

*Local Law Filing*

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

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(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.

~~County~~  
~~City~~  
Town  
~~Village~~

of New Paltz

Local Law No. \_\_\_\_\_ of the year 2013

A local law entitled: "A Local Law to Add a New Chapter 132, "Weight Limits" to the Code of the Town of New Paltz.

Be it enacted by the Town Board  
(Name of Legislative Body)

~~County~~  
~~City~~  
Town  
~~Village~~

of New Paltz

Section 1. The Code of the Town of New Paltz is amended to add a new Chapter 132, "Weight Limits" to read as follows:

CHAPTER 132

WEIGHT LIMITS

§132-1. Trucks over certain weights excluded.

Trucks, tractors, tractor-trailer combinations, tractor-semitrailer combinations, tractor-trailer-semitrailer combinations and other motor vehicles having a gross weight of ten

thousand pounds (10,000 lbs.) are hereby excluded from the town highways described in the following schedule:

Name	Location
Old Mill Road	From its intersection with Henry W. DuBois Drive generally northerly to its intersection with Waring Lane
Waring Lane	From its intersection with Henry W. DuBois Drive generally northerly to its intersection with Old Mill Road
Lent Drive	From its intersection with Waring Lane to the terminus of Lent Drive

§132-2. Exemptions.

The above exclusions shall not be construed to prevent the delivery or pick-up of merchandise or other property along the highways from which such vehicles are excluded.

§132-3. Penalties for offenses.

A. Any person violating any of the provisions of any of the sections of this chapter shall, upon conviction thereof, be guilty of a violation as defined in Article 10, § 10.00, Subdivision 3, of the Penal Law of the State of New York, which shall be punishable by a fine not to exceed the sum of \$100 or imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of one year, punishable by a fine not less than \$250 nor more than \$350 or imprisonment for a period not to exceed fifteen (15) days, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$500 or imprisonment for a period not to exceed thirty (30) days, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this article shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

Section 2. If any clause, sentence, paragraph, section 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 or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 3. To the extent that this local law may be found to be inconsistent with any provision of the New York State Town Law, or any special law, the Town Board declares that it is its intent that this local law shall supercede any such inconsistent provision in order to effectuate the purposes of this local law.

Section 4. This local law shall take effect immediately upon filing with the Secretary of State.

(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. \_\_\_\_\_ of 2013\_ of the ~~(County)(City)(Town)(Village)~~ of New Paltz was duly passed by the Town Board on \_\_\_\_\_ 2013, in accordance with applicable provisions of law.  
*(Name of Legislative Body)*

**1. (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 *(Name of Legislative Body)* disapproval by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_, *(Elective Chief Executive Officer\*)* in accordance with the applicable provisions of law.

**2. (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 *(Name of Legislative Body)* disapproval by the \_\_\_\_\_ on 20\_\_\_. Such local law was submitted *(Elective Chief Executive Officer\*)* to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20 in accordance with the applicable provisions of law.

**3. (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  
(Name of Legislative Body)  
disapproval by the \_\_\_\_\_ on  
20\_\_\_. Such local law was subject  
(Elective Chief Executive Officer\*)  
to permissive referendum and no valid petition requesting such referendum was filed as of  
20\_\_ in accordance with the applicable provisions of law.

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**\*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 \_\_\_\_\_ 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 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 \_\_\_\_\_ 1\_\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Rosanna Mazzaccari, Town Clerk

(Seal)

Date: \_\_\_\_\_

**(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 ULSTER

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.

DI STASI MORIELLO & MURPHY LAW PLLC

\_\_\_\_\_  
Signature      JOSEPH M. MORIELLO

Attorney for the Town  
Title

County  
City  
Town ~~Village~~                      of      New Paltz

Date: \_\_\_\_\_