

**TOWN OF SHARON
ROAD PRESERVATION LAW
Local Law No. 1 -2012**

Section I	Title
Section II	Purpose
Section III	Authority
Section IV	Applicability
Section V	Delegation of Authority
Section VI	Definitions
Section VII	Activities Requiring A Road Preservation Vehicle Permit
Section VIII	Exclusions
Section IX	Highway Superintendent Authority
Section X	Application and Permit Requirements and Approval Process
Section XI	Suspension and Revocation of Permit
Section XII	Highway Permit Bond/Maintenance Bond and Escrow Account
Section XIII	Multiple Permits
Section XIV	Injunctions
Section XVI	Fees
Section XVII	Invalid Segment
Section XVIII	Effective Date

Be it hereby enacted by the Town Board of the Town of Sharon, Schoharie County, New York, as follows:

SECTION I: TITLE

A local law relating to preservation and protection of the roads of the Town of Sharon and to the mitigation of damage due to heavy and/or high volume truck traffic. This local law may be cited as the “Town of Sharon Road Preservation Law.”

SECTION II: PURPOSE

The purpose of this local law is to protect and maintain the health, safety and general welfare of Town residents and to preserve the local transportation infrastructure by establishing a road preservation vehicle permit system. This system is intended to minimize and mitigate damage to town roads and bridges, above and beyond ordinary wear and tear, resulting from heavy truck traffic due to high impact and/or high frequency commercial and industrial activities. A further purpose of this law is to promote traffic safety, and eliminate dangerous areas pursuant to goals and objectives as established in Part II of the adopted Town of Sharon Comprehensive Plan.

SECTION III: AUTHORITY

The Town Board of the Town of Sharon enacts this local law under the authority granted by Section 10 of the New York State Municipal Home Rule law, the New York State Vehicle and Traffic Law 1660, and the New York State Town Law 130(7).

SECTION IV: APPLICABILITY

This local law shall apply to all Town roads and bridges paved or unpaved, road shoulders, bridges, guard rails, driveways, easements, rights-of-way, culverts, sluice or drainage pipes, ditches, sidewalks, signs, or any utilities or improvements therein, thereon, or there under including seasonal and limited use roads designated by the Town of Sharon, open to travel by the public, and repaired and maintained by the Town of Sharon.

SECTION V: DELEGATION OF AUTHORITY

The Town of Sharon Highway Superintendent (herein called “Highway Superintendent”) is authorized to receive, review, approve, approve with modifications, or deny road preservation vehicle permits to ensure high impact or high frequency truck traffic does not have an adverse impact on Town roads and properties. The Highway Superintendent is authorized to forward approval of a road preservation vehicle permit to the Town of Sharon Code Enforcement Officer for issuance of the permit.

SECTION VI: DEFINITIONS

1. **Bond:** A commercial bond (monies) to ensure that the condition of the town roads and/or property impacted by high frequency, high impact truck traffic is left in a good or better condition at the completion of the project as they were at the start of the project.
2. **Escrow:** Money put into the custody of a third party, which shall be the Town of Sharon for delivery to a grantee only after the fulfillment of the conditions are specified.
3. **Final Bond Release:** Final release of the Bond (monies) by the Town of Sharon Town Board.
4. **High Frequency and High Impact Truck Traffic:** Traffic over Town roads generated by a commercial project or activity that generates more than ten (10) truck trips per 24 hour period for more than three (3) consecutive days, involving trucks that are registered for 26001 pounds or greater, and/or truck traffic of one or more vehicles that are oversized and/or overweight requiring a permit to travel New York State roads and highways pursuant to New York State Vehicle & Traffic Law 385. See section VIII for truck traffic that is exempted from this local law.
5. **Permittee:** Shall mean the holder of a “Road Preservation Vehicle Permit” including its contractors, sub contractors, employees and agents, issued pursuant to this Local Law.
6. **Preliminary Bond Release:** A bond release given by the Highway Superintendent based on satisfactory road conditions at project completion and which requires final approval by the Town Board.

7. **Property:** Shall mean and include any real property (including any improvements therein, thereon or there under) or personal property owned by, or leased to, in the Town of Sharon.

