

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

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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 underling to indicate new matter.

~~County~~

City of ARKWRIGHT

Town

~~Village~~

Local Law No. 4 of the year 2026

**A LOCAL LAW AMENDING THE HIGHWAY LAW OF THE TOWN OF ARKWRIGHT
TO PROVIDE FOR THE CLASSIFICATION AND DESIGNATION OF A SECTION OF
BALL ROAD AS A MINIMUM MAINTENANCE ROAD.**

Be it enacted by the Town Board of the Town of Arkwright

~~County~~

City of ARKWRIGHT

Town

~~Village~~

SECTION 1. AUTHORITY

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

SECTION 2. PURPOSE AND INTENT

The Town Board of the Town of Arkwright finds that a portion of Ball Road, as defined in Section 5 below, is a low-volume road primarily providing access to woodlands or recreational land. The cost of maintaining this portion of Ball road to standard commercial or residential highway requirements would impose an undue burden on taxpayers relative to its usage. The purpose of this law is to permit the Town Board, upon recommendation of the Town Superintendent of Highways, to designate the qualifying Ball Road segment as a "Minimum Maintenance Road" to specifically exclude winter snow removal, while maintaining basic safety and access.

SECTION 3. DEFINITIONS

Low-Volume Road: is a local town highway or portion thereof with an average daily traffic count of fewer than 400 motor vehicles per day.

Minimum Maintenance Road: is a low-volume road or segment thereof, having an average daily traffic volume of less than fifty (50) vehicles per day and which principally provides agricultural or recreational land access. This term explicitly excludes any road providing principal vehicle access to an individual year-round residence or an active farm center of operations at the time of designation.

SECTION 4. PROCEDURES FOR DESIGNATION

The Town Board of the Town of Arkwright attests that, prior to enacting this law, the following statutory requirements have been met:

1. The Highway Superintendent of the Town of Arkwright Highways has determined that this section of Ball Road meets the qualifications to be a Minimum Maintenance Road, in regard to traffic volume and type as well as activities for which the road is used.
2. The Arkwright Town Board has reviewed the Highway Superintendent recommendation and concurs, having cited its own findings in a Board Resolution.
3. Property owners with land abutting this section of Ball Road have been lawfully notified of these findings and of a Public Hearing.
4. The School District encompassing that area has been lawfully notified of these findings and of a Public Hearing.
5. The Fire District encompassing that area has been lawfully notified of these findings and of a Public Hearing.

SECTION 5. DESIGNATION OF MINIMUM MAINTENANCE ROAD SECTION

Pursuant to the procedures outlined in Section 4, the following section of highway is hereby designated as a Minimum Maintenance Road:

- 1300 Feet of Ball Road, directly west of the creek/site of former bridge, in the direction of Miller Road.
- Additional Detail: 1300 feet ends slightly to the East of the current entry point to County property, parcel 148.00-2-50.

SECTION 6. MAINTENANCE STANDARDS

The designated segment of Ball Road shall be maintained at a level deemed appropriate by the Town Board and the Highway Superintendent to accommodate vehicles suitable for gravel road access in a woodland gully safely during applicable seasons. It is understood that gravel roads, particularly wooded gullies, are subject to slides and washouts. The Town will endeavor to keep this section of Ball Road passable on a three-season basis. The Town explicitly states that there will be *No Winter Maintenance*, such as snow plowing or applying of ice control substances. This designation does not restrict any access to farmland, nor does it prevent New York State or Chautauqua County from accessing their property in the Town of Arkwright.

SECTION 7. SIGNAGE

The Minimum Maintenance Designation will not be legally effective until the Highway Department posts official signs at each end of the designated segment advising the traveling public that the portion of the road is a minimum maintenance area.

SECTION 8. SEVERABILITY

If any clause, sentence, or section of this Local Law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect or invalidate the remainder thereof.

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Department of State.

I hereby certify that the Local Law annexed hereto, designated as local law No. 4 of 2026 of the Town of Arkwright was duly passed by the Town Board of the Town of Arkwright on _____ 2026 in accordance with the applicable provisions of law.

(Seal)

Clerk of the Town of Arkwright

Date: