

LOCAL LAW NO. 1 OF 2005 OF THE TOWN OF TORREY

***“A LAW TO REGULATE VEHICLES WITH DIESEL ENGINES”***

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF TORREY AS FOLLOWS;

Section 1; Title.

This Local Law shall be known as; “Town of Torrey Vehicles with Diesel Engines Law”

Section 2; Purpose.

The purpose of this Local Law is to promote the health, safety and general welfare of the Town of Torrey by;

1. Preventing and controlling air contamination and pollution caused by emission of exhaust from diesel engines.
2. Preventing and controlling loud and disturbing noises caused by train, bus, or truck diesel engines when allowed to idle while standing but neither loading nor unloading cargo or passengers or when a train is engaged in siding and switching operations during those hours of the day customarily devoted to sleeping.
3. Preventing and controlling the blocking of town roads.

Section 3: Applicability.

This local law applies to all trains, busses, and trucks with diesel engines.

Section 4: Prohibited Acts.

1. No persons shall cause or permit any train, bus or truck with a diesel engine to idle for more than fifteen (15) minutes during any one period of time in the Town of Torrey unless it is loading or unloading cargo or passengers.
2. No person shall cause or permit any train, bus or truck to block traffic on any road in the Town of Torrey for more than five (5) minutes.
3. No person shall move any train or part of a train on or off of the siding from the south boundary of the Village of Dresden to Rockhaven Road between the hours of 11:00 PM to 6:00 AM of any day except in an emergency as determined by law enforcement.

Section 5: Designated Parking.

1. Any diesel locomotive delivering fuel to a facility or picking up empty cars must be parked on the siding nearest to the facility while awaiting deliveries or pickups.
2. Busses and trucks are not permitted to park on town roads or public land except in the discharge of passengers or goods.

Section 6: Exception.

It shall be an affirmative defense that the vehicle has suffered a mechanical breakdown that prevents it from moving and the necessary repair or removal with all deliberate speed is in progress.

**Section 7: Violations and Penalties.**

A violation of this Local Law shall be an offense, and upon conviction a person or corporation shall be subject to a fine of not more than \$ 500.00 per day for the duration of the violation.

**Section 8: Saving Clause.**

If any clause, sentence, or paragraph of this Local Law shall be judged invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this Law.

**Section 9: Effective Date.**

This Local Law shall take effect immediately upon its being filed by the Secretary of State of the State of New York.