8. **Regulated Vehicle or Equipment:** Trucks, trailers, semi-trailers, tractors and other equipment, both wheeled and tracked vehicles, whether self-propelled or towed, whether loaded or unloaded whose use and operation falls within the definitions in this local law of either high frequency or high impact truck traffic.

9. **Road:** Shall mean and include any paved or unpaved, road, shoulder, road right-of-way, bridge, guard rail, concourse, driveway, easement, right-of-way, culvert, sluice or drainage pipe, ditch, dock, tunnel, sidewalk, sign or any utilities or improvements therein, thereon, or there under including seasonal and limited use roads designated by the Town of Sharon, open to travel by the public and repaired and maintained by the Town of Sharon.

10. **Road Preservation Local Law Worksheet (Appendix A):** Worksheet to be completed by the Applicant, summarizing the project or activity which will generate the traffic to which this local law applies and submitted to the Highway Superintendent.

11. **Applicant:** Refers to a person, as well as his/her agents, contractors, or subcontractors seeking a Road Preservation Vehicle Permit to use one or more town roads.

SECTION VII: ACTIVITIES REQUIRING A ROAD PRESERVATION VEHICLE PERMIT

1. Any high frequency or high impact truck traffic use on Town roads as defined above, shall require a written Road Preservation Vehicle Permit pursuant to this Local Law prior to commencing use of any Town road. In the event that high frequency or high impact truck traffic uses Town roads without the required valid permit, the Highway Superintendent, any law enforcement officer, or code enforcement officer, has the authority to deny access to the roads.
2. When related to high frequency or high impact truck traffic, no temporary or permanent altering, installing, constructing, modifying, filling, obstructing, or relocating any pavement, bridge, ditch, ditching, drainage flow, culvert, sluice, or drainage pipe located on a town road or within any town road Right-of-Way shall take place until a valid Road Preservation Vehicle Permit has been issued.
3. This law shall apply, and a Road Preservation Vehicle Permit shall be required, for all high frequency or high impact truck traffic even if the origin site or locale and/or the destination are located outside the Town of Sharon so long as travel to and from the origin site and the destination is required over a Town road within the Town of Sharon.
4. When high impact or high frequency truck traffic is proposing to use town roads to travel to more than one parcel or lot in the Town of Sharon, or to travel through the town on town roads to access parcels outside the Town of Sharon, a separate

application for a Road Preservation Vehicle Permit shall be made for each parcel, and for each road being used within the Town.

5. All high impact or high frequency truck traffic utilizing seismic testing shall also require a Road Preservation Vehicle Permit.

SECTION VIII EXCLUSIONS

1. All rubber-wheeled vehicles, equipment and machinery, whether self-propelled or towed, utilized in the production of or transportation of agricultural products (as defined in Section 301 of Article 25-aa of the NY AML), school buses, law enforcement vehicles, firefighting and emergency rescue type vehicles, ambulances, military vehicles, equipment operated by the National Guard, and municipal owned and operated vehicles, are exempted from requiring a Road Preservation Vehicle Permit.
2. This local law shall not be construed to apply to, or prevent, the regular delivery or pickup of merchandise or other items common for residences, local business construction sites, and farms from property along Town roads.

SECTION IX: HIGHWAY SUPERINTENDENT AUTHORITY

1. The Highway Superintendent is hereby designated as the authority to receive, review, approve with modifications, approve, or deny all applications for a Road Preservation Vehicle Permit. The Highway Superintendent must submit a copy of the Road Preservation Vehicle application to the Town of Sharon Code Enforcement Officer prior to the approving and issuing of any Road Preservation Vehicle Permit.
2. The Highway Superintendent is hereby authorized to consult with others including but not limited to the New York State Department of Transportation and County Department of Public Works. The Superintendent may hire, in compliance with the Town Local Laws and procurement policies and with final approval from the Town of Sharon Town Board, any engineer, consultant and/or expert which the Highway Superintendent deems necessary to assist in reviewing and evaluating any application hereunder for a Road Preservation Vehicle Permit.
3. Use of Escrow. If the Highway Superintendent determines that a source of funds is needed to promptly reimburse the Town for any reasonable costs and expenses incurred by the Town in processing an application for a Road Preservation Vehicle Permit, the applicant for a Road Preservation Vehicle Permit may be required by the Highway Superintendent to file with the Town of Sharon Town Clerk an initial cash or certified funds deposit in the sum of \$10,000.00. These funds shall be required to accompany the filing of the application, and the Town shall maintain a separate escrow account of all such funds.
 - a. The Town of Sharon Town Board is hereby authorized to withdraw funds from said escrow account (without prior notice to or consent from the applicant) in

