



**Department of State
Corporations, State Records & UCC**

New York State
Department of State
**DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE**
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Albany, NY 12231-0001
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 of the year 20 26

Local Law Title: A local law Regulating Use of Limited Use Vehicles and All-Terrain Vehicles
on Portions of Certain Town Highways

Be It enacted by the Walton Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one)

of Town of Walton as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(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 ascribed as local law number 1 of 2026 of the (County)(City)(Town)(Village) of Walton was duly passed by the _____ on _____ 20____ 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, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

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, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ 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.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* 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.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the City of _____ having 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 thereto, ascribed as local law number _____ 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 the paragraph _____ above.

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

(Seal)

(Date)

Town of Walton
Introductory Local Law No. 1 of the Year 2026

A local law Regulating Use of Limited Use Vehicles and All-Terrain Vehicles on Portions of Certain Town Highways.

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

Section 1. Title and Authority. This local law shall be known as “The Town of Walton ATV Law.” It is adopted pursuant to sections 10 and 20 of the Municipal Home Rule Law and Section 2405 of the New York State Vehicle and Traffic Law.

Section 2. Legislative Findings and Intent. This Board hereby finds that the opening of certain town roads and portions thereof to ATV use and travel is necessary in order for ATVs to gain access to areas and/or trails adjacent thereto which would otherwise be impossible to access without the use of such town highways. Upon examination of Town highway usage and safety issues, and with the intent to provide lawful operators of all-terrain vehicles with suitable locations for their use, to encourage tourism but to discourage unlawful trespass upon public lands managed by the New York State Department of Environmental Conservation, private lands and unsafe operation of all-terrain vehicles, the Town Board enacts this law regulating all-terrain vehicles on town roads. This Town Board further finds that promoting opportunities for recreational use of all-terrain vehicles and the regulation of same is in the public benefit, will stimulate the local economy and will offer enjoyment to the citizens of the town and to others traveling to this area including tourists.

Section 3. Definitions.

- a. “ATV” or “All Terrain Vehicle” mean any self-propelled vehicle of four wheels or more manufactured for sale for operation primarily on off-highway trails or off-highway competitions, and only incidentally operated on public highways as defined by Article 48-c of the Vehicle and Traffic Law. This definition expressly excludes “Snowmobiles” or other self-propelled vehicles manufactured for off-highway use exclusively designed for travel on snow or ice, steered by skis or runners and supported in whole or in part by one or more skis, belts or cleats which utilize an endless belt tread
- b. Designated Road: A town road or a portion thereof designated by this Local Law for use and for travel by ATVs.
- c. Operator: “Operator” as defined by Section 2401(4) of the Vehicle and Traffic Law
- d. Owner: “Owner” as defined by Section 2401(3) of the Vehicle and Traffic Law.
- e. Shoulder: the area alongside the highway or road that is not part of the actual travel lanes.
- f. Town: The Town of Walton, New York

- g. **Town Highways or Town Road:** all roads, including bridge and culvert crossings, located within the Town of Walton and under the jurisdiction and control of the Town of Walton.
- h. **“UTV” or “Utility Terrain Vehicles” or “Side-by-side”:** any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails capable of seating passengers side-by-side, designed for no more than one driver and five passengers.
- i. **Vehicle and Traffic Law:** The Vehicle and Traffic Law of the State of New York.

Section 4. Designation of Town Highways for Travel by ATVs. The Town roads or indicated portions thereof as outlined on Appendix 1 are hereby designated as open to travel by all-terrain vehicles as it is otherwise impossible for all-terrain vehicles to gain access to areas or trails adjacent to said designated roads other than by the use of such designated roads. Appendix 1 may be revised from time to time upon notice to the public and approved by the Town Board after a public hearing.

This Town Board has further determined that ATV areas for trails that are otherwise “impossible” to access has been understood and construed by it to be a condition precedent to the Town Board’s authority to designate such roads and areas as open to ATV travel. This Board has specifically identified the aforesaid ATV areas and trails as being those which cannot be accessed without designating the aforesaid town roads of the Town of Walton, New York, and those portions thereof hereinbefore delineated, pursuant to Vehicle and Traffic Law Section 2405(1).

Section 5. Rules and Regulations. In addition to any other general or special law, rule or regulation that may now or hereafter apply to the use and operation of ATVs, and in order to protect the order, conduct, health, safety and general welfare of the public, the Town hereby adopts the following rules, conditions and regulations pertaining to the operation of ATVs on Town Road:

- a. No person shall operate an ATV on the Town roads except in conformance with this Local Law and the Vehicle and Traffic Law of the State of New York. No person shall operate an ATV unless it is properly licensed, registered and insured as required by the Vehicle and Traffic Law of the State of New York. Any ATV owner on town roads must provide proof of ownership, insurance, licensing and registration, if required by state law, upon request of any law enforcement officer or to any person who has suffered or claims to have suffered either personal injury or property damage as a result of the operation of use of such vehicle by any such owner or operator. The failure to produce such proof shall be presumptive evidence of operating the vehicle without insurance against public liability.
- b. The utilization of designated roads by ATVs shall only and solely be for the purpose of traveling directly from one ATV trail or area to another

