

(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 underlining to indicate new matter.

~~County~~
~~City~~ of MALTA
Town of
~~Village~~

Local Law No. 2 ... of the year 19 96

A local law known as The Right to Farm Law
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

~~County~~
~~City~~ of MALTA as follows:
Town of
~~Village~~

SECTION 1. Legislative Intent and Purpose

The Town Board of the Town of Malta find that farming is an essential activity within the Town of Malta.

Farming, as defined herein, reinforces the special quality of life enjoyed by citizens, provides the visual benefit of open space and generates economic benefits and social well-being within the community. Therefore, the Town of Malta emphasizes to newcomers that this town encourages its agriculture and requests newcomers to be understanding of the necessary day to day operations.

It is the general purpose and intent of this Local Law to maintain and preserve the rural tradition and character of the Town of Malta, to permit the continuation of agricultural practices, to protect the existence and operation of farms, and to encourage the initiation and expansion of farms and agricultural businesses.

For the purpose of reducing future conflicts between farmers and non-farmers, it is necessary for notice to be given to future neighbors about the nature of agricultural practices.

SECTION 2. Definitions

a: "Farm" - includes livestock, dairy, poultry, furbearing animal, aquaculture, apiculture, fruit, vegetable and field crop farms, plantations, orchards, nurseries, greenhouses, or other similar operations used primarily for the raising of agricultural or horticultural commodities.

b: "Agricultural Practices" - includes all activities conducted on a farm, necessary to the operation of a farm.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 3 The Right to Undertake Agriculture Practices

Farmers, as well as those employed, retained, or otherwise authorized to act on behalf of farmers, may lawfully engage in farming practices within the Town of Malta at any and all such times and all such locations as are reasonably necessary to conduct the business of farming, provided that such practices are legal under the Zoning Ordinances and other laws and ordinances of the Town of Malta and the State of New York. For any activity or operation, in determining the reasonableness of the time, place and methodology of such operation, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.

SECTION 4 Notice to Prospective Neighbors

The following notice shall be included in building permits and on plats of subdivisions submitted for approval pursuant to Town Law Section 276 or Village Law 7-728.

"This property may border a farm, as defined in the Town of Malta's Right To Farm Law. Residents should be aware that farmers have the right to undertake farm practices which may generate dust, odor, smoke, noise, and vibration."

SECTION 5. Severability Clause

If any part of this Local Law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this Local Law.

SECTION 6. Effective Date

This Local Law shall be effective immediately upon filing, pursuant to Section 27 of the Municipal Home Rule Law. ;