

**HIGHWAYS
DEPOSIT AND/OR TRACKING MATERIALS ON**

LOCAL LAW NO. 1 OF THE YEAR 1993

**A Local Law Prohibiting the Deposit and/or Tracking of
Certain Materials on to Town Highways and Streets**

Adopted April 6, 1993

Be it enacted by the Town Board of the Town of Kirkwood, New York as follows:

Section 1. Purpose.

The purpose of this Local Law is to protect the health, safety and welfare of the Town by prohibiting the deposit and/or tracking of mud and other defined debris onto Town streets and highways.

Section 2. Definition.

A. Debris: the term “debris” shall refer to dirt, soil, mud, stones, timber, timber debris, (including limbs, bark and leaves), and building materials.

Section 3. Activities Prohibited:

No person, firm or corporation shall deposit or track debris as defined herein onto any Town street or highway. Where such debris is tracked or deposited onto any Town street or highway adjoining or adjacent to any site or location where,

- a. building or construction operations; or
- b. the laying of water or sewer lines or other utility installations, or
- c. logging or foresting operations; or
- d. the transportation or excavation of soil, stones, building materials or debris,

are being conducted, or adjacent to a driveway, easement or right-of-way directly connecting to any such site or location where any of the above operations or activities are being conducted, it shall be presumed that the person, firm or corporation engaged in said activities or operations is the person, firm or corporation who deposited or tracked said debris onto such Town street or highway.

Section 4. Enforcement and Penalties:
(Amended December 3, 2019 by LL #3-2019)

Reference ARTICLE XVII – Ordinance Violations and Penalties, SECTION 1707 for the current penalties.

Section 5. Repeal:

Any portions or ordinances, resolutions or regulations heretofore adopted in conflict with this local law are hereby repealed.

Section 6. Conflicts of Law:

Whenever any local law, ordinance, or regulation of the Town, County of Broome, State of New York, or United States of America is inconsistent with this local law whichever local law, ordinance, or regulation is more stringent shall supersede the less stringent local law, ordinance, or regulation.

Section 7. Saving Clause:

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 effect, 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 8. Effective Date:

This local law shall take effect as provided in Section 27 of the Municipal Home Rule Law.