

Local Law #2-2019

1. Section 1. Pursuant to the authority granted by Vehicle and Traffic Law §1660, the Town of Alfred hereby enacts the following local law to temporarily exclude trucks and other similar vehicles exceeding a certain designated gross weight from highways when such highways would be materially injured by the operation of any such vehicle thereon:
 - A. The Town Superintendent of Highways is hereby delegated the power of this Town Board as granted to it by Vehicle and Traffic Law §1660, subdivision 11, to temporarily exclude from highways designated by him all trucks, commercial vehicles, tractors and tractor-trailer combinations in excess of gross weight, as defined in Vehicle and traffic Law §117, of over four or more ton or any vehicle with a gross weight in excess of 20,000 pounds on any wheel, axle, and number of axles, or per inch width of tire.
 - B. The highways applicable to such temporary exclusions shall be as designated by the Superintendent of Highways on any Schedule that he files with the Town Clerk.
 - C. Such exclusions shall take effect upon the erection of signs on the section of highway from which such vehicles are excluded shall be published in a newspaper in the county where all highways are situated. The exclusion shall remain in effect until the removal of the signs by the Superintendent of Highways.
 - D. Upon written application by any operator of a vehicle subject to the restrictions of this section, the Town Superintendent of Highways may issue a permit providing an appropriate exemption to such vehicle from any exclusions he establishes as authorized above, if he determines that said vehicle is performing essential local pickup or delivery service, or services related to the maintenance, repair or installation of public improvements, and that a failure to grant such permit would create hardship. Every such permit may designate the route to be traversed and contain other reasonable restrictions or conditions deemed necessary. Every such permit shall be carried on the vehicle to which it refers and shall be open to inspection of any peace officer, police officer or Town highway department officer or employee. Such permits shall be limited to the time periods of the restrictions imposed under this section by the Superintendent.
 - E. Pursuant to Vehicle and Traffic Law §1603(e), this Town Board hereby delegates to the Town Superintendent of Highways its authority to designate such highways under Vehicle and Traffic Law §subdivision 11.
2. Section 2. SEVERABILITY. If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.
3. Section 3. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

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