

Local Law Filing

(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 ☒ Town ☐ Village
(Select one.)

of SANGERFIELD

Local Law No. 1 of the year 20¹⁵

A local law TO ESTABLISH A ROAD USE POLICY FOR THE TOWN OF SANGERFIELD
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of SANGERFIELD as follows:

*SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 1 of 2015 of the (County)(City)(Town)(Village) of SANGERFIELD was duly passed by the TOWN BOARD on 20 15, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

Such local 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 at the (general)(special)(annual) election held on _____ 20____, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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 chairperson 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 20____ of the 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 _____ 20____, became operative.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

Date: _____

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

STATE OF NEW YORK
COUNTY OF ONEIDA

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.

Signature
TOWN ATTORNEY

Title

County _____
City of SANGERFIELD
Town _____
Village _____

Date: _____

A LOCAL LAW TO ESTABLISH A ROAD USE POLICY FOR THE TOWN OF SANGERFIELD

Section 1: Purpose

The purpose of this local law is to regulate the industrial use of Town roads within the Town of Sangerfield.

Section 2: Definition

This local law applies to any industrial operation that requires the use of roads owned by the Town of Sangerfield which would be using vehicles or equipment over the Town of Sangerfield's six (6) ton weight limit, as well as any road use that the Town Highway Superintendent deems may be detrimental to the Town roads.

Section 3: Exemptions

This local law shall not apply to local deliveries and resident agricultural use. However, any excessive use which can or does damage a Town road will be subject to this Road Use Policy.

Section 4: Permit Required

The use of Town roads for non-exempt industrial operations shall be prohibited without first obtaining a road use permit. Applications for a permit allowing industrial operation on Town roads shall be obtained from the Town Clerk or the Town website.

Section 5: Permit Process

The permit application shall first be reviewed by the Town Highway Superintendent and the Town Planning Board each of which shall give their recommendations to the Town Board.

Permits shall then be approved or denied by the Town Board within 45 days of receipt by the Town Clerk.

Any complaint or questionable Town road use shall be first reviewed by the Town Planning Board within thirty (30) days of being submitted to the Town Clerk. The Board shall forward their review to the next Town Board Meeting. The Town Planning Board shall make a final determination regarding the use in question if action is required to enforce this policy.

Section 6: Permit Application

The Town of Sangerfield Road Use Permit Application shall include, but not be limited to, the following:

Identification of all public roads that will be used

Identification of weight, size limits, frequency of trips

Identification of type of industrial operation that roads will be used for

Documentation must be provided prior to any use or construction and permission will only be granted after review and approval by the above stated approval process.

Section 7: Upgrade of existing Town roads

Any existing roads identified as below weight and size capabilities must first be upgraded after approval by the Highway Superintendent as to scope of materials and schedules. If roads are to be closed during the upgrade, this must be approved by the Highway Superintendent and alternate routes defined.

Section 8: Public Improvement Bond

A public improvement bond in an amount agreed upon by the Town Board of the Town of Sangerfield for the purpose of modifying and/or repairing any damage to the Town of

Sangerfield roads incurred after construction and during maintenance for the term of the operating permit of said operation must be obtained.

Section 9: Pre and Post Road Condition

Before the granting of any road use permit evidence of the road conditions, including load bearings capability and photographic evidence of road condition shall be provided by the applicant for the routes used. Photographic evidence of road condition following the industrial road use shall be provided by the applicant. Such post-industrial use evidence must show that the roads meet or exceed their pre-industrial use conditions.

Section 10: Seasonal Road Use

If the applicant uses any seasonal use highway in the off-season, it shall be solely responsible for the maintenance of said highway but not limited to snow plowing. No act of maintenance on a seasonal use highway by an applicant shall be considered as Town maintenance of that road for the purpose of determining the seasonal use status of the highway.

Section 11:

Any person, corporation or entity using Town roads for a non-exempt industrial use without first obtaining a road use permit shall be liable for a fine not to exceed \$1,000.00 for each days use, and shall further be liable for the repairs of any damage to the roadway.

Section 12:

This local law shall take effect immediately upon filing with the Secretary of State.