehicle for hire to attend any part of a park for the purpose of soliciting or taking passengers or persons other than those carried to a park by said vehicle.
- C. No person shall cause any bus with or without passengers, nor any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles, or solely in use for the carriage of goods, merchandise, manure or other articles to enter or to be driven in any part of a park. This Section shall not apply to vehicles engaged in construction, maintenance, or operation of a park or parkway, to vehicles making deliveries to a park, or to buses under the permit of the County of Wayne.
- D. It shall be the duty of every person operating an automobile, motorcycle, or other motorized vehicle within a park to comply with. (1) the New York State Vehicle and Traffic Law; (2) the applicable traffic ordinances of the County of Wayne and the towns and villages in Wayne County; and (3) all orders, directions and regulations issued by law enforcement officers or officially displayed on any post, standard, sign or device installed for the regulation of traffic.
- E. No vehicle shall be operated on any road or drive in a park at a speed exceeding five (5) miles per hour, unless otherwise posted. The Superintendent shall cause signs to be erected along such roads or drives indicating such speed limits.
- F. No vehicle shall pass another vehicle preceding the same direction if the center of the road is marked with a double solid line.
- G. One-way traffic. In certain areas there may be one-way traffic. It will be so posted and must be followed.
- H. Where the Superintendent of Public Works has caused certain intersections of park drives or roadways to be marked with stop signs, no person shall operate any vehicle except authorized emergency vehicles over or across such intersection without first bringing such vehicle to a complete stop at or near the stop sign.
- I. Parking of any vehicle shall not be allowed on any of the park roads or parking areas during the hours that the park is not open to the public. No person shall park, stop or leave standing any vehicle in any area within a park except during the time he or she remains in the park.
- J. The term "parking" as used herein shall be defined as the standing of any vehicle, whether occupied or not, unless standing in obedience to traffic regulations or signals or while actively engaged in loading or unloading.
- K. The County of Wayne shall erect suitable signs on roadways and in parking areas which signs shall indicate where parking is authorized or not authorized.
- L. No person shall operate a vehicle along or over any road, drive or other property within a park in a reckless manner or without due regard for the safety and the rights of pedestrians, drivers and occupants of all other vehicles, so as to endanger the life, limb or property of any person while in the lawful use of park facilities.
- M. No person who is under the influence of alcohol or a controlled substance, as defined in the New York State Penal Law shall operate any vehicle within a park.
- N. No person shall drive, move, cause, or knowingly permit to be driven or moved within a park, any vehicle or combination of vehicles which is in unsafe condition so as to endanger any person or property.
- O. No person shall use or shine spotlights or unnecessarily or continuously shine automobile headlights on or into park lands, except under direction of a law enforcement officer or where necessary for the preservation of life or property.

In addition to and not in derogation of the penalties prescribed by applicable statute, rule, regulation or ordinance, non-observance of any subdivision of Section 25 shall constitute a violation.

Section 26. Parental Responsibility

No parent, guardian or custodian of any minor shall permit or allow him or her to do any act which would constitute a violation of this law, and such persons shall be jointly and strictly liable for the actions of said minors in their care.

Non-observance of Section 26 shall constitute a violation.

Section 27. Air Gliding

Except as authorized by a permit granted by the Superintendent of Public Works pursuant to the provisions of Section 30 of this law:

Park property shall not be utilized for ascending or landing of any aircraft, nor shall park property be used for parachuting, hang gliding, hot air ballooning, or similar activities.

Non-observance of Section 27 shall constitute a violation.

Section 28. Fees

The Board of Supervisors, by resolution, from time to time as it deems appropriate, may establish fees to be charged for utilization of park facilities.

Section 29. Park Season

The Superintendent of Public Works is hereby empowered and directed to open and close the parks in the spring and fall of each year. The Superintendent may, in his discretion, direct the closure of any park or any portion thereof if such action is for the purpose of protecting park properties from damage, or in the interest of protecting the health, safety, and welfare of persons utilizing park properties.

Section 30. Permits

- A. The Superintendent of Public Works is authorized and empowered to grant and issue permits for the activities described in Sections 3, 4, 5, 8, 10, 12, 13, 16, 17 and 27 of this law.
- B. (1) Subject to the provisions of subdivision A, above, the Superintendent of Public Works is authorized and empowered to grant and issue permits authorized or required by rules and regulations promulgated pursuant to Section 31 of this law and such permits or written permission as may be necessary to effectuate or implement the provisions of this law.
- (2) Permits for the use or occupancy for park purposes of park property or facilities, not authorized by subparagraph A, above, and which may involve an extended term or an indefinite term subject to termination, shall be issued by the Superintendent only upon the prior approval and authorization of the Board of Supervisors.
- (3) As a condition for granting a permit, the Superintendent may require proof of insurance or a security deposit, in accordance with the rules and regulations promulgated pursuant to Section 31 herein.
- A. All permits issued by the Superintendent shall be in writing, and shall be signed or authenticated by the Superintendent, or his or her duly authorized agent. All such permits and use of park facilities pursuant thereto shall be subject to the terms and conditions contained therein, and to all applicable provisions of this law; all applicable rules and regulations promulgated pursuant to this law; and all other applicable laws of the United States of America, the State of New York, the County of Wayne, and any other municipality having jurisdiction.
- C. Any violation of the terms and conditions of a permit issued hereunder, of this law or any rules and regulations promulgated pursuant thereto, or any other applicable laws, shall constitute ground for the immediate revocation of such permit by the Superintendent of Public Works, or his or her authorized representative, which revocation shall be immediate, final and without appeal. No permit for the same purpose shall be issued to any person or persons whose permit has been revoked hereunder for a period of one year following the date of such revocation.

Section 31. Rules and Regulations

- A. The Superintendent of Public Works is authorized and empowered to promulgate rules and regulations concerning the activities described in this law; such further rules and regulations as may be necessary to effectuate or implement the provisions of this law; and such additional rules and regulations as may be authorized or directed by the Board of Supervisors.
- B. All rules and regulations promulgated hereunder by the Superintendent of Public Works shall become effective only upon approval by the Board of Supervisors.
- C. Reasonable efforts shall be made by the Superintendent of Public Works to reproduce, post, make available, distribute, and publicize all rules and regulations hereunder.
- D. Copies of this local law shall be made available at the Public Works Department, 7312 Route 31, Lyons, NY or online at www.co.wayne.ny.us/departments/bldggnds.htm (select the Parks Law pdf).

Section 32. Penalties

Any person convicted of a violation of this local law shall be subject to a fine not to exceed \$100, or by imprisonment for a term not to exceed fifteen (15) days, or by both such fine and imprisonment, and in addition shall forfeit the right to apply for future permits for a period of one (1) year.

Section 33. Severability

If any provision of this law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the particular provision directly involved in the controversy.

SECTION 3. CONFLICT OF LAW

Local Law No. 2 of 1981, Local Law No. 14 of 1987, Local Law No. 3 of 1989, Local Law No. 7 of 2014, and all resolutions establishing rules and regulations for Wayne County parks adopted by the Wayne County Board of Supervisors prior to the date of the adoption of this local law are repealed.

SECTION 4. EFFECTIVE DATE

This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York.

Mr. Kolczynski moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

WAYNE COUNTY
Board of Supervisors
LYONS, NEW YORK

This is to Certify that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 15th day of September 2015 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Board of Supervisors of the County of Wayne, this 15th day of September 2015.

Clerk of the Board

