

Amend

Local Law Filing Instructions

Local Law # 2-2025
Amend Chapter 289, E-bikes
Adopted 9-10-25 Res # 223-9.10.25
New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.
7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Ogden

Local Law No. 2 of the year 2025

A local law Amending Town Code Chapter 289, Vehicles, Off-Road, to Provide Further Regulations for
(Insert Title)
the Use of Motor-Driven Vehicles on Town and Private Property.

Be it enacted by the The Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Ogden

as follows:

Resolution #223-9.10.25 Adoption of Local Law No. 2 of 2025 Amending Town Code Chapter 289, Vehicles, Off-Road, to Provide Further Regulations for the Use of Motor-Driven Vehicles on Town and Private Property.

Introduced by: Councilman Baker Seconded by: Councilman Hinman

WHEREAS, the Town Board of the Town of Ogden did heretofore call for a Public Hearing to consider the enactment of Local Law No. 2 of the year 2025, which local law proposes to amend Town Code Chapter 289, Vehicles, Off-Road, to provide further regulations for the use of motor-driven vehicles on property of the Town of Ogden and on privately owned property; and

WHEREAS, the Town Board did hold and conduct such public hearing at a regularly scheduled meeting thereof, and at which hearing all interested persons were heard concerning the subject matter thereof; and

WHEREAS, the Town Board has determined that the enactment of Local Law No. 2 of the year 2025 will serve to preserve and promote the health, safety and general welfare of all inhabitants of the Town of Ogden and will prevent those who wish to use and operate motor-driven vehicles from trespassing on public or private property in the Town of Ogden from annoying inhabitants and from creating a public nuisance.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ogden, Monroe County, New York as follows:

SECTION I: That by the adoption of this Resolution the Town Board of the Town of Ogden does hereby enact Local Law No. 2 of the year 2025, which local law shall read and provide as attached to this resolution.

SECTION II: That the Town Clerk shall give due notice of the enactment of this local law as required by statute.

Vote of the Board:

Ayes: Zale, Baker, Hinman, Toms

Absent: Gerbino

Nays: None

**BE IT ENACTED BY THE
TOWN BOARD OF THE
TOWN OF OGDEN, NEW YORK
AS FOLLOWS:**

**LOCAL LAW NO. 2 OF 2025:
AMENDING TOWN CODE CHAPTER 289, VEHICLES, OFF-ROAD,
TO FURTHER REGULATE THE USE OF MOTOR-DRIVEN VEHICLES
ON PROPERTY OF THE TOWN OF OGDEN
AND ON PRIVATELY OWNED PROPERTY.**

Section 1. Title

This Local Law shall be known as “Local Law No. 2 of 2025: Amending Town Code Chapter 289, Vehicles, Off-Road, to further regulate the use of motor-driven vehicles on property of the Town of Ogden and on privately owned property.”

Section 2. Purpose

The Town Board of the Town of Ogden is amending Chapter 289 of the Town Code (Vehicles, Off-Road) to provide further regulations for the use of motor-driven vehicles on property of the Town of Ogden and on privately owned property. The purpose of this amendment is to preserve and promote the health, safety and general welfare of all inhabitants of the Town of Ogden. It is also the purpose of this amendment to prevent those who wish to use and operate motor-driven vehicles from trespassing on public or private property in the Town of Ogden from annoying inhabitants and from creating a public nuisance.

Section 3. Amendments

Subsection B of Section 289-3, Restrictions, of Chapter 289 of the Town Code is amended in its entirety as follows:

§ 289-3 Restrictions.

- B. On any public property or property owned, leased or controlled by the Town of Ogden, including but not limited to, public rights-of-way, sidewalks, tree lawns, and parks, except on trails duly designated by the Town for the use of such vehicles at the times and in the manner so designated.

Section 289-6, Confiscation and redemption of vehicles, is amended in its entirety as follows:

§ 289-6 Confiscation and redemption of vehicles.

- A. Any member of the Ogden Police Department or any other enforcement officer who shall encounter any person operating a motor-driven vehicle or conveyance in violation of this chapter shall remove said vehicle or conveyance to a place designated by the Chief of Police.

The owner or duly designated agent of the owner of such vehicle or conveyance may regain the same upon satisfactory proof of ownership and payment of all expenses and charges necessarily and actually incurred by the removal and/or storage of said vehicle or conveyance.

- B. Charges for the removal and/or storage of a vehicle or conveyance confiscated and impounded pursuant to this chapter shall include payment to the Town of Ogden of a redemption fee of \$500 if it is the first time such vehicle has been impounded, or \$2,000 if such vehicle has been previously impounded or if the operator was previously operating a motor-driven vehicle or conveyance which was impounded.
- C. If a motor-driven vehicle or conveyance impounded pursuant to this chapter is not claimed within 30 days of being impounded, ownership shall vest in the Town, and the vehicle or conveyance may be sold for scrap.
- D. Proof of ownership. Acceptable proof of ownership for a motor-driven vehicle or conveyance shall include:
 - (1) Transferable registration from the Department of Motor Vehicles, if applicable.
 - (2) A bill of sale or receipt from a certified seller or reseller that includes the vehicle's serial number.
 - (3) If the vehicle was bought from an individual, a notarized bill of sale or receipt from the previous owner, provided to the Chief of Police by the previous owner, which includes the vehicle's serial number as well as other details about the vehicle including make and color, along with notarized documentation stating when, where, and how the previous owner obtained the motorized vehicle.
 - (4) If the above acceptable documents are not available to show ownership, a "Statement of Ownership" form filed with the Department of Motor Vehicles prior to the confiscation of the vehicle may be acceptable.

Subsection A of Section 289-7, Penalties for offenses; restitution, is amended in its entirety as follows:

- A. Any person, firm or corporation violating or permitting the violation of any provision of this chapter shall be guilty of a violation and shall be subject to a fine of \$250 for a first offense, \$400 for a second offense, and \$600 for third and subsequent offenses, or to imprisonment of not more than 15 days, or both such fine and imprisonment. Each day's continued violation shall constitute a separate offense. In the case of a second or subsequent violation, the court may order confiscation of said vehicle or conveyance in lieu of any fine and/or imprisonment. Any vehicle or conveyance which is confiscated, pursuant to this section, will be sold at public auction according to the appropriate procedures and laws affecting public auctions by municipalities.

Section 4. Severability

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this

Local Law shall not affect the validity of any other part of this Local Law, which can by given effect without such part or parts.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the office of the Secretary of State as provided by law.

(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, designated as local law No. 2 of 2025 of the ~~(County)(City)(Town)(Village)~~ of Ogden was duly passed by the Town Board on September 10 2025, 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, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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.

* 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.

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

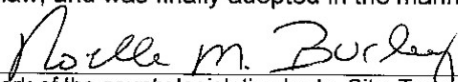
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 hereto, designated as local law No. _____ 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 paragraph _____ above.



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

Date: 9-11-2025

(Seal)