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**TOWN OF ROYALTON
LOCAL LAW NO. 1 OF THE YEAR, 2012**

A Local Law Entitled "Highway Standards for Low Volume Roads in the Town of Royalton".

Be it Enacted by the Town Board of the Town of Royalton as Follows:

Section 1. Legislative purpose.

The Town of Royalton hereby enacts this local law for the purpose of reducing the cost of maintaining and rehabilitating low volume rural Town roads while providing that such roads when used in a manner consistent with the road classification will be safe for the users thereof. While there are generally accepted standards for the design, maintenance and rehabilitation of high volume roads, there are no such comparable standards for roads over which a relatively low volume of traffic passes. In the event there can be a savings in the cost of maintaining or rehabilitating a road that has relatively few vehicles traveling over it, the money saved could be spent on more intense maintenance of roads over which travel is greater. The result could be greater overall safety for the general public. Since the Town resources to be expended for highways is limited, it is incumbent upon the Town to utilize such limited resources in a manner which targets expenditures on the most heavily traveled roads. It is for such purposes that this local law is enacted.

Section 2. Legislative finding.

In 1986 the New York State Legislature created the Local Road Classification Task Force. (Chapter 708 of the Laws of 1986). Such task force

was charged with developing alternative guidelines for classifying town and county roads in rural areas according to principal uses and traffic volume. The task force consisted of the Commissioner of Transportation or his designee, the Dean of the College of Agriculture and Life Sciences of Cornell University or his designee, four rural Town highway superintendents, three rural county highway superintendents and three rural business people. Such task force after considerable discussions and upon hearing many experts prepared local road classification guidelines and issued a report in December of 1988. In December of 1989 the task force issued "A Manual: Guidelines For Rural Town and County Roads" to facilitate the use of the local classification by local officials. In July of 1990, the Legislative Commission on Rural Resources worked with the Senate, Assembly, State Department of Transportation and the Governor's Office to establish a New York State Local Roads Research and Coordination Council (see Article 16-B Executive Law and Chapters 565 and 652 of the laws of 1990). The Council was empowered to work with the Department of Transportation to:

1. Promote the training of municipal officials and employees to encourage the utilization of innovative and cost cutting procedures as well as more efficient highway maintain/fire and consolidation methods;
2. Encourage the coordination of local road maintenance and storage facilities;
3. Encourage towns and counties to contract with each other for the maintenance of local roads and bridges;
4. Develop a minimum maintenance road classification addressing repair and service standards for low volume rural roads, as well as procedures to be followed by local governments for designing minimum maintenance roads within their communities. Accordingly, the Council revised the 1989 Local Roads Classification Task Force Report and published it for use by rural Towns and county governments.

Based upon additional resources developed since 1992, the Cornell Local Roads Program developed a more comprehensive set of standards to cover design areas not included in the Guidelines.

Section 3. Classification.

The Town Superintendent of Highways, in the event he (or she) finds it to be in the best interests of the Town, may classify one or more roads or portions thereof as one of the following types of roads: low volume collector; residential

access; farm access; resource/industrial access, agricultural land access; recreational land access or minimum maintenance road. However, no road shall be finally determined to be a minimum maintenance road until so designated by the Town Board by local law. The classification of any road or designated portion thereof shall be consistent with the definitions of such type of road as set forth in section ten of this local law. Upon the classification of any road or portion thereof by the Town Superintendent, such designation shall be filed in the office of the Town Clerk and a copy shall be presented to each member of the Town Board by the Town Clerk within 10 days of such filing. Such designation shall be accompanied by a finding by the Town Superintendent, which shall contain the information upon which the highway superintendent relied when designating such road or portion thereon. The Town Board may at a Town Board meeting following the filing of such designation adopt a resolution accepting such designation except that the designation of a minimum maintenance road shall be by local law as provided in section four of this local law. Upon the adoption of such resolution, the road or portion thereof shall be classified as determined by the Town Highway Superintendent and such Town Highway Superintendent shall take into consideration the guidelines for maintaining such road or portion thereof as set forth in section ten of this local law.

Section 4. Minimum maintenance road classification.

Notwithstanding the provisions of section three of this local law no road or portion thereof shall be designated as a minimum maintenance road except after following the procedure set forth in sections four through six, inclusive.

- A. The Town Superintendent of Highways shall submit to the Town Board a recommendation that a road or portion thereof should be designated as a minimum maintenance road. No road or portion thereof shall be recommended as a minimum maintenance road by the Town Superintendent of Highways unless the traffic volume is less than 50 vehicles per day as determined by the Town Superintendent of Highways and such road or portion thereof is an agricultural land access road or a recreational land access road, and that such road or portion thereof does not provide farm centers of operation and/or year-round residences with principal motor vehicle access to goods and services necessary for the effective support of such farms and/or year-round residences. Provided, however, that the Town Board, upon recommendation from the Superintendent of Highways, may consider exceptions to the traffic volume and year-round residents limitations set forth above, after review of all

pertinent factors as outlined in paragraph F, or as may be appropriate.

