

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 underlining to indicate new matter.

County City Town Village
(Select one:)

of Hamilton

Local Law No. 1 of the year 2018

A Local Law to Enact a Right to Farm Law for the Town of Hamilton

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Hamilton as follows:

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

**“TOWN OF HAMILTON
LOCAL LAW NO. 1 OF 2018
A LOCAL LAW ENACTING A RIGHT TO FARM LAW
FOR THE TOWN OF HAMILTON**

Be it enacted by the Town Board of the Town of Hamilton as follows:

SECTION 1. TITLE, LEGISLATIVE PURPOSE AND INTENT.

- A. This Local Law may be cited as “The Right to Farm Law of the Town of Hamilton.”
- B. The Town Board recognizes farming as an essential enterprise and an important industry which enhances the economic base, natural environment and quality of life in the Town of Hamilton. The Town Board further declares that it shall be the policy of this Town to support agriculture and foster understanding by all residents of the necessary day to day operations involved in farming so as to encourage cooperation with those practices.
- C. It is the general purpose and intent of this law to maintain and preserve the rural economic base and character of the Town, to permit the continuation of agricultural practices, to protect the existence and operation of farms, to support the initiation of farms, farm enterprises and agri-business, and to promote new ways to resolve disputes concerning agricultural practices and farm operations. To maintain a viable farming economy in the Town of Hamilton, it is necessary to limit the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

SECTION 2. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law § 10.

SECTION 3. DEFINITIONS.

- A. “Farmland” shall mean land used in agricultural production, as defined in subdivision four of Section 301 of Article 25AA of the New York State Agriculture and Markets Law.
- B. “Farmer” shall mean any person, organization, entity, association, partnership, limited liability company, or corporation engaged in the business of agriculture, whether for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock.
- C. “Agricultural products” shall mean those products as defined in section 301(2) of Article 25AA of the State Agriculture and Markets Law, including but not limited to:
 - 1. Field crops, including but not limited to corn, wheat, rye, barley, hay potatoes and dry beans;