

Local Law Filing

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(Use this form to file a local law with the Secretary of State.)

Town of Wayland

Local Law No. 7 of the year 2017

A local law to restrict the running at large of horses, cattle, swine, sheep, donkeys, llamas, alpacas, goats, mules and fowl within the Town of Wayland.

Be it enacted by the Town of Wayland as follows:

Section 1: Purpose: The Town Board of the Town of Wayland recognizes that the failure to properly confine animals such that said livestock trespass upon the public highway or on private lands without permission is injurious to the health, safety and welfare of the residents of the Town of Wayland and motorists.

Section 2: Definitions: as used in this Local Law, the following terms shall have the following meanings:

- A. **Animal** shall mean horses, cattle, swine, sheep, donkeys, llamas, alpacas, goats, mules, and fowl.
- B. **Owner** shall mean any person in title, or claiming or asserting any ownership interest in such animals, whether by bill of sale, title, or registration, or any other written or oral declaration.
- C. **Possessor** shall mean any persons having such animals under his or her control, whether as owner or agent of the owner.
- D. **Person** shall mean corporations, partnerships, unincorporated associations as well as individuals. The use of singular shall include the plural and vice versa and the masculine shall include the feminine.

Section 3: Confinement of Animals: Every owner or possessor of animals shall keep such animals securely and safely confined to his own lands by adequate fencing or other lawful restraints, and shall not allow such animals to roam unattended on public or private lands or highways.

Section 4: Presumption: If such animals are found unattended on public or private highways, or are discovered on public or private lands, other than lands owned or leased by the owner and/or possessor of such animals, it shall be presumed that the owner and/or possessor of such animals failed to confine or restrain such animals in a proper manner as specified herein, and the burden of proving proper confinement or restraint shall be on the owner and/or possessor of such animals.

Section 5: Violations/Penalties: Each violation of this local law shall be an offense and punishable as follows:

For the first offense, verbal warning; for a second offense a Certified Letter (Registered Mail) and possible fine not exceeding \$100.00, for a third such offense within five years, a fine not exceeding \$200.00, for any subsequent violations within such five year period, a fine not exceeding \$250.00, or imprisonment not exceeding fifteen (15) days or both. The above stated penalties shall apply for each animal proven to be running at large.

Section 6: Enforcement: Will be conducted by the Town of Wayland Code Enforcement Officer and/or any Law Enforcement Officer.

Section 7: Effective Date: This local law shall take effect immediately upon filing in the office of the Secretary of the State of New York.

**(If additional space is needed, attach pages the same size as this sheet, and number each.)
(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2017 of the Town of Wayland was duly passed by the Wayland Town Board on December 28, 2017,

in accordance with the applicable provisions of law.

2. ~~(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was assed by the _____ (Name of Legislative body) on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ (Elective Chief Executive Officer*) _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. ~~(Final adoption by referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____

(Name of Legislative body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. ~~(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of

the (County)(City)(Town)(Village) of _____ was duly passed by the _____

(Name of Legislative body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. ~~(County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

~~(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)~~

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Clerk of the county legislative body, City, Town or Village Clerk or officer
designated by local legislative body

(Seal)

Date: December 28, 2017