order to promptly reimburse the Town of Sharon for any costs and expenses related to the processing of an application for a Road Preservation Vehicle Permit.

- b. Funds from this escrow account may also be used to cover reasonable expenses if roads are to be repaired pursuant to Section 12 of this law. The Town of Sharon Town Board is hereby authorized to withdraw funds from said escrow account (without prior notice to or consent from the applicant) in order to promptly reimburse the Town of Sharon for any costs and expenses needed for damages, injuries, discharges or spills involving Town Roads or other Town Property.
 - c. Immediately following any such withdrawals, the Town of Sharon shall give written notice to the applicant detailing such withdrawals and the reasons therefore.
 - d. If, at any time during the review and approval period this escrow account has a balance of less than \$8,000.00, the applicant shall immediately, upon notification from the Town of Sharon Town Clerk, replenish said escrow account to a balance of at least \$10,000.00, within fourteen (14) days of notification. Failure to do so will result in suspension of the Road Preservation Permit review and approval process.
4. The Highway Superintendent is authorized to temporarily suspend the travel of any truck or trucks having received a Road Preservation Vehicle Permit from the Town of Sharon for emergency reasons including but not limited to flooding, heavy snow, or fire.

SECTION X: APPLICATION, PERMIT REQUIREMENTS and APPROVAL PROCESS

1. Application Requirements. The application for a Road Preservation Vehicle Permit shall be submitted to the Highway Superintendent. In addition to all information required on Worksheet A, the Highway Superintendent is authorized to request additional information from the applicant if deemed necessary in order to properly evaluate the permit application. In addition to Worksheet A, the following information shall be provided by the applicant:
 - a. A completed *Road Preservation Local Law (RPLL) Worksheet* (Attachment A), available from the Town of Sharon Town Clerk or Highway Superintendent. All documents must be submitted to the Highway Superintendent prior to the start of any project and/or issuance of permit.
 - b. Identification of all Town roads to be used by the Applicant along with a road map depicting the roads and proposed route.
 - c. A baseline survey, prepared by a qualified professional engineer, including, but not limited to a written evaluation, video or photographic documentation demonstrating the condition of the proposed road and/or property described in the permit in accordance with methods described in the NYS Traffic Survey Methods

Manual (NYSDOT 2010), and any other documents, maps, sketches, and plans which the Highway Superintendent may require.

