

Town of Wayland, Steuben County, New York

Motor Sports Events Law

Local Law No. 1 of the year 2012

Section 1. Title:

This law shall be known as the “Motor Sports Events Law” of the Town of Wayland, New York.

Section 2. Purpose:

Unregulated motor sports events, as defined hereinafter, are potential nuisances by reason of loud noise, possible misuse of drugs and alcohol by participants and/or spectators, littering, lack of sanitary sewage disposal facilities, lack of police and fire protection, and lack of accountability for any damages resulting therefrom. It is the purpose of this law to promote health, safety, morals and general welfare of the inhabitants of the Town of Wayland, Steuben County, New York by efficient regulation of motor sports events.

Section 3. Definitions:

For the purposes of this law, “motor sports event” shall mean any gathering of people for the purpose of participating in or watching a race, time trial, hill climb, or other competition of any vehicle operated by an internal combustion engine held wholly or partly within the Town of Wayland.

- A. “Applicant” means any person holding or promoting a motor sport event by advertising or otherwise, or any person intending to sponsor such motor sport event.
- B. “Person” means any natural individual, firm, trust, partnership, association, corporation, or limited liability company (LLC).
- C. “Permit means written permission from the Town Board of the Town of Wayland, County of Steuben, State of New York.

Section 4. Holding or promoting a motor sport event:

It shall be unlawful for any person or persons to promote or hold a motor sport event (as defined above), unless such person shall first obtain a permit.

It shall be unlawful for any person or persons to whom a permit has been issued as provided for in this local law to allow more than ten thousand persons to attend said motor event.

It shall be unlawful for any person to whom a permit has been issued as provided for in this local law to commence said motor sport event earlier than 9 o’clock A.M. on the date for which said permit is approved or to continue said motor sport event later than 9 o’clock on the date for which said permit is approved.

Only six motor sport events shall be held at any single location each calendar year.

Section 5. Permit fee:

The fee for a motor sport event permit shall be One Hundred Dollars (\$100.00) and said fee shall be submitted to the Town Clerk of the Town of Wayland with the application for said permit.

Section 6. Application for permit:

The application for the permit for the holding or promoting of a motor sport event in the Town of Wayland, Steuben County, New York shall be submitted to the Town Clerk of the Town of Wayland. The application shall include the following:

- A. The name and address(es) of the applicant(s) and the names and addresses of all principals of any partnerships, association, corporation, or LLC. If any application has been convicted of any crime, state the nature thereof.
- B. The name(s) and addresses of the owner(s) of the premises upon which the motor sport event is to be located and a written consent or lease by said owner(s) of the premises for the intended use.
- C. A complete statement containing plans and availability of any proposed police, garbage, fire, water, sewage, toilet and lavatory, and medical facilities, and services to be provided for the motor sport event as required pursuant to the public health laws. The said applicant shall file written permission from the appropriate Department of Health as required by law. Applicant shall also file with the Town Board written consent, from the fire department having jurisdiction of the area in which the event is to be held, stating the fire services are adequate for that area. In addition, thereto, said applicant shall file a written consent, from the police department having jurisdiction of that area, stating the adequacy of the police protection for said event.
- D. D. An undertaking in an amount to be set by the Town Board of the Town of Wayland, Steuben County, State of New York, to insure compliance with the provisions hereof.
- E. An estimate as to the number of persons expected to be in attendance at such motor sport event.
- F. An itemized estimate as to amount of money to be used to hold and promote motor sport event, and the price of admission, if any, which will be charged.
- G. The location of the land upon which the motor sport event is to be held.
- H. Liability insurance is an amount of at least \$1,000,000 or such amount deemed appropriate by the Town Hall.
- I. Proof that the event is sanctioned by a nationally recognized association which has adopted rules intended to provide safety to participants and spectators and proof that the applicant has or will comply with all such rules.
- J. A plan for adequate traffic control for vehicles entering and leaving the event.