- c. Strictly observe all vehicular traffic signs and signals and all other rules and regulations applicable to vehicular traffic and all the orders and directions of any state or local law enforcement officer authorized to direct or regulate traffic.
- d. Operate ATVs on Town Highways at a rate of speed no greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. However, in no event shall ATVs be operated on Town Highways at a speed greater than forty (40) miles per hour.
- e. Yield to all vehicles that are primarily designed for travel on Town Highways (e.g., cars, trucks, motorcycles);
- f. No person shall operate an ATV more than one abreast but shall be in a single lane on a designated road, as far right as practicable, except as necessary to gain access to or egress from such areas
- g. No person shall operate an ATV for recreational purposes between the hours of 11 p.m. and 7 a.m.
- h. All ATVs must have at least one rearview mirror. On any ATV with handlebars the mirror must be mounted on the left side handlebar. ATV headlights must be on at all times.
- i. No person without a valid state driver's license may operate an ATV on designated Town roads. Anyone under the age of 17 must possess a valid driver's permit and be accompanied by a parent or legal guardian. Anyone with a suspended driver's license may not operate an A TV on the designated roads.
- j. No person shall operate an ATV on a designated road in such a manner as to create loud, unnecessary, or unusual noise so as not to unreasonably disturb or interfere with the peace and quiet of Town residents. An ATV must not make unusual or excessive noise such that a reasonable person would find it offensive or which exceeds 90 decibels measured using the SAE J1287 test. Aftermarket exhaust systems or components are prohibited unless they are designed to reduce emissions and dampen noise.
- k. No person shall operate or ride as a passenger in an ATV unless they are wearing a seat belt. If the ATV does not have seat belts, then the operator and all passengers must wear a Department of Transportation approved helmet. No passenger shall ride on an ATV unless they are riding on a factory installed seat.
- l. No person shall operate an ATV in a careless, reckless or negligent manner so as to unreasonably endanger the person or property of another or cause injury or damage thereof.

Section 6. Signage.

- a. The Superintendent of Highways of the Town of Walton shall post signs and/or markers identifying the designated roads in accordance with the requirements of 2405 of the Vehicle and Traffic Law.
- b. At the request of the Department of Environmental Conservation, the Town may post signs at certain roads adjacent to state forest lands affirmatively prohibiting ATV use.

Section 8. Violation and Penalties.

- a. Any person convicted of a violation of any of the provisions of this local law shall be guilty of an offense and shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or by imprisonment for not more than fifteen days, or by both such fine and imprisonment; and for a second or subsequent conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than Seven Hundred Fifty Dollars (\$750.00) or by imprisonment for not more than fifteen days, or by both such fine and imprisonment. Each violation of any provision of this Section shall be deemed a separate and distinct offense. A person may be charged with more than one offense and shall be subject to imposition of a fine for each such offense. A person who is convicted as a result of being cited for violating this local law three (3) times within a five (5) year period shall have their privilege to utilize town highways and roads for ATV use purposes revoked.
- b. It shall be an aggravated offense if the use of an ATV in violation of this local law results in injury to any person, damage to crops or nursery stock or otherwise involves damage to agricultural business stock. The person found to have committed an aggravated offense shall be subject to doubling of the fines set forth in this Section.
- c. A law enforcement officer may impound any ATV if:
 - 1. The identity of the operator or owner of the ATV is unknown to the officer, and the ATV operator has no evidence of permission to operate the vehicle, or
 - 2. The operator travelling in excess of fifteen (15) miles per hour of the speed limit, or in violation of any other of enumerated rules and regulations in Section 5 above, or
 - 3. The ATV is involved in an accident that causes serious injury or death, or
 - 4. The ATV operator causes significant damage to private or public property.
- d. The period of impoundment for the ATV shall be for such time period as necessary for law enforcement purposes, which shall include use of the vehicle for identification in any court action. Any person wishing to have an ATV released

from impoundment must make a motion before a court of competent jurisdiction, and said ATV shall be released upon court order. Upon receipt of said court order, the ATV shall be released by the authority of the Town Attorney or Town Supervisor upon payment of all impoundment fees that may apply and upon direct payment of all towing and storage charges imposed by private towing concerns which the Town may use for the purpose of impoundment.

Section 9. State Lands. This local law will have no effect upon the Department of Environmental Conservation policies regarding ATV use on State land.

Section 10. Severability. Should any section or provision of this Local Law be declared invalid for any reason or shall be deleted or subsequently repealed, such decision shall not affect the validity of the remaining portions hereof. The determination by any court of competent jurisdiction that any provisions of this Local Law are unenforceable, invalid, void, unconstitutional or in conflict with federal or state law shall not in any way affect the enforceability or validity of any other provision contained herein.

Section 11. Effective Date. This Local Law shall become effective upon filing with the NYS Department of State and NYS DMV Commissioner and Secretary of State of the State of New York as provided by the Municipal Home Rule Law.

APPENDIX -1

The following roads are hereby designated for the operation of all-terrain vehicles as authorized by § 2405 of the Vehicle Traffic Law, Article 48-C:

Names of Street	Location	Distance
Lower Third Brook Road	Commencing at the Village line to the intersection with Seely Wood Road	1.2 miles
Seely Wood Road	Commencing at the intersection of Lower Third Brook Road to trail head	1.5 miles
Upper East Brook Road	Commencing at the Village line to the trail head	1.0 miles
Nichols Road	Commencing at the intersection of East Brook Road and Nichols Rd to trail head	0.6 miles