

**Board of Supervisors**  
**WAYNE COUNTY**

**RESOLUTION NO. 368-08: ADOPT LOCAL LAW NO. 3-2008 - AMENDING LOCAL LAW NO. 5-1997 IN RELATION TO WAYNE COUNTY RIGHT-TO-FARM LEGISLATION**

Mr. Spickerman presented the following:

WHEREAS, a proposed local law amending Local Law No. 5-1997, in relation to Right-to-Farm Legislation for Wayne County, was presented to the Board of Supervisors on April 15, 2008, designated as Intro No. 4/Local Law No. 3 for the year 2008; and

WHEREAS, a public hearing on the proposed Local Law was held by the Board of Supervisors on Tuesday, May 20, 2008 at 9:15 am, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK**

A local law amending Local Law No. 5-1997, in relation to Right-to-Farm Legislation for Wayne County.  
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

**SECTION 1.**

Section 3 of Local Law No. 5-1997 is hereby amended to read as follows:

“SECTION 3. DISCLOSURE NOTICE When any purchase and sale contract is presented for the sale, purchase, or exchange of residential real property located within the County of Wayne, the prospective grantor shall deliver to the prospective grantee a notice which states the following: “It is the policy of this state and Wayne County to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that farming activities occur within Wayne County. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors, smoke, insects, operation of machinery during any hour of the day or evening, storage and disposal of plant and animal waste products, and the application of fertilizers, soil amendments, and pesticides by ground or aerial spraying or other method. Property owners and residents of Wayne County should be aware that farmers have the right to undertake generally accepted practices and one should expect such conditions as a normal and necessary aspect of living in an agricultural area.”

The failure to include such disclosure notice shall not affect the validity of such purchase and sale contract.”

**SECTION 2.**

This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

WAYNE COUNTY  
**Board of Supervisors**  
LYONS, NEW YORK

**This is to Certify** that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 20th day of May 2008 and that the same is a true copy of said original and of the whole thereof.

**In Witness Whereof**, I have hereunto subscribed my name and affixed the official seal of the Board of Supervisors of the County of Wayne, this 20th day of May 2008.

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Clerk of the Board

