**PROPOSED LOCAL LAW NO.\_\_\_\_OF THE YEAR 2023**

Chapter 156 of the Town Code of the Town of Coeymans is hereby amended to add a new Article VI entitled “Weight Restrictions” and a new Article VII entitled “Miscellaneous,” as follows:

**Article VI Weight Restrictions**

**§ 156-21 Purpose.**

The purpose of this article is to establish weight limitations on certain town roads. The Town Board of the Town of Coeymans has been advised, and from its own observation has ascertained, that certain Town highways are caused to be rapidly deteriorating by the operation of certain trucks and similar vehicles, and the Town Board of the Town of Coeymans has determined that for the preservation of its limited resources and the health, safety and welfare of the inhabitants of the Town and the protection and security of its highways, that certain trucks, commercial vehicles, tractor-trailer semi combinations must be restricted from certain Town highways as set forth in this local law

**§ 156-22 Authority.**

The Town Board of the Town of Coeymans as Legislative Body for the Town of Coeymans hereby enacts this Local Law pursuant to authority conferred by New York State Municipal Home Rule Law § 10.

**§ 156-23 Legislative Intent.**

It is the intent of this article to establish weight limitations on town roads in the Town of Coeymans. The Town Board of the Town of Coeymans received significant community input concerning the frequency of heavy truck traffic on town roads in the Town of Coeymans, New York. Upon an investigation by the Town Supervisor and the Town Highway Superintendent it has been determined that it is necessary, desirable and appropriate for the safety and general welfare of all residents of the Town of Coeymans, and all persons using the sections of the town roads as well as the residences along the town roads that certain weight limitations be established, such that vehicular traffic over the weights set forth herein shall be precluded from the use of such town roads during the period of January 1st - December 31st of each year. Road damage from seasonable freeze and thaw due to vehicles with heavy loads has been evident. The Town Board of the Town of Coeymans is cognizant of the need to insure reasonable vehicular movement through the town, it is determined that there are ample, adequate and safer routes for traffic of weights in excess of those set forth herein, which would amply provide for the free movement of such vehicular traffic in and about the Town of Coeymans.

**§ 156-24 Weight Limitation of Eight Tons.**

Pursuant to New York State Vehicle and Traffic Law § 1660, all trucks, commercial vehicles, tractors and tractor-trailer combinations in excess of a gross weight, as defined in Vehicle and Traffic Law § 117, over eight or more tons are excluded from the highways or portions thereof as described herein on following town roads within the Town of Coeymans, not any portion of which is in a Village, during the period of January 1st in any year through December 31st in any year: (1) **Jarvis Road North**; and (2) **Jarvis Road South.**

All such town roads shall be posted with signs giving notice of weight limitation established in this Local Law during the period. Exclusion of vehicles over eight (8) or more tons as provided for herein on the roads designed shall take effect upon the erection of signs on the said town roads from which such vehicles are excluded. The Superintendent of Highways for the Town of Coeymans is hereby directed, empowered and authorized to erect any and all necessary signage upon said town roadways for posting the notice of such weight limits as provided for herein.

**§ 156-24 Notice.**

Public notice of the weight limitations established herein shall be published in the Official Town newspaper upon passage hereof. The Town Clerk of the Town of Coeymans is hereby directed, empowered and authorized to cause such notice to be published in the official newspaper forthwith.

**§ 156-25 Permits.**

Upon written application by any operator of a vehicle subject to this article, the Town Superintendent of Highways pursuant to Vehicle and Traffic Law § 1603(e), may issue a permit providing an appropriate exemption to any such excluded vehicle, if it is deemed that said vehicle is performing essential local pickup or delivery service 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 open to inspection of any peace officer, action pursuant to his or her special duties, or police officer.

**§ 156-26 Exceptions.**

The following vehicles shall be exempt from the provisions of this article: (1) Any police, fire or emergency vehicle; and (2) any school bus picking up or dropping off passengers.

**Article VII Miscellaneous**

**§ 156-27 Supersession.**

The Town of Coeymans hereby exercises its authority pursuant to New York State Municipal Home Rule Law to supersede any conflicting state or local laws contrary to any portion of this Local Law.

**§ 156-28 Severability.**

If any portion of this Local Law or the application thereof shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remaining portions of this Local Law.

**§ 156-29 Effective Date.**

This Local Law and any amendment thereto shall become effective immediately upon filing with the NYS Secretary of State in conformity with NYS Municipal Home Rule Law.