

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(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 of Richmond

Village

Local Law No. _____ of the year **2018**

A Local Law to Amend Chapter 172 (Streets and Sidewalks) of the Code of the Town of Richmond to Adopt Regulations Pertaining to the Establishment of a Truck Route System

(Insert Title)

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

County

City

Town of Richmond

Village

as follows:

Section 1: Chapter 172 (Streets and Sidewalks) of the Code of the Town of Richmond is hereby amended with the adoption of a new Article II to read as follows:

Article II. Truck Route System as established by the Town Highway Superintendent

§ 172-14. Pursuant to the authority granted by the New York State Vehicle and Traffic Law §1660, the Town of Richmond hereby ordains and enacts the following legislation to establish a system of truck routes:

A. A truck route system, providing suitable connection with all state routes entering or leaving the Town of Richmond, upon which all trucks, tractors and tractor-trailer combinations having a total gross weight in excess of ten thousand pounds are permitted to travel and operate shall consist of the highways or portions thereof as described in any Schedule that may be filed with the Town Clerk by the Town Highway Superintendent and such vehicles are hereby excluded from all other highways within the Town outside of villages pursuant to New York State Vehicle and Traffic Law §1660 (a) 10.

B. Notwithstanding the above exclusion, the above shall not be construed to prevent the delivery or pickup of merchandise or other property along the

highways from which such vehicles and combinations are otherwise excluded or the use of such highways if the town superintendent of highways determines that the use of such highways by such vehicles or combinations is necessary to assist in the maintenance, service and repair of highways, sidewalks, sewers and other similar public improvements or the installation of such. Nothing contained in this chapter shall be deemed to limit the right to farm as set forth in Article 25-AA of the New York State Agricultural and Markets Law. Nothing contained in this chapter shall be deemed to unlawfully interfere with interstate commerce.

C. Pursuant to New York State Vehicle and Traffic Law §1603 (e), this Town Board hereby delegates to the Town Highway Superintendent its authority to designate the truck route system of highways authorized by this Article.

D. Signs identifying the truck route system established by the Town Highway Superintendent, as authorized by this Article, shall be posted on both sides of the affected streets and highways in locations to afford proper notice of the established truck route system.

E. Enforcement of any truck route system established pursuant to this Article shall be by any Ontario County or New York State law enforcement officer.

F. Violations of any truck route system established pursuant to this Article shall constitute a traffic infraction punishable as provided in the New York State Vehicle and Traffic Law.

Section 2: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or 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 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 3: Effective Date

This local law shall take effect immediately upon filing with 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.)

1. (Final adoption by local legislative body only.),

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ of 2018 of the **Town of Richmond** was duly passed by the Richmond Town Board on _____, 2018, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer¹.)

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.

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__. 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.

¹ 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 _____ 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.

Town Clerk

(Seal)

Date: _____