

Local Law governing Logging in the Town of Fremont

Purpose:

The purpose of this local law is to protect the health, safety, and welfare of the residents of the Town of Fremont by providing regulations governing logging operations within the Town. The Town of Fremont is interested in protecting its roads and highways along with due regard for environmental concerns.

Required Permit:

Any person who, after the effective date of this local law, shall commence a logging operation in the Town shall be required to obtain a permit. Application for said permit shall be made on a form approved by the Town Board and shall require the following:

1. Name, telephone number and address of the person conducting the logging operation
2. The name and address of the property owner on record
3. The tax map location of the premises to be logged
4. The name of the town road(s) to be utilized by the applicant in removing said logs including access points.
5. The proof of workers compensation and liability insurance
6. The anticipated period of time that the logging will take place

A signed application shall be required to be completed and submitted to the Code Enforcement Officer who shall transmit a copy to the Highway Superintendent. A logging permit may be issued by the Code Enforcement Officer upon completion of said applicant and approval of the same by said officer and the Highway Superintendent. Upon approval of the permit application, the Code Enforcement Officer shall notify the Highway Superintendent of issuance of such permit and provide him with a copy.

A separate permit shall be required for each separate parcel or logging operation by each logging operator.

Duties of the Highway Superintendent:

The Town Highway Superintendent is hereby granted the power to order the cessation of logging operations within the Town of Fremont when weather conditions are such that the utilization of town roads for the purposes of a logging operation may result in damages to said roads or the creation of a hazard to residents utilizing said town roads.

The Town Highway Superintendent is further empowered to impose reasonable restrictions as set forth when a logging operation may result in the creation of a hazardous condition to residents or damage town roads, regardless of weather conditions. The Highway superintendent may require the following of the logging operator:

1. The erection of signs indicating "truck entrance"
2. The installation of temporary culverts and or planking at the entrance to a logging operation, which abuts a town road.
3. Off Street parking for all vehicles utilizing the logging operation.

The Highway Superintendent may impose that effectuate the provisions of this section, including but not limited to the following:

1. The loading and sorting of logs shall be located at least 30 feet from the traveled way of any highway
2. Timber shall not be skidded across any highway nor shall log skidders cross the highway as part of the logging operation at any time.
3. All debris resulting from tree cutting along the highway and the loading area within 50 ft of the centerline of the highway shall be cleaned and removed by the applicant.

Exemption:

Town Residents who engage in logging activities as heretofore defined solely for their own personal use and not for resale to third parties are hereby exempt from the provisions of this local law.

Removing and /or selling firewood shall not be considered logging unless a logging tractor trailer is used.

Penalties for Offences:

A violation of this Local Law shall constitute a violation and shall be punishable by a fine of \$1000.00 or imprisonment not to exceed 15 days, or both. Each day a violation continues shall constitute a separate offence of this law.