- d. Money in escrow, a highway permit bond, maintenance bond, or comparable blanket bond in an amount to be determined by the Town Board as listed on the fee schedule on file with the Town of Sharon Town Clerk. The amount of the bond or money in escrow may be changed by the Town Board by Resolution.
- e. When a bond is required, it must be a Bond with an AAA rated company; with Bond to be delivered and approved by the Town of Sharon Town Board prior to issuance of the permit in the amount set by the Highway Superintendent, consistent with Attachment B-Bond/Fees Schedule.
- f. An itemized description of the regulated vehicle(s), equipment and/or machinery that shall be traveling or passing over a town road(s) or town highway(s). Such description shall include for each vehicle, piece of equipment or machinery the weight thereof. If such vehicle(s) are to be loaded, i.e., used for the transport of cargo, material(s), water, equipment, machinery the description shall also state the gross loaded weight of such vehicle(s).
- g. If such vehicle(s) is (are) to be loaded, the applicant shall describe the cargo, material(s), machinery and/or equipment to be transported over a town road(s), highway(s).
- h. The applicant shall expressly state on the application whether any cargo to be transported over a town road(s), highway(s) is flammable, explosive, corrosive, toxic, hazardous or poisonous and if so, describe such cargo with particularity such that in the event of a spill, leak or other discharge upon the surface of a town road(s) or highway(s) and/or the lands adjoining thereto, responding fire, ambulance, emergency rescue, law enforcement and hazardous materials responder personnel shall be fully knowledgeable of the risks, hazards and dangers posed to themselves and members of the public arising out of any such spill, leak or other discharge and the proper procedure for dealing with same so as to prevent or minimize personal injury, death and property damage arising out of or in connection with any such spill, leak or other discharge.
- i. A description of any special needs or requirements including alterations, modifications, excavations to town road(s) or highway(s) such as the need for the installation of, widening or lengthening of travel lanes, culvert, sluices, ditching, snow plowing, etc. All special needs or requirements shall be subject to the prior approval of the Town of Sharon Highway Superintendent and be at the sole cost of the applicant, or otherwise as determined by the Town of Sharon Highway Superintendent.
- j. Whenever any such application for a Road Preservation Vehicle Permit required hereunder shall contain a disclosure that any flammable, explosive, corrosive, toxic, hazardous or poisonous cargo or material, whether same be a solid, semi-solid, liquid, or gas shall be transported over a town road(s) or highway(s) the

Town of Sharon Highway Superintendent shall forthwith cause a copy of such application to be forwarded within ten (10) days of determination that the application is complete to:

- (i) the Chief of the Sharon Volunteer Fire Department
- (ii) the Director of the Schoharie County Emergency Management Office
- (iii) the Schoharie County Fire Coordinator

The Town of Sharon Highway Superintendent shall not grant or deny the application for the Road Preservation Vehicle Permit unless nor until all of aforesaid interested agencies shall have acknowledged in writing receipt of a copy of the application and made in writing to the Town of Sharon Highway Superintendent its recommendations to either grant the application, grant the application with special conditions or to deny the application. Whenever, one or more of the aforesaid interested agencies shall recommend that the application be denied, such recommendation shall state the grounds upon which denial is recommended.

- k. For seismic testing, in addition to Worksheet A and other information as may be required, the following must be submitted.
 - 1. dates of intended testing, including start dates and completion dates; and
 - 2. precise location(s) to be tested; and
 - 3. numbers of vehicles; including size, weight, and description of each vehicle, that will go to each location; and
 - 4. specific routes of ingress and egress to and from all testing locations; and
 - 5. agreement in writing to Permit Conditions as provided by the Town of Sharon Highway Superintendent at time of approval.

2. Permit Conditions.

- a. In no event shall vehicles or equipment be parked or located inside the roadway boundaries or in the right-of-way or block access to neighboring landowners.
- b. Traffic will be maintained in accordance with the Uniform Traffic Control Manual.
- c. The Permittee shall supply proof of insurance co-naming the Town of Sharon with a minimum of five (\$5) million dollars in liability insurance coverage to the Highway Superintendent prior to issuance of any permits. The Town of Sharon Town Board shall be notified 30 days prior by the insurance company of termination of such coverage.
- d. The Permittee shall be responsible for any and all repairs of damages caused by their operation to any road or Town property.

