

LOCAL LAW NO. 4 OF 2024

**A LOCAL LAW AMENDING CHAPTER 124
OF THE CODE OF THE TOWN OF MOREAU
RELATING TO HIGHWAY CONSTRUCTION WITHIN SUBDIVISIONS**

Be it Enacted by the Moreau Town Board as Follows:

Section 1. Authority.

This Local Law amending portions of Chapter 124 of the Code of the Town of Moreau relating to highway construction within subdivisions is adopted pursuant to Section 10 of the New York State Municipal Home Rule Law.

Section 2. Amendment of Town Code Sections 124-15 (B), (D) and (H), 124-42, 124-44 (A), 124-45, 124-48 (B), 124-53, 124-56 (A), and 124-60.

Town Code Sections 124-15 (B), (D), and (H), 124-42, 124-44 (A), 124-45, 124-48 (B), 124-53, 124-56 (A), and 124-60 are amended to read as follows:

§124-15. General requirements.

B. Construction sequence. Prior to installation of road pavement, the developer shall, at the developer's own cost and expense, cause to have installed utilities and services, including but not limited to natural gas lines and utilities, electric lines and utilities, water mains, storm drains and sanitary sewer, including laterals to the property lines.

D. Review by Town officials. The Building Inspector and Zoning Enforcement Officer shall act as agent to the Planning Board for the purpose of assuring the satisfactory completion of improvements required by the Planning Board. The Highway Superintendent must inspect each phase of road construction and provide his or her findings to the agent of the Planning Board. If the Planning Board or the Zoning Enforcement Officer finds, upon inspection, that any of the required improvements have not been constructed in accordance with Planning Board recommendations or the approved construction plans or details, the applicant and the bonding company, if any, will be severally and jointly liable for the costs of completing said improvements according to specifications.

H. Record drawings. Prior to the release of any funds in escrow or monies or commitments held by the Town to the subdivider, approved record drawings conforming to construction records shall be submitted to the Town Planning Department. Such drawings shall be reviewed, approved and signed off by the Highway Department, the

Water Department (for water and sewer) and the Zoning Officer.

§124-42. General provisions.

All aspects of roads or highways to be dedicated to the Town of Moreau shall comply with the current Town of Moreau Subdivision Regulations and with the current Moreau Highway Department Design and Construction Standards, including the design drawings attached to this Chapter as Attachments 1 through 10.

§124-44. Road cross section.

A. The road cross section shall be in accordance with the current Town of Moreau Typical Road Sections drawing. The section to be utilized shall depend upon the existing subgrade (the original soil existing in the right-of-way over which the subbase is to be placed).

§124-45. Storm drainage.

The storm drainage system shall be designed to adequately collect and convey stormwater away from the traveled road lanes and to prevent any ponding of stormwater which could present a hazard to traffic. The storm drainage shall be designed in accordance with the requirements of the Town of Moreau Subdivision Regulations and any special requirements which the Town Highway Superintendent deems warranted by special circumstances.

§124-48. Plans and drawings.

B. After construction is complete and prior to acceptance of the roadways, the owner shall provide the Town Highway Superintendent with as-built drawings showing all modifications made during the construction and showing all utilities (sewer, water, natural gas, electric, stormwater, etc.) installed. As-built drawings shall be prepared and signed by a licensed professional engineer registered to practice in the State of New York.

§124-53. Weather conditions.

Application of asphaltic concrete on new roads shall be permitted only during the period of April 1 through November 1. The temperature during the time of construction shall be at least 50° F. Construction shall not occur during wet weather or during other adverse weather conditions. Deviation from these conditions shall be permitted only by special permission from the Town Highway Superintendent.

§124-56. Embankments.

A. No organic material, frozen material or other unsuitable material shall be used on embankments. Compaction shall be done in accordance with the NYSDOT Standard Specifications.

§124-60. Base course construction.

- A. The subbase course shall consist of three inches, after compaction, of Type 3 asphalt concrete (Item 403.13 NYSDOT Standard Specifications) binder material. Application of the subbase course shall be in conformance with Section 401-3 NYSDOT Standard Specifications and shall be graded as shown on the accompanying drawing and the approved grade profile.
- B. An intermediate finish course shall be applied consisting of one and one-half (1½) inches of either Type 6F or Type 7 compacted asphalt over the three-inch layer of the Type 3 dense binder and subbase material.

Section 3. Severability.

The provisions of this Local Law are severable. The invalidity of any clause, sentence, paragraph, or provision of this Local Law shall apply only to the clause, sentence, paragraph, or provision adjudged invalid and shall not invalidate any other clause, sentence, paragraph, or part thereof and the rest of this Local Law shall remain valid and effective.

Section 4. Effective Date.

This Local Law shall take effect upon filing in the office of the New York State Secretary of State or as otherwise provided by law.