

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
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 underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
DEC 03 2003
MISCELLANEOUS
& STATE RECORDS

County
City
Town of.....East Hampton.....
Village

Local Law No.....FOURTEEN.....of the year 20.....⁰³

A local law amending Ch. 267: to exclude all trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, or tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations (except school buses & hwy dept. vehicles) w/weights in excess of 18,000 lbs from traveling on designated roads in the Village.

Be it enacted by theBoard of Trustees.....of the
(Name of Legislative Body)

County
City
Town ofas follows:
Village

SECTION I. Legislative Intent.

Section 1640 of the N.Y.S. Vehicle and Traffic Law specifically authorizes villages to exclude trucks and commercial vehicles from certain designated village highways, and the Village's Comprehensive Plan recommends the adoption of weight limits for trucks for immediate implementation. More particularly, the Comprehensive Plan recommends that heavy trucks should be restricted from secondary Village streets and redirected toward primary roadways, such as Montauk Highway and North Main Street. This local law is intended to implement the recommendation by limiting the weight of commercial vehicles traveling on certain peripheral roads in residential neighborhoods that have been more and more frequently used by heavy trucks and other commercial vehicles attempting to "short-cut" or "bypass" the major arteries. The noise and the exhaust generated by truck traffic on small residential streets has a negative impact on the residents of those streets, and this local law is intended to preserve the residential character and enhance the quality of life for residents on the affected streets.

The law contains an exception for trucks "making deliveries or picking up merchandise or other property along the roads from which they are excluded", as required by N.Y.S. Vehicle & Traffic Law §1640 (a) (5). This exclusion means that trucks traveling to or from a destination that is located on one of the roads on which truck traffic is generally prohibited will be permitted to travel any of the prohibited roads in the process of reaching and leaving from their destination.

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

SECTION II. Chapter 267 (Vehicles and Traffic) of the Code of the Village of East Hampton is hereby amended as follows to add a new Article X:

ARTICLE X

Truck Traffic

§267-38. Exclusion of heavy trucks on designated roads.

Trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, and tractor-trailer-semitrailer combinations (except school buses and highway department vehicles) in excess of 18,000 pounds are prohibited from using the following roads, except when making deliveries or picking up merchandise or other property along the roads from which they are excluded:

- A. Toilsome Lane.
- B. Gingerbread Lane.
- C. King Street.
- D. Gould Street.
- E. McGuirk Street.
- F. Cooper Lane.
- G. Sherrill Road.
- H. Osborne Lane.
- I. Lumber Lane.
- J. Race Lane.
- K. Egypt Lane.
- L. Fithian Lane.
- M. Huntting Lane.
- N. Davids Lane.
- O. Pondview Lane.
- P. Dunemere Lane.
- Q. Further Lane.
- R. Newtown Lane.
- S. Railroad Avenue.

(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. THIRTEEN of 2003 of the ~~(County)~~(City)~~(Town)~~(Village) of East Hampton was duly passed by the Board of Trustees on Nov. 21 2003, 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 disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 disapproval) by the _____ on _____ 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be 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.

5. (City local law concerning Charter revision proposed by petition.)

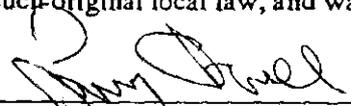
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 Suffolk 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 one _____, above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
LARRY CANTWELL, VILLAGE ADMINISTRATOR

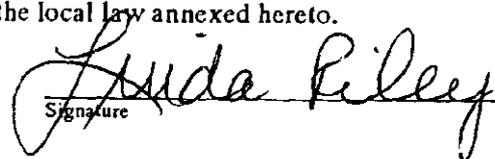
(Seal)

Date: November 21, 2003

(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 Suffolk

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.



LINDA RILEY, VILLAGE ATTORNEY
Title

~~County~~
~~City~~ of EAST HAMPTON
~~Town~~
Village

Date: Dec. 1, 2003