

# Local Law Filing

(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  
(Select one.)

of EVANS MILLS

FILED  
STATE RECORDS

MAR 15 2021

DEPARTMENT OF STATE

Local Law No. 4 of the year 20 21

A local law REDUCING THE SPEED LIMIT ON SIX VILLAGE STREETS  
(Insert Title)

Be it enacted by the BOARDS OF TRUSTEES of the  
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☒ Village  
(Select one.)

of EVANS MILLS, NEW YORK as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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Village of Evans Mills  
Local Law 4 of the Year 2021  
Reducing the Speed Limit on Six Village Streets

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### **Section 1. Authority**

This Local Law is enacted pursuant to the provisions of the New York Municipal Home Rule Law and the Vehicle and Traffic Law.

### **Section 2. Purpose**

The purpose of this local law is to reduce the speed limit on six (6) streets located in the Village of Evans Mills (the "Village"): (i) Cemetery Road; (ii) Willow Avenue; (iii) Factory Street; (iv) Noble Street/Leray Street; (v) South Main Street; and (vi) North Main Street to 25 m.p.h. The Village of Evans Mills Board (the "Board") has determined that for the specific reasons set forth below, a reduction in the speed limit is needed in order to ensure the safety and welfare of the Village's citizens and visitors.

### **Section 3. Background & Policy**

Due to safety concerns, the Board has determined it is in the best interests of the Village citizens and its visitors that the speed limit be reduced to 25 m.p.h. on the following streets for the specific reasons set forth below:

#### **Cemetery Road**

Cemetery Road is a relatively busy street that intersects with Willow Avenue at a less than forty-five-degree angle, making that intersection dangerous for vehicles and pedestrians/bicyclists due to limited and difficult visibility. As a result, there is a significant accident history associated with that intersection. Accordingly, reducing the speed limit will help ensure that (i) motorists are more aware of vehicles driving on Willow Avenue; (ii) motorists are more aware of vehicles turning onto Cemetery Road from Willow Avenue; and (iii) motorists are more slowly approaching the stop sign located at the intersection of Willow Avenue and Cemetery Road.

#### **Willow Avenue**

The Board has determined a reduction in the speed limit on Willow Avenue is warranted for the same reasons as set forth for Cemetery Road. By reducing the speed limit on Willow Avenue, it reduces the chance of accidents occurring at the intersection with Cemetery Road because motorists will be approaching the intersection more slowly. Accordingly, should a motorist turn onto Willow Avenue from Cemetery Road and there is a vehicle on Willow Avenue approaching the intersection at a slower speed, the chances of an accident are much less. Additionally, Willow Avenue travels to the center of the Village, which naturally has more traffic -- both vehicle and foot. Reducing the speed limit will ensure that motorists are approaching the Village center (and the busy intersection of Willow Avenue, Factory Street and Noble Street) more slowly and carefully as traffic increases.

#### **Factory Street**

Law to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

#### **Section 7. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### **Section 8. Effective Date**

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

**RESOLUTION OF THE VILLAGE BOARD FOR THE VILLAGE OF EVANS MILLS  
REDUCING THE SPEED LIMIT ON CERTAIN STREETS IN THE VILLAGE**

**August 13, 2020**

**WHEREAS**, at its June 11, 2020 meeting, the Village Board for the Village of Evans Mills (the "Board") proposed reducing the speed limit to 25 m.p.h. on certain streets located in the Village of Evans Mills (the "Proposed Local Law"); and

**WHEREAS**, on July 9, 2020, the Board scheduled a public hearing to be held on August 13, 2020 at 6:00 p.m. and directed the Village Clerk to cause notice of the public hearing to be published in accordance with all legal requirements; and

**WHEREAS**, on August 13, 2020, the Board held a properly noticed public hearing with respect to the Proposed Local Law and heard public comments thereon; and

**WHEREAS**, on August 13, 2020, the Board amended the Proposed Local Law to only reduce the speed limit to 25 m.p.h. on the following streets: (i) Willow Avenue; (ii) Cemetery Road; (iii) Factory Street; and (iv) Noble/Leray Street; and

**WHEREAS**, the Board has considered the Proposed Local Law (as amended) and all comments received concerning it; and

**WHEREAS**, the Board desires to comply with the requirements of State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to the proposed law.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby adopts the Proposed Local Law in the form attached hereto as Local Law #   4   of 2021.

**BE IT FURTHER RESOLVED** that the Board has considered the provisions of Article 8 of the Environmental Conservation Law ("SEQRA") and the regulations adopted thereunder at 6 NYCRR Part 617 and finds the proposed local law to be a "Type II Action" as defined therein. Therefore, no further review is required under SEQRA; and

**BE IT FURTHER RESOLVED** that the Board directs the Village Clerk to file a certified copy of the Proposed Local Law adopted here with the New York State Secretary of State and to maintain copies of it in the Office of the Village Clerk, which copies will be kept readily accessible to the public and made available upon request, subject only to the limitations established by the Freedom of Information Law.

