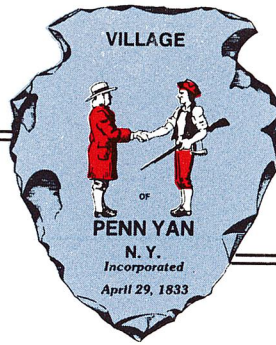


*Village of Penn Yan*



*on Keuka Lake*

Danny Condella, Mayor  
Kevin McCloud, Deputy Mayor  
Daniel Henries, Jr., Trustee  
Teresa Hoban, Trustee  
Daniel Irwin, Trustee  
Norman Koek, Trustee  
Richard Stewart, Trustee  
Holly Easling, Clerk-Treasurer

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PENN YAN, NEW YORK 14527  
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## ***NOTICE OF ADOPTION***

### **VILLAGE OF PENN YAN**

Local Law To Amend Chapter the Village Code Establishing Hours For Village Parks and Playgrounds.

Notice is hereby given that at a meeting of the Board of Trustees of the Village of Penn Yan, County of Yates, State of New York, which was held on the 17th day of October, 2023, the above referenced proposed Local Law was adopted.

The effect of this Local Law will be to amend the "Parks and Playgrounds" Chapter of the Code of the Village of Penn Yan regarding hours that the Parks and Playgrounds are open to the public. A Copy of the Local Law is available at the Office of the Clerk of the Village of Penn Yan, 111 Elm Street, Penn Yan, NY 14527 during regular business hours or on the Village website [www.villageofpennyan.com](http://www.villageofpennyan.com).

Holly Easling, Village Clerk/Treasurer  
Village of Penn Yan

# *Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

**(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.

Local Law 15 of 2023 Amending Chapter 132, “Parks and Playgrounds” of the Code of the Village of Penn Yan.

Be it enacted by the Board of Trustees of the Village of Penn Yan, in the County of Yates, as follows:

## **SECTION 1. SHORT TITLE**

This Local Law shall be known as the “Parks and Playgrounds Chapter Amendment 1 of 2023 Setting Hours”.

## **SECTION 2. LEGISLATIVE INTENT**

This Local Law provides for amending the “Parks and Playgrounds” Chapter of the Code of the Village of Penn Yan by amending those regulations regarding park and playground hours.

## **SECTION 3. LEGISLATIVE AUTHORITY**

This Local Law is adopted pursuant to the Municipal Home Rule Law of the State of New York.

## **SECTIONS 4. PROVISIONS**

The following sections, subsections and/or paragraphs of Chapter 132, “Parks and Playgrounds” of the Village Code, are amended to provide as follows:

**Sub-section C. “Hours” of § 132-1. “Designation of Parks and Playgrounds; hours” of Chapter 132 “Parks and Playgrounds” is amended to provide as follows:**

### **C. Hours**

1. Parks and Playgrounds are closed to the public from one-half hour (1/2) after sunset to one-half (1/2) hour before sunrise each day with the following exceptions:
  - a) Participating in a sport or exercise activity in the immediate area of an active lighting source specifically provided by the Village for sport or exercise activity, provided that the participants and spectators have left the park or playground within thirty (30) minutes of the termination of the sport or exercise activity;

- b) A continuous walking, jogging or running activity in or through a Village Park or Playground;
  - c) Participants in events sanctioned by the Village of Penn Yan provided that the participants have left the park or playground within thirty (30) minutes after the termination of the activity;
  - d) Individuals or groups in the boat launch area who are in the process of launching boats, parking vehicles related to use of boats in the launch areas and/or landing and trailering boats and/or exiting the boat launch area subsequent to landing.
2. Any person loitering in or on a park or playground when the park or playground is closed will presumptively not be participating in the exceptions specified in paragraphs "a)" and "b)" hereof. For purposes hereof the term "loitering" shall mean standing, sitting or waiting around idly without apparent legitimate purpose related to permitted activities at the time of the individual's presence.
3. A violation of any provision of this Section is enforceable and punishable pursuant to Section 132-12 of this Chapter.

### **Section 5. Severability.**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or 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, subdivision or part of this Local Law or in its application to the person individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

### **SECTION 6. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

*(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. 15 of the year 2023, was duly passed by the Board of Trustees of the Village of Penn Yan on October 17, 2023, in accordance with the applicable provisions of law.**

**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 1 above.

  
\_\_\_\_\_  
Holly Easling, Village Clerk/Treasurer

(SEAL)

Date: October 19, 2023

*(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality)*

STATE OF NEW YORK)  
COUNTY YATES ) ss:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Edward Brockman, Village Attorney

Village of Penn Yan

Date: October 18, 2023