

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 Hartsville

FILED
STATE RECORDS

APR 06 2016

DEPARTMENT OF STATE

Local Law No. 1 of the year 20 16

A local law The Town of Hartsville Road Preservation Law
(Insert Title)

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

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

of Hartsville

as follows:

(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 20 16 of the (County)(City)(Town)(Village) of Hartsville was duly passed by the Town of Hartsville town board on March 9 20 16, 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) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) 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) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. (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) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local (Elective Chief Executive Officer*) 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.

* 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.)

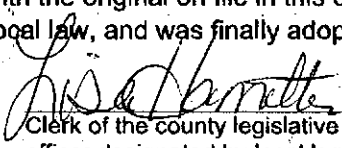
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____ above.


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

Date: 3/9/16

(Seal)

Steuben County
Town of Hartsville, NY
Local Law No. 1 of the Year 2016

A local law entitled The Town of Hartsville Road Preservation Law.

Be it enacted by the Town Board of the Town of Hartsville as follows:

Section 1. Title

This local may be cited as The Town of Hartsville Road Preservation Law.

Section 2. Authority

- a. The town board of the Town of Hartsville enacts this local law under the authority granted by Section 10 of the New York Municipal Home Rule Law, New York State Constitution Article IX § 2(c) 6 and Town Law, specifically subsection 1 (ii)(a)(6), which allows town to adopt local laws regarding the acquisition, care, management and use of its highways, roads, avenues, and property.
- b. This local law is enacted pursuant to the authority Highway Law section 140 wherein the Highway Superintendent must cause certain highways and bridges within the town, to be kept in repair, to bring in action in the named town, against any person or corporation to sustain the rights of the public, in and to any town highway in the town, and to enforce the performance of any duty enjoined upon any person or corporation in relation hereto, and to recover any damages sustained or suffered or expenses incurred by such town, in consequence of any act or omission of any such person or corporation, in violation of any law or contracts in relation to such highway and other powers thereunder.

- c. This Local Law is enacted pursuant to the authority of Highway Law Section 320, which requires that those that injure any highway or bridge maintained at the public expense by drawing or propelling over the same, a load of such weight as to injure or destroy the culverts or bridges along the same, or of such weight that will destroy, break or injure surface of any improved town highway, or by any other act shall for every offense treble damages.
- d. This Local Law is enacted pursuant Vehicle and Traffic Law 1660, which allows towns to provide for the creation of truck routes, for the permanent and temporary exclusion of certain traffic and for the adoption of additional reasonable ordinances and local laws with respect to traffic as conditions require.

Section 3. Objective

- a. The Town of Hartsville shall grant the authority to enforce this Local Law to the Hartsville Superintendent of Highways.
- b. The Hartsville Superintendent of Highways shall be tasked with promulgating The Town of Hartsville Road Preservation Law Permit at his/her discretion.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Town of Hartsville

Ian Henderson, Highway Supt.
Lisa Hamilton, Town Clerk
Brenda Wise, Assessor
Mary Smith-Gerbes, Justice
Bill Ells, Code Enforcement
Mike Henry, Dog Control

Michael Palmer, Supervisor
5150 Purdy Creek Road
Hornell, NY 14843
(607) 698-4940

Town Board
James Perry
Tom Dobell
David McEvoy
Mike Muhleisen

Date: March 9, 2016

Resolution # 8 for 2016

| | |
|---------------------------|---------------|
| _____ Tom Dobell (Absent) | Councilperson |
| Aye _____ David McEvoy | Councilperson |
| Aye _____ Jim Perry | Councilperson |
| Aye _____ Mike Muhleisen | Councilperson |
| Aye _____ Michael Palmer | Supervisor |

Motion brought forth by: James Perry

Motion Second by: David McEvoy

Subject/Comments:

WHEREAS: To adopt Local Law #1 for the year 2016 "The Town of Hartsville Road Preservation Law".

Resolution declared: XXX Approved Denied

by Lisa Hamilton
Name

Town Clerk
Position

Lisa Hamilton
Town Clerk of Hartsville