

Local Law Filing

162 WASHINGTON AVENUE, 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 underling to indicate new matter.

County

~~City~~ of Yates

~~Town~~

~~Village~~

Local Law No. 2 of the year 1975.

A local law of the County of Yates to prohibit the operation on County roads of vehicles having exposed metal lugs.

(Insert Title)

Be it enacted by the Legislature of the

County

~~City~~ of Yates as follows:

~~Town~~

~~Village~~

Section 1. Legislative intent.

The purpose of this Local Law is to preserve and protect Yates County Roads from damage by vehicles operating with exposed metal lugs.

Section 2. Legislative authority.

This Local Law is enacted pursuant to the provisions of the Section 215 of the County Law of the State of New York, as amended.

Section 3. Short title.

This Local Law shall hereafter be known as the Yates County Lug Prohibition Law.

Section 4. Definitions:

As used herein, the following words and phrases have the definitions indicated.

“County Road” means the entire width between the right-of-way lines of every public way maintained by the Yates County Highway Department and shown as a county road on the 1971 Highway Map of Yates County, New York.

“Lug” means any metal projecting outward from the flat surface of a vehicle wheel, excluding rubber tire metal studs.

“Vehicle” shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway or road, except devices moved by human power or used exclusively upon stationary rails or tracks.

Section 5. Vehicles prohibited.

No vehicle shall be operated or driven upon a County road when such vehicle has exposed metal lugs which make contact with the surface of the County road.

Section 6. Excluded Vehicles.

This Local Law shall not apply to vehicles operated by or under the direction of the Yates County Highway Department.

Section 7. Authority of Superintendent of Highways.

The Yates County Superintendent of Highways is authorized and empowered, from time to time, to erect suitable warning signs on such portions of the County road system as the Superintendent may determine, which signs will advise the public that the driving or operation of such vehicles on County roads is prohibited.

Section 8. Any person operating or driving a vehicle upon a County road in violation of this Local Law shall be guilty of an offense punishable by a fine not exceeding one hundred dollars (\$100.00), or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment.

Section 9. Effective date.

This law shall take effect on the 20th day of August 1975.

(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. 2 of 1975 of the (County)(City)(Village) of Yates was duly passed by the Legislature on August 11, 1975, 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 (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) 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 (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) 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 (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) 20__. Such local law was submitted 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 countywide basis or, if there are 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.**

(2)

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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph __1__, above.

Martha Marchionda _____
Clerk of the County legislative body, city, Town or Village Clerk
Or officer designated by local legislative body

(Seal)

Date: August 11, 1975

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

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.

John Scheridan
Signature

County Attorney _____
Title

County
~~City~~ of Yates
~~Town~~
~~Village~~

Date: August 11, 1975

(3)