

A LOCAL LAW PROVIDING THAT A PERMIT BE REQUIRED  
FOR USE OF TOWN OF SANFORD ROADS BY VEHICLES WITH  
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 Sanford as follows:

Section 1. Authority for this Local Law

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 Section 385 on town roads or highways, similar to that issued by the State of New York relating to the state system of highways.

Section 2. Permit Issuing Authority

The Highway Superintendent (hereinafter the "Superintendent") of the Town of Sanford (hereinafter the "Town") is hereby designated as the authority to receive applications for permits to operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 on town roads or highways (hereinafter the "Permit"). Such permit can only be issued to applicants who are holders of valid New York State Hauling Permits listed below:

NYS DOT Number	Type of Permit	Maximum Weight In Pounds
Divisible Load Permits issued pursuant to Subpart 154-2 of Title 17 (Transportation) of New York Code of Rules and Regulations.		
		Based on Axles
1	Single Trip Permit - General Moves	199,999

1A	Intrastate Crane Movement Permit	199,999
1E	Emergency Trip Permit	80,000
1M	Manufactured/Mobile Housing 14'0" wide or less Permit	80,000
1R	Trip Permit for Overweight Radioactive Material	199,999
1S	Superload Trip Permit	200,000
2	25 Mile Air Radius Permit	Based on axles
4	Blanket Permit	100,000
5	Building Movement Permit	199,999
6	Emergency Blanket Permit	Based on axles
7A	Oversize Farm Equipment for Dealer Permit	199,999
7B	Oversize Farmers Equipment Permit	199,999
8	Oversize Snow Plow Equipment for Private Contractor	80,000
9	Steel Haulers Permit	Based on axles
10	Bulk Milk Permit	100,000
11	100 Air Mile Radius Permit	Based on axles
12	Sealed Container Permit	100,000
18	5 Air Mile Radius for Self Propelled Construction Vehicles Permit	Based on axles
22/23	Military Moves Permit	199,999

### Section 3. Application and Permit Form

The Superintendent is hereby authorized to promulgate an application form requesting a Permit and the Permit to be issued upon review and approval of said application.

### Section 4. Damage to Town Roads

With the exception of normal wear and tear, the permittee is responsible for all damages done to the roadways, ditches, curbs, sidewalks or other improvements and to public utilities in the roadway. Upon due notice being given to the permittee and at its option, the Town may request the permittee to repair all damages or the Town may arrange the necessary repairs and charge the permittee for all labor and materials at the prevailing rates. The highway shall be restored and maintained for a period of one year from the date of any repairs. Particular attention is called to the necessity of thoroughly compacting the back fill, which will be required by the Town.

#### Section 5. Insurance

A. The permittee shall present to the Town certificates of insurance evidencing the acquisition of liability insurance coverage naming the Town as an additional insured on a non-contributory basis with the minimum limits of coverage for bodily injury equal to \$1,000,000.00 for each person injured, \$2,000,000.00 for aggregate bodily injury resulting from each occurrence, and \$500,000.00 property damage.

B. Said insurance shall be maintained throughout the term of the permit and the aforementioned certificates shall provide for thirty (30) days' notice to the Town prior to cancellation of coverage.

C. All persons performing work under this permit are to be covered by Workmen's Compensation Insurance and Disability Benefits insurances as required by New York law.

#### Section 6. Maintenance Bond

The permittee shall present to the Town a maintenance bond in the amount of \$250,000.00 and a bank letter of credit in the amount of \$10,000.00 in favor of the Town

guaranteeing compliance with the provisions of the permit. At such time, if ever, that said letter of credit is expended, the permittee shall replace the same within five (5) days written notice of the Town, failing which the permit shall be subject to revocation.

#### Section 7. Indemnity and Save Harmless

The Permittee will be required to agree to fully indemnify, defend, save and hold harmless the Town of Sanford and all of its departments, bureaus, divisions, boards, officers and employees from and against any and all claims, costs, damages, expenses, charges, risks, losses, lawsuits, judgments, executions, penalties, fines, assessments or any other liability of any type arising out of, occurring in connection with, or resulting from any and all activity to be performed by permittee pursuant to this permit.

#### Section 8. Stop Work Orders

The Superintendent shall have the right and authority to issue stop work orders to those operating in violation of the terms of this permit, or contrary to the permittee's application or conditions upon which its permit was issued.

#### Section 9. Revocation of Permit

Upon the violation of any provisions of this permit, the Superintendent may suspend any permit issued hereunder for no more than thirty (30) days, and following a public hearing at which the permittee shall have the right to appear and be heard, may revoke any permit on notice to the permittee.

#### Section 10. Special Conditions and Exclusions

A. The permit shall not be assigned or transferred without the written consent of the Superintendent.

B. The Superintendent shall be given one day's notice by said permittee of the date when it intends to begin the activity authorized by the permit, and prompt notice of its completion.

C. The permit shall remain valid only for so long as the permittee continues to hold a valid New York State Hauling Permit.

D. The permit shall not authorize the holder to exceed the maximum gross weight limit authorized for crossing an R-Posted bridge.

E. Due to the vital nature of the following vehicles in providing public services deemed necessary in preventing emergencies or in safeguarding the public health, safety and welfare, and since overweight vehicles may be required to perform these services, the following vehicles are granted exemptions from the permitting process of this local law:

(1) Maintenance, repair and service vehicles owned and operated by the Town of Sanford on official town business.

(2) Maintenance, repair and service vehicles owned and operated by a utility company or authority and on official utility business.

#### Section 11. Violation of Local Law; Penalties Therefore

A. Any person who shall operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 on town roads or highways without obtaining the permit required hereunder shall be guilty of a Class A misdemeanor, which shall be punishable by a fine not exceeding One Thousand (\$1,000.00) Dollars.

B. In addition to the above prescribed penalties, the Town Board may in its discretion

maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with this Local Law by injunction, abatement or otherwise compel cessation of each violation, and obtain restitution to the Town for costs incurred by the Town in remedying each violation, including but not limited to reasonable attorney's fees.

#### Section 12. Severability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Sanford hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

#### Section 13. Repealer

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

#### Section 14. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.