- K. The application and all accompanying plans and undertaking shall be filled in triplicate. Said application shall be filed no later than two months prior to the date scheduled for said motor sport event.
- L. Upon receipt of the application, the Town Clerk shall transmit one (1) copy of the application to the Town Board of the Town of Wayland. Another copy shall remain with the Town Clerk for public record. The third copy shall be transmitted to the Code Compliance Officer.

Section 7. Approval of Applications for permits:

The Town Board, in reviewing application for permits for approval, shall determine whether said event: as proposed is in conformity with the requirement as herein set forth in order that the motor sport event can be held without hazard to health, safety and the public welfare.

Section 8. Motor sport event requirements:

A motor sport event shall conform to the following:

- A. Garbage receptacles. Garbage receptacles must be provided to insure proper disposal of all garbage and rubbish. Receptacles shall be kept in a sanitary condition at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that such receptacles shall not overflow. The applicant shall also file with the Town Board a contract showing that the applicant has contracted for adequate disposal of all garbage and rubbish for said event. The applicant shall also file with the Town Board a plan for the clean up of the motor sport event site after the termination of the event. Such clean up after the event is an integral part of this section and failure to follow through with same shall be grounds for forfeiture of any bond required by the Town Board to be filed upon approval of a permit.
- B. Undertaking: An undertaking shall be deposited as required by Section 6(D) of this law.
- C. Fire protection. Every motor sport event shall be equipped at all times with adequate fire extinguishing equipment in good working order, of such type, size and manner and so located on said premises as to satisfy any and all fire department regulations which may apply. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time. Special care shall be taken in the handling and storage of any petroleum products.
- D. Water. An adequate supply of water must be available to all in attendance at a motor sport event and such water must be of sufficient quality as to comply with the regulations of the appropriate Health Department.
- E. Toilet and Lavatory Facilities. An adequate quantity of toilet and lavatory facilities shall be provided of a quality satisfactory to the appropriate Health Department.
- F. Sewage Facilities shall be provided and maintained for satisfactory disposal of sewage in accordance with the regulations of the appropriate Health Department.

- G. Medical. Adequate medical and first aid treatment facilities and at least two ambulances shall be provided in accordance with the standards of the appropriate Health Department.
- H. Parking facilities. Off-street parking facilities shall be provided such as to accommodate all vehicles. No parking shall be allowed either on the road or along the shoulder.
- I. Security. The applicant shall submit to the Town Board proof that a sufficient number of police officers will be available to provide security and safety to persons and property adjoining the motor sport event site.

Section 9. Applicable Laws:

No permit shall be issued to any applicant for a motor sport event permit until such applicant has complied with all the sanitary and health codes, laws, regulations, and ordinances of the State of New York, County of Steuben, and/or the Town of Wayland.

Section 10. Revocation of Permit:

The Town Board may revoke any permit to hold or promote a motor sport event in the event the holder thereof has failed to comply with any of the requirements of provisions as hereinbefore set forth.

Section 11. Posting of Permit:

The permit shall be conspicuously posted on the premises where the motor sport event is to be held.

Section 12. Separability:

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

Section 13. Penalty:

Any person, firm, corporation or other person violating any provision of this local law shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding One Hundred Dollars (\$100) or to imprisonment not to exceed six months, or to both such fine or imprisonment for each and every violation. Each day that such violation is carried on or continues shall constitute a separate violation.

Section 14. Effective Date:

The law shall take effect immediately in accordance with the applicable provisions of the Municipal Home Rule Law.

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2012 of the Town of Wayland was duly passed by the Town Board on October 8, 2012, in accordance with the applicable provisions of the 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 law, and was finally adopted in the manner above in paragraph , above.

Natalie Baird
Clerk
Town of Wayland, Steuben County, New York.
October 8, 2012

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 herto.

John Vogel
Town Attorney,
Town of Wayland,
October 8, 2012