

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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~~

of... Duanesburg

Local Law No.2..... of the year 2000..

A local law ~~...To amend the Street and Road Ordinance of the Town of Duanesburg,~~
(Insert Title)

~~County of Schenectady and State of New York by Adding Section 8.5~~

~~Entitled "Permits For Work Within The Town Road Right Of Way".~~

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

~~COUNTY~~

~~CITY~~

~~TOWN~~

~~VILLAGE~~

of... Duanesburg as follows:

One copy of Local Law Attached.

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

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.

Resh M. Benson

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

(Seal)

Date: May 23, 2000

(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 Schenectady

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.

Edward C. Smith Jr.

Signature

Town Attorney

Title

County

City

Town

Village

of Duanesburg

Date: 5/23/00

LOCAL LAW NO. 2 FOR THE YEAR 2000

A LOCAL LAW TO AMEND THE STREET AND ROAD ORDINANCE OF THE TOWN OF DUANESBURG, COUNTY OF SCHENECTADY AND STATE OF NEW YORK BY ADDING SECTION 8.5 ENTITLED "PERMITS FOR WORK WITHIN THE TOWN ROAD RIGHT OF WAY"

SECTION 8.5 PERMITS FOR WORK WITHIN THE TOWN ROAD RIGHT OF WAY

1. Except in connection with the construction, reconstruction, maintenance or improvement of a town road, no person, firm, corporation or municipality shall construct or improve within the town road right of way an entrance or connection to such road, or construct within the town road right of way any works, structure or obstruction, or any overhead or underground crossing thereof, or lay or maintain any underground wires or conduits or drainage, sewer or water pipes, except in accordance with the terms and conditions of a written work permit issued by the Town Highway Superintendent.
2. The Town Highway Superintendent and Town Engineer shall establish the written conditions and regulations governing the issuance of road right of way permits including the fees to be charged therefore (subject to Town Board approval), a system of deposits or money or bonds guaranteeing the performance of the work and requirements of insurance to protect the interests of the town during the performance of the work pursuant to the road work permit.
3. Upon completion of the work within the town road right of way, authorized by the work permit, the person, firm, corporation or municipality, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.
4. The term "town road right of way" shall, for the purposes of this section, mean the entire width between the boundary line of all property which has been purchased or appropriated by the town for town road purposes, all property over which the Town Highway Superintendent or his predecessors has assumed jurisdiction for town road purposes, all property over which the Town Highway Superintendent has assumed jurisdiction during the period of construction, reconstruction or improvement and all property which has become part of the town road system through use or dedication.
5. Any person, firm or corporation, their heirs, successors in interest or assigns, in violation of this section shall, in addition to being liable for the applicable fine, be subject to removal therefrom as a trespasser by the Town Highway Superintendent upon petition to the county court of the county or to the supreme court of the state