- e. This Law applies to the entire duration of any project that induces high frequency truck traffic and/or high impact truck traffic, as defined in Section VI: Definitions of this law.
 - f. The Road Preservation Vehicle Permit shall not be assigned, conveyed, pledged or transferred without the express prior written consent of the Town of Sharon Highway Superintendent.
 - g. The Permittee shall provide the Highway Superintendent with advance written notice of the date upon which the Permittee intends to begin the project or activity which is generating the traffic for which the permit was issued. That notice shall be delivered fourteen (14) days in advance of the date the project or activity is to begin. Once the activity or project is concluded or terminated, Permittee shall provide written notice of conclusion or termination to the Highway Superintendent within ten (10) days of the actual conclusion or termination.
 - h. The Road Preservation Vehicle Permit shall not authorize the holder thereof to exceed the maximum gross weight limit authorized for crossing any bridge.
 - i. All Road Preservation Permits must be renewed annually at no added expense to the Permittee by the Town of Sharon Highway Superintendent.
 - j. The Town shall, as a standard condition of every Road Preservation Vehicle Permit (RPVP) require that the Permittee must comply with all other applicable laws, regulations and/or conditions of any other governmental permits which have been issued in connection with authorizing the project or activity which is generating the traffic.
3. Approval Process.
- a. Not later than ten (10) business days from the receipt of the application the Town of Sharon Highway Superintendent shall review the application and determine whether same is complete or whether more information is required.
 - b. An application determined by the Town of Sharon Highway Superintendent to be incomplete shall be forthwith returned to the applicant by the Town of Sharon Highway Superintendent together with a written request for the required information.
 - c. The Town of Sharon Highway Superintendent will determine if the scope of work is such that a Bond or money in escrow is required.
 - d. If a bond or escrow is required, the Town of Sharon Highway Superintendent *must* inform the Town of Sharon Town Board of this determination and recommend the amount prior to review of any application (for escrow), and issuance of any Permit (for a bond). If no Bond or money in escrow is needed, the Road Preservation Local Law worksheet may be approved by the Highway

Superintendent and becomes the Work Permit. (See Attachment B-Bond/Fees Schedule).

1. The Highway Superintendent shall approve the application, approve it with conditions, or deny the application within thirty (30) days of determining that the application is complete.
 2. The Superintendent of Highways shall file with the Town Clerk one copy of his/her decision, including any permit conditions, together with one copy of any complete application. The Town Clerk and the Town of Sharon Highway Superintendent shall keep and maintain as part of their official town records all applications, resubmitted applications, correspondence, notices of determination, permits and subsequent correspondence and submittals generated in connection with each such application. As official town records all such documents shall be open and accessible to the public for viewing and copying pursuant to the statutes and FOIL (Freedom of Information Act) opinions of the State of New York regarding access to public records.
4. Requirements after Approval, but Prior to Commencement of Traffic. Upon issuance of the Road Preservation Vehicle Permit and prior to commencement of the traffic, the Permittee will arrange for:
- a. video or photographic documentation of condition of the roads, shoulders, and all structures (culverts, bridges, etc.) that will be traversed by the permitted traffic;
 - b. ongoing documentation and analysis to include a written report including video or photographic documentation to be conducted monthly throughout the duration of the activity and within two weeks after the conclusion of the permitted traffic;
 - c. all ongoing analysis reports and required documentation, with included video or photographic documentation, shall be submitted to the Highway Superintendent within one week of recording.

SECTION XI SUSPENSION AND REVOCATION OF PERMIT

1. Failure to submit the required ongoing analysis report will result in immediate suspension of the Road Preservation Vehicle Permit for two (2) weeks by the Highway Superintendent and failure to comply at the end of such two (2) weeks will result in immediate permit revocation. If revoked, a new permit application has to be filed and new fee paid as though it was a whole new application.
2. The Highway Superintendent, shall have the right and authority to issue an order to stop all high impact or high frequency traffic to those operating in violation of the terms of the Road Preservation Vehicle Permit, in violation of this Local Law, in violation of applicable provisions of law, or contrary to the conditions upon which its Road Preservation Vehicle Permit was issued.

3. Upon violation of any provisions of the Road Preservation Vehicle Permit, or violation of any provisions of this Local Law, the Highway Superintendent may suspend for a period of fourteen (14) days and all work shall cease until violations are corrected by the Permittee and then approved by the Highway Superintendent. A public hearing may be scheduled by the Town Board of the Town of Sharon, at which the Permittee shall have the right to appear and be heard. The Highway Superintendent may permanently revoke any Road Preservation Vehicle Permit after failure to correct the violation within the fourteen (14) day period upon written notice to the Permittee.

SECTION XII: HIGHWAY PERMIT BOND/MAINTENANCE BOND and ESCROW ACCOUNT

1. Bonds. If the Highway Superintendent determines that a Bond is required, the Bond must be paid by the applicant to the Town of Sharon and remitted to the Town Clerk prior to the initiation of road uses.

