

RESOLUTION TO ADOPT LOCAL LAW AMENDING VILLAGE CODE §265-7 USE OF SIDEWALKS AND §265-9 BICYCLE ROUTES

WHEREAS, currently, the Village Code provisions in section 265-7 Use of Sidewalks, limits the use of a bicycle on the sidewalk of Long Island Avenue which is a designated bicycle route pursuant to Village Code §265-9(A) Bicycle Routes and the Village Board of Trustees seeks to clarify and eliminate any conflicting code provisions regarding bicycle routes within the Village; and

WHEREAS, the Village Board of Trustees also wishes to add Hempstead Street and Bay Streets to the authorized bicycle routes listed in Village Code §265-9 to adequately connect Village routes to the New York State recognized bicycle lane on Route 114; and

WHEREAS, the Village Board of the Village of Sag Harbor seeks to amend Village Code §265-7 Use of Sidewalks and §265-9 to clarify the code and eliminate any conflicting code provisions regarding bicycle routes within the Village; and

WHEREAS, in furtherance of this goal, the Board of Trustees is considering enacting a local law amending Village Code §265-7 Use of Sidewalks and §265-9 to clarify the code and eliminate any conflicting code provisions regarding bicycle routes within the Village; and

WHEREAS, a public hearing was held on Tuesday, April 9, 2024, at which time all persons either for or against the proposed local law were heard; and

WHEREAS, the Village of Sag Harbor and the Village of Sag Harbor Planning Consultant, Nelson Pope & Voorhis determined that the proposed action is Type II Action requiring no further environmental review; and now therefore be it

RESOLVED, that the following local law is hereby adopted:

LOCAL LAW NO. 5 OF 2024

Be it enacted by the Village Board of Trustees of the Village of Sag Harbor as follows:

A LOCAL LAW to amend Local Law amending Village Code §265-7 Use of Sidewalks and §265-9 to clarify the code and eliminate any conflicting code provisions regarding bicycle routes within the Village.

SECTION 1. Amendment. Please see the following and amend Village Code §265-7 by deleting those words that are stricken and adding those words that are underlined:

§ 265-7. Use of sidewalks.

[Added 6-14-1951; amended 8-24-1976 by L.L. No. 6-1976]

A.

It shall be unlawful for any person to roller skate, to use a skateboard or similar device or to ride a bicycle or any other wheeled vehicle propelled by motor, by gravity or by the use of the rider's feet on any public sidewalk or pedestrian footpath along the following designated streets or portions of streets:

Name of Street	Portion Affected
Long Island Avenue	From the westerly line of Main Street to the westerly line of Bridge Street (as projected)
Main Street	From the southerly <u>northerly</u> line of Spring Street (as projected) to the southerly line of Long Island Avenue <u>Bay Street</u>
Washington Street	Entire street

B.

It shall be unlawful for any person to roller skate, to use a skateboard or similar device or to ride a bicycle or any other wheeled vehicle propelled by gravity or by the use of the rider's feet between the curblines (that portion of streets normally devoted to the parking and operation of motor vehicles) of Main Street from the ~~southerly~~ northerly line of Spring Street, as projected, to the southerly line of ~~Long Island Avenue~~ Bay Street.

[Added 11-20-1986 by L.L. No. 14-1986^[1]]

[1]

Editor's Note: This local law also provided for redesignation of former Subsection B, regarding the use of wheelchairs by handicapped persons, as Subsection E.

C.

It shall be unlawful for any person to engage in the activity commonly known as "jogging" on any public sidewalk or pedestrian footpath along Main Street from the southerly line of Spring Street, as projected, to the southerly line of Bay Street. It shall also be unlawful for any person to engage in the activity commonly known as "jogging" between the curblines of Main Street from the southerly line of Spring Street, as projected, to the southerly line of Bay Street.

[Added 11-20-1986 by L.L. No. 14-1986]

D.

It shall be unlawful for any person to walk a bicycle or any other wheeled vehicle propelled by gravity or by the use of a rider's feet between the curblines of Main Street from the southerly line of Spring Street, as projected, to the southerly line of Bay Street. This prohibition shall not apply to walking a bicycle or other such vehicle directly across the street (crossing directly from one side to the other side of the street).

[Added 11-20-1986 by L.L. No. 14-1986]

E.

The prohibitions set forth in this section shall not apply to the use of wheelchairs or similar appliances by physically handicapped persons.

[Amended 11-20-1986 by L.L. No. 14-1986]

SECTION 1. Amendment. Please see the following and amend Village Code §265-9 by deleting those words that are stricken and adding those words that are underlined in alphabetical order:

§ 265-9. Bicycle routes.

[Added 11-10-2009 by L.L. No. 9-2009]

A.

The following Village streets are hereby designated as bicycle routes within the boundaries of the Village of Sag Harbor:

Street
<u>Bay Street</u>
Bridge Street
Glover Street
<u>Hempstead Street</u>
Jermain Avenue
Long Island Avenue
Main Street, except as prohibited by § <u>265-7</u> of this chapter
Spring Street

B.

The Village Police Department and the Village Department of Public Works are hereby directed to provide the necessary signage and pavement markings required to adequately identify the bicycle routes for use by the public.

C.

The bicycle routes designated by this section shall be in addition to any other bicycle route, path or lane designated by the State of New York or the County of Suffolk along streets, roads or highways under their jurisdiction within the Village.

SECTION 2. Authority.

The Village of Sag Harbor hereby enacts this legislation pursuant to New York State Vehicle and Traffic Law §§1603 and 1640.

SECTION 3. Severability.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this local law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law that shall be directly involved in the controversy in which such judgment shall be rendered.

SECTION 4. Effective Date.

This chapter shall take effect immediately upon filing in the office of the Secretary of State pursuant to the Municipal Home Rule Law.