

August 16, 2021

LOCAL LAW NO. OF 2021 OF THE VILLAGE OF SALTAIRE A LOCAL LAW CREATING SECTION 10-9; ELECTRIC ASSIST BICYCLES OF THE SALTAIRE VILLAGE CODE

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF SALTAIRE AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Purpose.

1.1 Title of Local Law.

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

1.5 Findings.

2.0 General Provisions.

2.1 Creation of Section 10-9 Electric Assist Bicycles; of the Saltaire Village Code.

3.0 Severability and Validity.

Section 1.0 Title, Enactment, Effective Date and Purpose.

1.1. Title.

This Local Law shall be entitled, "Local Law No. of 2021: A Local Law Creating Section 10-9 Electric Assist Bicycles of the Saltaire Village Code".

1.2 Enactment.

Pursuant to Section 10 of the Home Rule Law, the Village Law and the Village Code of the Incorporated Village of Saltaire, the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law No. of 2021, a Local Law of the Incorporated Village of Saltaire.

1.3. Effective Date.

This local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Saltaire.

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1.4. Purpose and Intent of Local Law.

A. The purpose and intent of this local law is to adopt regulations which will provide for and ensure the safety of the residents, guests and visitors of the Village of Saltaire by the adoption of this Local Law containing those regulations pursuant to Article 10 of the New York State Village Law.

1.5 Findings.

The Board of Trustees hereby finds:

A. That the predominant forms of transportation on the public walkways within the Village of Saltaire are pedestrian foot traffic, including many children and family groups, and manually-powered bicycles, and that the intersections, width, sight lines and other characteristics of the public walks in the Village of Saltaire were designed and constructed to be for pedestrian foot traffic, very limited vehicle traffic and manually pedaled bicycles only.

B. That the use or operation of an Electric Assist Bicycle in the Village of Saltaire creates a dangerous and hazardous condition for the residents of the Village, their guests and the general public who are on the public walkways either as pedestrian foot traffic or operating manually pedaled bicycles.

C. Sections 1242-3(c) of the New York State Vehicle and Traffic Law enables a village in New York State and Suffolk County to prohibit the use of Electric Assist Bicycles in the respective village provided proper signage of the prohibition is posted.

2.0 General Provisions.

2.1 Section 10-9 Electric Assist Bicycles of the Saltaire Village Code is hereby created to read as follows:

“Section 10-9 Electric Assist Bicycles

10-9(A) Definitions

ELECTRIC ASSIST BICYCLE: A bicycle with an electric assist function having an electric motor that either may be used exclusively to propel such bicycle, or which electric motor provides assistance only when the person operating such bicycle is not pedaling.

10-9(B) Operation and Use of Electric Assist Bicycles

1. The operation and use of an Electric Assist Bicycle within the Village

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of Saltaire is hereby prohibited, from May 1, through the Monday of Columbus Day weekend of each year, inclusive. Operation and use of Electric Assist Bicycles shall be permitted from the Tuesday following Columbus Day weekend through April 30 of the following year, inclusive.

2. During the period when operation of Electric Assist Bicycles is permitted in the Village of Saltaire, no Electric Assist Bicycle shall be operated by means of electric assist power from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise of each day. Operation of Electric Assist Bicycles during such hours shall be permitted only by means of manual (muscular) or pedal propulsion.

3. The operation of an Electric Assist Bicycle, whether by manual (muscular) or pedal power or by electric assist power shall be restricted solely to persons 16 (sixteen) years of age and older, and the operator must wear an appropriate helmet at all times.

4. The operation and use of electric bicycles shall be subject to and in compliance with all other provisions of this Chapter and Code, including any and all provisions relating to safety, operating requirements, prohibition of passengers, speed limits (8 miles per hour) and other restrictions, registration and enforcement.

10-9(C). Penalties for offenses. Violation of any provision of this Section 10-9 shall, upon a first conviction thereof, be punishable by a fine of not less than two hundred and fifty dollars (\$250); not less than three hundred dollars (\$300) for a second offense for which the offense date shall be within one (1) year of the date of a prior offense; , and of four hundred dollars (\$400) for each subsequent offense where the offense date is within one (1) year of the date of offense of the second conviction for an offense of this Section 10-9, and for each conviction thereafter.”

3.0 Severability and Validity

3.1 In the event that any portion or section of this Local Law may be determined to be invalid, the remaining portions and sections of this Local Law shall remain in full force and effect.