At such time, if ever, said highway permit bond, maintenance bond, or comparable blanket bond is expended;

- a. the Permittee or applicant shall replace the same within five (5) days of the receipt of written notice from the Town Clerk;
 - b. failing to act on the written notice of instructions, the Road Preservation Vehicle Permit shall be subject to revocation. The Original Worksheet will then have to be reviewed by the Highway Superintendent and approved again as the Permit.
2. The road preservation vehicle permit holder is responsible for all damages done to the roadways, ditches, curbs, culverts, bridges, or other improvements and to public utilities in, under, over and along the roadway related to their traffic activities. Upon written due notice being given by Certified U.S. mail to the road use Permittee, and at the Town's sole option, the Town may request the road use permit holder to repair all damages, or the Town may at its option contract with a third party for the necessary repairs.
 3. All such third party contracts, involving the expenditure of more than TEN THOUSAND DOLLARS (\$10,000.00) for materials or the expenditure of more than TWENTY THOUSAND DOLLARS (\$20,000.00) for labor and materials, shall be deemed to be a public works contract, advertised and awarded pursuant to the competitive bidding requirements of General Municipal Law Section 103 and the payment of New York State Department of Labor published prevailing wage rates.
 4. The escrow funds as per Section IX (3) of this law may be used when the Road Preservation Vehicle Permit is in effect to also cover the reasonable fees charged by engineers, consultants and/or experts hired in accordance with the provisions of this law; reasonable administrative costs and expenses incurred by the Town of Sharon in connection with the permitting process and the repair, restoration and preservation of Town Roads and other Town Property; and reasonable legal fees, accountants fees,

engineers fees, costs, expenses, disbursements, expert witness fees and other sums expended by the Town in pursuing any rights, remedies or claims to which the Town may be entitled under this Local Law or under applicable provisions of law, as against any Permittee who has violated this Local Law, any insurance company, any bonding company, any issuer of a letter of credit, and/or any United States or State of New York agency, board, department, bureau, commission or official.

5. In the event that there is any balance remaining in the account as of the date that the Highway Superintendent determines the Road Preservation Vehicle Permit has expired and further determines that no damages or injuries have been caused to any Town road or other Town Property for which the Town of Sharon has not been fully reimbursed, the Town of Sharon shall pay to the Permittee the balance remaining in the escrow account.
6. Upon completion of the project, the Permittee will apply to the Highway Superintendent for a Preliminary Bond Release. Upon inspection of the work site, as necessary, the Highway Superintendent may approve the release of the Bond. If the release is not approved, the Highway Superintendent will specifically document the tasks that must be accomplished in order for the Bond to be released. In this case the Permittee will remedy the specified problem(s) items and then reapply for a Bond Release. Final Bond release must be approved by the Town Board for repayment of the Bond funds.

SECTION XIII: MULTIPLE PERMITS

In the event more than one permit is in effect at any time for any given road or road section, the Highway Superintendent may, at his discretion, limit the number of trucks allowed under each permit (see Section VI: Definitions).

In the event damage results from multiple uses, the Highway Superintendent will make a reasonable allocation of responsibility to and cause repairs to be funded proportionately from each Permittee.

SECTION XIV: INJUNCTIONS

The Town is authorized to go to the New York State Supreme Court to seek an injunction against any Permittee who defies either a permit suspension or revocation.

SECTION XV: FEES

A non-refundable processing fee as indicated in the Town of Sharon Fee Schedule (Appendix B), payable to the Town of Sharon in certified funds, must accompany each Worksheet submitted to the Highway Superintendent for the Town Clerk's records.

The Town of Sharon Town Board shall, by resolution, establish, and from time to time modify, a schedule of fees for Road Preservation Vehicle Permits.

The Town of Sharon Town Board may consult with the Schoharie County Commissioner of Public Works related to any county-controlled bridges, or hire any consultant and/or expert necessary to assist the Highway Superintendent in reviewing and evaluating the application, including but not limited to road evaluations or engineering to determine road and bridge structure capacity, base line traffic, baseline road conditions, potential impacts on roads. An applicant shall deposit with the Town of Sharon Town Board escrow funds sufficient to reimburse the Town of Sharon for all reasonable costs of consultant and expert evaluation and consultation with the Highway Superintendent and/or Code Enforcement Officer in connection with the review of the application.