- B. The Town upon the approval of such recommendation shall by local law designate such road or portion thereof as a minimum maintenance road.
- C. At least ten days before the public hearing on such local law, written notice of such hearing shall be served by certified mail upon every owner of real property, as determined by the latest completed assessment roll, abutting such road or portion thereof to be designated a minimum maintenance road .
- D. No local law designating a minimum maintenance road shall be effective until signs pursuant to sections six and eleven of this local law are first posted advising the public that such road is a minimum maintenance road.
- E. No road or portion thereof, once designated a minimum maintenance road, shall be determined to have been abandoned pursuant to the provisions of subdivision one of section two hundred five of the highway law until at least six years have elapsed since the termination of the designation of said road or portion thereof as a minimum maintenance road.
- F. Prior to any public hearing relating to the adoption of a local law designating a low volume road or portion thereof as a minimum maintenance road, the Town Board shall issue findings that such road or portion thereof should be designated a minimum maintenance road. Such findings shall include but not be limited to:
 - 1. the volume and type of motor vehicle traffic on such road, and a review of the accident history on said road;
 - 2. a determination that the property owners of land abutting the road shall continue to have an and reasonable access to their property.
 - 3. a determination that the users of the road or portion thereof traveling at a reasonable and prudent speed, under the circumstances, shall not be placed in a hazardous situation;

4. a determination that such road, or portion thereof, does not constitute a farm access as defined pursuant to section ten of this local law;
5. a determination that such road, or portion thereof does not constitute access to a year round residence; and
6. A determination that such road, or portion thereof, should be designated a minimum maintenance road, based on a cost/benefit analysis, if such road does constitute a farm access or does provide access to a year-round residence.

Such findings shall be on file in the office of the Town Clerk and be available for public inspection for at least 60 days before the public hearing on the local law.

Section 5. School board and planning board review.

A copy of the findings in section four shall also be sent to the board of education of the central school, town and county planning boards in which each road or road segment is located. Such school board and planning boards shall review the findings and within forty-five days file with the Town Clerk a resolution recommending such road designation or, in the event such designation is not recommended, the school board or planning board shall set forth in a resolution the reasons for not recommending such designation. The Town Board may, by resolution, accept, accept in part or reject the recommendations of either the school board or town planning board or county planning board prior to any vote upon the proposed local law. In the event the school board, county planning board or town planning board take no action upon the findings issued by the Town Board, the Town Board shall consider such inaction as a recommendation for the proposed minimum maintenance designation.

Section 6. Posting of signs.

Appropriate signs shall be placed on a minimum maintenance road. Such signs shall notify and advise motorists of the need to exercise caution when traveling such road and shall conform to the manual of uniform traffic control devices. Properly posted signs shall be prima facie evidence that adequate notice of a minimum maintenance road designation has been given to the public.

Section 7. Minimum maintenance practices.

Minimum maintenance roads shall be maintained in a manner determined by the Town Highway Superintendent to be consistent with the volume and type of traffic traveling on such road. Nominal road maintenance practices such as, but not limited to, paving, patching, blading, dragging or mowing may be done less frequently depending upon the existing condition and use of the road as shall be determined by the Town Superintendent of Highways. The guidelines for the method and manner of maintaining a minimum maintenance road are set forth in section ten of this local law.

Section 8. Discontinuance of minimum maintenance road.

Any person or persons owning or occupying real property abutting a road or portion thereof which has been designated a minimum maintenance road may petition the Town Board to discontinue the designation of such road or portion thereof as a minimum maintenance road. Such petition shall be filed with the Clerk of the Town. Such petition shall identify the road or portion thereof to be discontinued as a minimum maintenance road and set forth the reasons for such discontinuance. The Town Board shall hold a public hearing upon petition within thirty days after its receipt; at least ten days public notice shall be given prior to the conduct of such public hearing. At least ten days before the public hearing on such petition, written notice of such public hearing shall be served by certified mail upon every owner of real property, as determined by the latest assessment roll, abutting such road or portion thereof. In the event the Town board after such public hearing determines that such road or portion thereof shall continue as a minimum maintenance road, no petition may be submitted pursuant to this section until the lapse of at least two years from the date of the filing of the petition. In the event it is determined that such road shall be discontinued as a minimum maintenance road, the Town Board, by local law, shall discontinue such road or portion thereof as a minimum maintenance road and such discontinuance shall take place six months after the commencement of the next succeeding fiscal year.

Section 9. Discontinuance.

Notwithstanding the provisions of section eight of this local law, the Town Board may adopt a local law discontinuing such minimum maintenance road designation in the event it determines such discontinuance to be in the public interest.

Section 10. Tables and maintenance data.

The following tables and accompanying data shall be used as guides by the Town Superintendent of Highways to classify low volume roads in the Town of Royalton and shall be used to enable the Town Superintendent to determine the guidelines he or she may follow to enable him or her to determine the manner in which low volume rural roads may be designed, maintained and operated.

