

Town of Amity

Resolution 017- 2019 Enforcement of Local Law 1-2011 Regulating the Control of Cattle, Sheep, Horses, and any Other Domesticated Animal Within the Town of Amity

WHEREAS, New York State Town Law Section 65 grants the authority to the town board of any town to institute, defend or appear, in any action or legal proceeding, in the name of the town, as in its judgment may be necessary, for the benefit or protection of the town, in any of its rights or property.

WHEREAS, Keith Middaugh and other owners, tenants and occupants own and occupy land located at (0) Middaugh Hill Road within the municipal boundaries of the Town of Amity commonly known as Tax ID No.: 197.-1-13.

WHEREAS, neighbors and other town residents have frequently complained to the town board of Amity that Keith Middaugh and other owners, tenants and occupants fail to abide by Local Law 1-2011 in that they fails to confine cattle, sheep, horses and other domesticated animals which they own or maintain and allow said domesticated animals to roam free and trespass upon public and private highways unattended or upon public and private lands without permission of the owner or possessor of such lands creating an environment which is injurious to the health, safety and welfare of the residents and property owners of the Town of Amity.

WHEREAS, Local Law 1-2011 specifically allows the Town to enforce said local law by instituting a special proceeding as authorized by Article 4 of the Civil Practice Law and Rule to compel compliance with the provisions of said local law and to restrain by injunction any violation thereof or to obtain any other appropriate relief.

WHEREAS, the Town Board authorizes the town attorney, Robert D. Strassel, to represent the Town of Amity in enforcing Local Law 1-2011 through an action in Allegany County Supreme Court.

Signed this 26 day of August, 2019



Dana Ross, Supervisor



Dave Gominiak, Councilman

John Francisco, Deputy Supervisor

absent

Barbara Zlomek, Councilwoman



Josh Brown, Councilman



Donald Skinner, Councilman