SECTION XVI: REQUEST FOR A WAIVER

1. Request for a waiver from the standards set forth in this Local Law shall be made to the Town of Sharon Town Board in writing and shall contain the grounds on which the appellant relies for requesting the waiver, including all allegations on any facts on which the appellant will rely.
2. No waiver shall be granted, unless the Town of Sharon Town Board finds in its sole and absolute discretion and records in its minutes that:
 - a. granting the waiver would be in keeping with the intent and spirit of Local Laws and is in the best interests of the community, as set forth in the Town of Sharon Comprehensive Plan; and
 - b. there are special circumstances involved in the particular case as stated in Section IV Applicability is justified; and
 - c. the waiver is the minimum necessary to accomplish the purpose.

SECTION XVII: INVALID SEGMENT

In any part or provision of this Local Law or the application thereof, to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Sharon hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been known.

If at any time there is a conflict between this law and any other Town of Sharon Law, this law shall control.

SECTION XVIII: EFFECTIVE DATE

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

Draft review submitted to TB – 07/06/2011
Draft reviewed by JPB – 07/20/2011
Public Hearing – 09/07/2011 (left open for additional comments)
Review by Consultants – 12/2011
Final Draft reviewed JPB – 01/18/2012
Final Review by TB – 02/01/2012
Final Review by County Planning Board – 03/05/2012
Adopted by TB – 03/07/2012
Sent to NYS Dept. of State 3/2012
Filed w/NYS Dept. of State 3/14/3012

TOWN OF SHARON
Attachment A
ROAD PRESERVATION LAW WORKSHEET

All information from Section VIII of the Town of Sharon Road Preservation Law shall be included and attached as part of a complete application including the following information:

Date: _____

1. Hauler/Project Sponsor: _____

Address: _____

Phone: _____ Email: _____

2. Name and address of individual who will have overall responsibility and authority for the activity for which a Road Preservation Vehicle Permit is sought.

3. Work description (i.e. timber, hydrofracking, pipeline construction, telecommunications facility construction, gravel mining, natural gas drilling, wind energy facility construction, etc. see page #1 of Road Preservation Law):

4. Work Location and Description:

5. Proposed Truck Routes (includes miles to be traveled on each road, maps of proposed truck routes for all construction in a road right of way, including pipelines, etc.) Such designation shall constitute the “approved designated route of travel” which shall not be changed or deviated without prior written approval by the Highway Superintendent.

6. Landowner: _____

Tax Parcel ID (Attach map of tax parcel): _____

Address: _____

Phone: _____

Email: _____

TOWN OF SHARON
Attachment A
ROAD PRESERVATION LAW WORKSHEET

Page 2 of 2

- 7: Start Date: _____
Completion Date: _____
Expected maximum gross vehicle weight: _____
Maximum truck trips per day: _____
Hours such travel will occur: _____
8. Bond Amount: _____ Date Paid: _____
Approval Date: _____ Town Clerk: _____
9. Preliminary Bond Release Application Date: _____
10. Deficiencies to be repaired: _____

- Deficiencies Repaired Date: _____
Verification Date: _____
Verified and approved by: _____
Highway Superintendent
11. Final Bond Release Application Date: _____
12. Final Bond Release: \$ _____ Date: _____
Town Clerk: _____
Signature
Town Supervisor: _____
Signature

Comments:

TOWN OF SHARON
Attachment B
ROAD PRESERVATION LAW

BOND/FEE SCHEDULE

DATE: _____

Road Type:	Dirt	Surface Treated
Bond per mile traveled:	\$25,000.00	\$100,000.00

ROAD TOTALS:

Structures (bridges and/or culverts by diameter)	60" UP TO 19'-11"	20' and greater
Bond per structure	\$500,000.00	\$1,500,000.00
Multiply by number of structures		

STRUCTURE TOTALS:

ROAD TOTALS: (from above)

STRUCTURE TOTALS: (from above)

BOND TOTAL:

Bond/Fees assigned and/or paid to: TOWN OF SHARON (518 284-3010)
 P. O. Box 204
 Sharon Springs, NY 13459