CLASSIFICATION FOR LOW VOLUME ROADS AND GUIDELINES FOR THEIR DESIGN, MAINTENANCE, AND OPERATION

The following classifications have been developed to establish a close relationship between the uses of low volume roads and their design, maintenance and operation and are hereby adopted by the Town of Royalton. The classifications identify the significant use characteristics, including traffic volumes, vehicle types and seasonal use characteristics, that are present on New York State's low volume roads. Guidelines for the design, maintenance and traffic control have been developed that are closely matched to those use characteristics. Such guidelines shall be used by the Town Superintendent of Highways.

Land use adjacent to the road shall be the basis for classification because it is a convenient and accurate way of identifying the kind of use that a low volume road serves.

A low volume road is a road with zero to 400 vehicles per day.

Low Volume Road Classifications in the Town of Royalton.

1. Low Volume Collector - collects traffic from any of the other classifications and channels it to higher level roads, such as arterials and interstates.
2. Residential Access- provides access to residences. The traffic volume generated depends on the number of residences. All year access for 'fire trucks, ambulances and school buses should be provided.
3. Farm Access - provides access to a farm's center of operations including the residence. Traffic volume is generally low, but may include occasional heavy trucks and farm equipment.

4. Resource/Industrial Access - provides access to industrial or mining operations. Traffic volume can vary and can include heavy trucks and significant numbers of employees' cars.
5. Agricultural Land Access - provides access to farm land. Traffic volumes are low and vary seasonally. These roads should accommodate farm equipment that can be up to 20 feet wide.
6. Recreation Land Access - provides access to recreational land including seasonal dwellings and parks. Volumes of traffic can vary with the type of recreation facility and season of the year, and may include recreational vehicles.
7. Minimum Maintenance Road - a low-volume road or road segment which may be of a seasonal nature, having an average traffic volume of less than fifty vehicles per day which principally or exclusively, provides agricultural or recreational land access. A road, or road segment, which has been so designated may be maintained at a level which allows such road to remain passable and functional in accordance with standards contained in this section of the Guidelines. In no way shall the term "minimum maintenance" be construed to mean "no maintenance" or "abandonment". Further, such term shall not apply to those roads, or road segments, which provide farm access as previously defined or access to an individual year-round residence.

The guidelines for rehabilitation design shall include three rehabilitation design types. Rehabilitation Design Type A is an all purpose road on which vehicles can pass without a reduction in speed. Rehabilitation Design Type B is an area service, two lane road on which vehicles may have to reduce their speeds to pass. Rehabilitation Design Type C is an area service, one lane road on which either of two passing vehicles must slow, stop or briefly leave the roadway to allow the other to pass.

Vehicle interaction characteristics shall be considered by the Town Superintendent of Highways as the basis for assigning the design types to the respective Classifications. Vehicle size (as determined by the absence or presence of significant truck traffic) and traffic volumes (of either greater as equal to 50 vehicles per day, or less than 50 vehicles per day) are the criteria used. The 50 vehicle per day threshold is used because, at fewer than 50 vehicles per day, vehicle interactions become so infrequent that the effect on vehicle operation is

negligible.

The guidelines to be followed by the Town Superintendent of Highways for maintenance shall include the provisions for a minimum maintenance designation that allows a reduced level of maintenance on roads which are used for agricultural or recreational land access.

The guidelines for traffic control parallel the maintenance guidelines. They may include recommendations for signs on normally maintained roads and a minimum maintenance road sign shall be posted at the entrance points to minimum maintenance roads. The only other signs recommended for minimum maintenance roads are those mandated by Law (for all roads).

TABLE 1

RURAL LOW VOLUME ROAD CLASSIFICATION

Road Use			
Road Classification		Vehicle Type	Average Daily Traffic
1.	Low-volume collector	all vehicles	50 – 400
1(a).			<50
2.	Residential access	cars,	50 – 400
2(a)		emergency and service vehicles	<50
3.	Farm access	cars, light trucks	250 – 400
3(a)		Occasional heavy trucks, farm equipment	<250
4.	Resource/	Trucking,	50 – 400
4(a)	Industrial access	employees' cars	<50
5.	Agricultural land access	occasional farm equipment	<400
6.	Recreation	cars, Rvs	50 – 400
6(a)	land access	(Seasonal)	<50

Guidelines

Road classification	Rehabilitation Design Type	Maintenance	Traffic Control
No. 1	A	normal	MUTCD
No. 1(a)	B	normal	MUTCD
No. 2	B	normal	MUTCD
No. 2(a)	C	normal	MUTCD
No. 3	A	normal	MUTCD
No. 3(a)	B	normal	MUTCD

No. 4	A	normal	MUTCD
No. 4(a)	B	normal	MUTCD
No. 5	C	min. maint.	MUTCD
No. 6	B	normal	MUTCD
No. 6(a)	C	min. maint	MUTCD