

A LOCAL LAW OF THE TOWN OF _____ PROVIDING THAT A NATURAL GAS VEHICLE PERMIT SHALL BE REQUIRED FOR USE OF TOWN OF _____ ROADS BY CERTAIN VEHICLES WITH A GROSS WEIGHT IN EXCESS OF THE LIMITATIONS ALLOWED IN SECTION 385 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK*

BE IT ENACTED by the Town Board of the Town of _____ as follows:

Section 1. Authority for this Local Law; Definitions

A. This Local Law is enacted pursuant to the authority of Vehicle and Traffic Law Section 385(15) authorizing a town to authorize the issuance of a permit to operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in said section 385 on town roads or highways, similar to that issued by the State of New York relating to the state system of highways. This Local Law is also enacted pursuant to the authority of subdivision 2 of section 23-0303 of the Environmental Conservation Law of the State of New York which provides that "The provisions of this article shall supersede all local laws or ordinances relating to the regulation of the oil, gas and solution mining industries, but shall not supersede local government jurisdiction over local roads or the rights of local governments under the real property tax law."

B. As used in this local law the terms "Gas", "Oil", "Person", "Product", "Salt", and "Solution Mining" shall have the same meanings, and be defined in the same manner, as those terms are defined in subdivisions 7, 10, 12, 16, 18, and respectively, of section 23-0101 of the Environmental Conservation Law of the State of New York. As used in this local law, the term "Natural Gas Vehicle" shall mean any vehicle which is used to (i) transport or operate Gas drilling, Oil drilling, or Solution Mining machinery, rigs, pipes, supplies, materials or equipment (ii) explore for, conduct seismic tests for, mine, drill for, pump, extract, transport and/ or produce Gas, Oil, Product, Salt, or water, (iii) locate, space, construct, drill, repair, enlarge, maintain, equip, operate or produce any Oil well, Gas well, water well or any other well, and/or (iv) transport, move, ship, deliver, pump, remove, or extract any Gas, Oil, Product, water or any other liquid, gas or solid to or from any Oil well, Gas well, river, stream, brook, public water well, private water well, or any other well.

As used herein, the term "Town" means the Town of _____ a municipality located in the County of Broome, State of New York. As used herein, the term "Highway Superintendent" means the Highway Superintendent of the Town.

As used herein, the term "Building and Code Inspector" means the building and code inspector of the Town, Town code enforcement officer, or such other Town official who exercises similar building, code and enforcement powers.

Section 2. Requirement that a Natural Gas Vehicle Permit be Obtained

Whenever the Town receives notification (from the New York State Department of Environmental Conservation, Susquehanna River Basin Commission or any other Federal or