**BE IT FURTHER RESOLVED** that the Board hereby authorizes the Village Mayor and the Village Clerk to take any other steps necessary to carry out this Resolution, including making arrangements and expenditures to replace the speed limit signs along the streets affected by this Local Law #   4  .

Due to the nature of the activity on Factory Street, the Board has determined that a reduction in speed is warranted. The Ambulance Squad is located on Factory Street and the Town Garage is located on Factory Street. Both of these entities cause more traffic on Factory Street and at its intersection with Noble Street and Willow Avenue. Additionally, the nature of these entities is such that slower speeds and heightened awareness will reduce the chance of accidents. Specifically, ambulances leaving the squad premises are often in a hurry to tend to an emergency. If vehicles are traveling slower along Factory Street, they will be able to respond to the emergency vehicles more readily. With respect to the Town Garage, large vehicles are coming and going from Factory Street on a regular basis. Reducing the speed will make these entrances and exits much safer for those driving the large vehicles and those traveling along Factory Street because motorists will have more time to respond. Lastly, Factory Street travels to the center of the Village, which naturally has more traffic – both vehicle and foot. Reducing the speed limit will ensure that motorists are approaching the Village center (and the busy intersection of Willow Avenue, Factory Street and Noble Street) more slowly and carefully as traffic increases.

#### **Noble Street/Leray Street**

Noble Street travels through the busiest part of the Village, where both pedestrian and vehicle traffic are at their greatest. Additionally, there are numerous businesses along Noble Street/Leray Street. Along Noble Street, there is a restaurant, gas station, bar, inn, post office and elementary school, to name a few. With numerous businesses, there is naturally more traffic and more vehicles turning on and off the street, and there are more pedestrians likely to be present. Similarly, as the road changes to Leray Street, there are residences, including a group home, a church, and the Fire Department, all of which cause an increase in traffic on Leray Street and an increase in the number of vehicles turning off and on Leray Street. Reducing the speed limit will reduce the chances of accidents by heightening driver awareness and reducing stopping distance. Similar to Factory Street, reducing the speed along Leray Street will make the entrances and exits of emergency vehicles coming and going from the Fire Department much safer for all.

#### **South Main Street**

The speed limit along South Main Street is already reduced for most of the street due to the presence of a school zone. By reducing the speed limit to 25 m.p.h., vehicles will enter the school zone at a lower speed, making it safer for students and other motorists upon such entrance. Additionally, there is a church, bank, and restaurant/bar on South Main Street which results in a significant amount of foot and vehicle traffic. Lastly, South Main Street leads to the Village center. Reducing the speed limit leading up to the Village center will result in vehicles entering this area, where traffic is at its height, at a safer speed.

#### **North Main Street**

Located along North Main Street is a restaurant/bar and the Village barn, both of which result in increased foot traffic. Also located on North Main Street is the Village Park off Schell Avenue. A reduced speed on North Main Street is important primarily because this is the only route for children and families to walk to the park. Reducing the speed will make this area much safer for foot traffic.

### **Section 4. State Environmental Quality Review Act (SEQRA)**

The Village Board has considered the provisions of Article 8 of the Environmental Conservation Law ("SEQRA") and the regulations adopted thereunder at 6 NYCRR Part 617 and finds this Local

**BE IT FURTHER RESOLVED** that this law shall take effect immediately upon filing with the Office of the New York State Secretary of State.

The adoption of the foregoing Resolution was moved by \_\_\_\_\_ Mary Palmer \_\_\_\_\_, seconded by \_\_\_\_\_ Teresa Fleming \_\_\_\_\_, and duly put to vote, which resulted as follows:

Robert E. Boucher	Voting	Aye
Mary F. Palmer	Voting	Aye
Teresa M. Fleming	Voting	Aye
Gregory L. Smith	Voting	Nay

The resolution was thereupon declared duly adopted.

Dated: August 13, 2020

(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 20 21 of the (County)(City)(Town)(Village) of EVANS MILLS, NEW YORK was duly passed by the BOARD OF TRUSTEES on August 13 20 20, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

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

**3. (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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

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

\* 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.)**

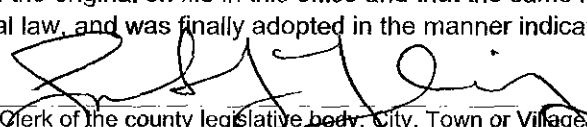
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 the 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 \_\_\_\_\_ above.

  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

Date: 3.10.21

(Seal)