

(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~~ of Clarendon, New York
~~Town~~
~~Village~~

Local Law No. 7 of the year 2020.

A local law Amending Local Law No. 3 of the Year 1988
Concerning Restricting Use of Town Highways by Commercial Vehicles with a Gross
Vehicle Weight in Excess of Six Tons.
(Insert Title)

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

~~County~~
~~City~~ of Clarendon, Orleans County, New York as follows:
~~Town~~
~~Village~~

A Local Law Amending Local Law No. 3 of the Year 1988
Restricting Use of Town Highways by Commercial Vehicles with a
Gross Vehicle Weight in Excess of Six Ton

Section 1. Purpose

The purpose of this Local Law shall be to amend Town of Clarendon Local Law No. 3 of 1988, entitled a Local Law Restricting the Use of Town Highways by Commercial Vehicles with a Gross Vehicle Weight in Excess of Six Tons, in order to grant restriction to an additional town highway, pursuant to the provisions of Section 1660 of the Vehicle and Traffic Law of the State of New York.

Section 2. Title

This Local Law may be referred to as A Local Law Amending Town of Clarendon Local Law No. 3 of 1988, Restricting Use of Town Highways by commercial Vehicles with a Gross Vehicle Weight in Excess of Six Tons.

Section 3. Text

The Text of this Local Law shall amend Town of Clarendon Local Law No. 3 of the Year 1988 to read as follows:

SECTION 1: STATUTORY AUTHORITY:

This Local Law is adopted pursuant to the provisions of Section 1660 of the Vehicle and Traffic Law of the State of New York.

SECTION 2: FINDINGS BY TOWN BOARD:

The Town Board, after consultation with the town Superintendent of Highways, hereby determines that the use of various town highways by tractor trailer trucks, dump trucks, garbage trucks and other vehicles of a commercial nature with gross vehicle weights in excess of six ton [twelve thousand (12,000 pounds)] has resulted in severe damage to the pavement and underlying base of such highways, including cracking, crumbling, settling and sinking of the highway surface. The Town Board further determines that such highways were not originally designed or constructed to accommodate use by commercial vehicles and that continued use by such vehicles will likely result in further destruction and deterioration of the highways.

SECTION 3: DEFINITIONS:

For the purposes of this Local Law, 'commercial vehicle' shall include any motor vehicle, including but not limited to automobiles, trucks, buses and the like, utilized in conducting business for a profit. 'Gross vehicle weight' shall mean the combined weight of the vehicle and its load.

SECTION 4: RESTRICTIONS IMPOSED:

Effective immediately, the following described highways within the geographical limits of the Town of Clarendon are permanently closed to commercial vehicles with a gross vehicle weight in excess of six (6) ton [twelve thousand (12,000) pounds]:

1. LAKE ROAD between NYS Route 237 and the division line between the Towns of Clarendon and Murray;
2. POWERLINE ROAD between NYS Route 31A and the division line between the Towns of Clarendon and Murray;
3. HULBERTON ROAD between NYS Route 31A and the division line between the Towns of Clarendon and Murray;
4. BENNETTS CORNERS ROAD between Jackson Road and the division line between the Towns of Clarendon and Murray; and
5. BROWN SCHOOLHOUSE ROAD between NYS Route 237 and Upper Holley Road.

SECTION 5: EXCEPTIONS:

This Local Law shall not be construed to prevent the delivery or pick-up of merchandise or other property by commercial vehicles along the town highways from which such vehicles would otherwise be excluded by this Local Law.

SECTION 6: POSTING OF NOTICE:

The Town Superintendent of Highways shall post notices in conspicuous places along those town highways for which weight restrictions have been imposed by this Local Law in order to apprise the public of such weight restrictions.

SECTION 7: VIOLATIONS:

Any violation of the provisions of this Local Law shall subject the violator to a fine of not more than two hundred-fifty dollars (\$250) or imprisonment for a period not to exceed fifteen (15) days, or both such fine and imprisonment.

SECTION 8: SEPARABILITY:

Each separate provision of this Local Law shall be deemed independent of all other provisions hereof, and if any such provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 9: EFFECTIVE DATE:

The within amended Local Law shall be effective immediately upon proper filing with the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

10140. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as Local Law No. 7 of 2020 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ ~~(Village)~~ of Clarendon was duly passed by the Clarendon Town Board On December 15, 2020, in accordance with the applicable provisions of law.

10141. (Passage by local legislative body with approval, no disapproval or re-passage after disapproval by the Elective Chief Executive Officer *).

I hereby certify that the local law annexed hereto, designated as Local Law No. _____ Of the (County) (City) (Town) (Village) of _____ Was duly passed by the _____ On _____ And was (approved) (Not approved) (repassed after disapproval) by the _____ And was deemed duly adopted on _____ In accordance with the applicable provisions of law.

(Elective Chief Executive Officer *)

10142. (Final adoption by referendum).

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ Of
of the (County) (City) (Town) (Village) of _____ Was duly passed by
the _____ On _____ And was (approved)
(Not approved) (repassed after disapproval) by the _____ . Such local
(Elective Chief Executive Officer*)
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 the (general)
(special) (annual) election held on _____ 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
of the (County) (City) (Town) (Village) of _____ Was duly passed by
the _____ On _____ And was (approved)
(Not approved) (repassed after disapproval) by the _____ . Such local
(Elective Chief Executive Officer*)
law was subject to permissive referendum, and no valid petition requesting such referendum was
filed as of _____ 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 chairman 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
of then 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 _____ Became operative.

6. (County local law concerning adoption for Charter).

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ Of
of the County of _____ State of New York, having been submitted to
the electors at the General Election of November _____, 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 of 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 there from and of the whole of such original local, and was finally adopted in the manner indicated in paragraph 1 , above.

~~Clerk of the County legislative body; Town or Village Clerk or
Officer designated by local legislative body.~~

(SEAL)

Dated: