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Miscellaneous—Authority of Park Commissions to Enact Ordinances

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The courts in New York have consistently held that the words of a statute will be enforced unless the vagueness of the words are patent, and only then will the court look to the legislative history in an attempt to arrive at the correct interpretation.²⁶

AUTHORITY OF PARK COMMISSIONS TO ENACT ORDINANCES

In the case of *People v. Alexander*,²⁷ a duly licensed driver was teaching her daughter, who had a learner's permit, how to drive on a much traveled parkway. The mother was charged with permitting an unlicensed driver to operate her car, while the daughter was charged with receiving instructions on how to operate a car under a learner's permit, both in violation of ordinances of the park commission concerning use of roads in the park.²⁸

The sole issue was whether the park commission had the authority to adopt such ordinances. The Court of Appeals unanimously held that under the Vehicle and Traffic Law formerly Section 90,²⁹ as well as under the Westchester County Administrative Code, Sections 472 and 498, such authority did exist, and that these ordinances were not an unreasonable exercise of the authority granted therein.

26. *New Amsterdam Cas. Co. v. Stecker*, 3 N.Y.2d 1, 163 N.Y.S.2d 626 (1957); *Town of Putnam Valley v. Slutzsky*, 283 N.Y. 334, 28 N.E.2d 860 (1940).

27. 7 N.Y.2d 39, 194 N.Y.S.2d 495 (1959).

28. Westchester County Park Commission General Ordinance No. 3 Art. 5, § 49(1), (2).

29. § 90 of the Vehicle and Traffic Law was repealed in 1957, and this area is now covered by §§ 1600, 1603, 1640-1646, 1660-1663, 1670 of this law. See primarily § 1630.