

(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.

Town of Ellicott

Local Law No. 5 of the year 2018

A local law amending Sections 114-34 of the Town of Ellicott Code.

Be enacted by the **Town Council** of the Ellicott Town Council as follows:

Additions to the Town of Ellicott Traffic Ordinance.

Pursuant to the authority granted by Vehicle and Traffic Law §1660, the Town of Ellicott, hereby ordains and enacts the following legislation to exclude certain trucks and other similar vehicles from highways. Amend Section 114-34 as follows:

§114-14 Truck exclusions.

A. All trucks, commercial vehicles, tractors and tractor-trailer combinations in excess of the indicated maximum gross weights are hereby excluded from the streets and highways or parts thereof, as described in Schedule VIII (§ 114-34)

B. The regulations established in this section shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways from which such vehicles or combinations are otherwise excluded or the use of the highways designated in the attached Schedule by such vehicles or combinations if the town superintendent of highways determines that the use of such highways by such vehicles or combinations is necessary to assist in the maintenance, service and repair of highways, sidewalks, sewers and other similar public improvements or the installation of such.

§ 114-34 Schedule VIII: Truck Exclusions (*NOTE – add to existing list*)

In accordance with the provisions of § 114-14, all trucks, commercial vehicles, tractors, and tractor-trailer combinations in excess of the indicated maximum gross weights are hereby excluded from the following streets:

Name of Street	Tons	Location
Wicks Avenue	5	between Fairmount Ave. and North Green Street

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET ALBANY NY 12231

(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. **5 of 2018** of the Town of Ellicott was duly passed by the **Town Council** on **November 9, 2018**, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2018 of the Town of Ellicott was duly passed by the (Legislative Body) on (Date), and was Approved Not approved repassed after disapproval by the (Elective chief executive Officer) and was deemed duly adopted on (date), 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 2018 of the Town of Ellicott was duly passed by the (Legislative Body) on (Date), and was Approved Not approved repassed after disapproval by the (Elective chief executive Officer) on (date). 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 (date), 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 2018 of the Town of Ellicott was dully passed by the (Legislative body) on (date), and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer) on (date). Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of (date), in accordance with applicable provisions of law.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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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 form and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Michael C. Erlandson

Clerk of the Town or officer designated by local legislative body

(seal)

Date: November 9, 2018

(Certification to be executed by Town Attorney)

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

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.

William F. Duncanson Jr.

Signature

Title: Town Attorney

Town of Ellicott

Date: November 9, 2018

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