

Town of Nunda Local Law No. 1
of the Year 1979

Local Law Governing Buried Utility Lines Within
the Right of Way of Town Highways. Be it Enacted
by the Town Board of the Town of Nunda, Livingston
County, as follows:

Section 1. Legislative Intent

It is the intent of the Town Board of the Town of Nunda in enacting this Local Law to govern the burying of utility lines and cables within the right of way of Town highways to prevent the burying and placing of said underground lines from interfering with the maintenance and repair of Town highways within the Town of Nunda.

Section II. Burying of utility lines within Town highway right of way prohibited.

It shall be unlawful for any person or corporation to bury any gas lines, telephone lines or cables, electric lines or cables, water lines, sewer or septic lines or TV cables within the right of way of Town highways within the Town of Nunda, Livingston County, New York, without first obtaining a permit from the Superintendent of Highways of the Town of Nunda.

Said permit shall be given by the Highway Superintendent of the Town of Nunda upon written application stating the nature of the utility line being installed, its exact location by metes and bounds from a permanent land mark and the depth of the proposed installation.

No permit shall be given by the Highway Superintendent if, in his opinion, the proposed installation will interfere with the maintenance and repair of the Town Highway.

Each day's continued violation of this Section shall constitute a separate offense.

Section III. Penalties

Every person or corporation who takes part in or assists in the installation of a buried utility line without a permit in violation of Section II of this Law, shall, for each and every violation, be subject to a penalty not exceeding Fifty Dollars (\$50.00).

Notwithstanding the penalties hereinabove provided, the Town of Nunda may enforce obedience of this Law or any part thereof by injunction to restrain such violation.

Section IV. Severability of Provisions

It is the intention of the Board of the Town Board of the Town of Nunda that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Board of the Town Board of the Town of Nunda that if any provision of this Ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Section V. Repeal of Conflicting Ordinance

All existing Ordinances of the Town of Nunda are repealed insofar as they may be inconsistent with the provisions of this Ordinance.

Section VI.

This Law shall take effect as provided by law.