

SUPERVISOR
716-778-8531

TOWN CLERK
716-778-8822
FAX 716-638-4183

ASSESSOR
716-778-8827

TAX COLLECTOR
716-778-6052

BUILDING
INSPECTOR
716-778-5947

WATER/SEWER
716-778-8132



TOWN OF NEWFANE

2737 Main Street
Newfane, New York 14108
Tel. (716) 778-8531
Fax (716) 638-4261

JUSTICE COURT
2896 Transit Road
Newfane, New York 14108
716-778-9292

HIGHWAY
716-778-8844

WATER/SEWER
MAINTENANCE
716-778-8587

6176 McKee Street
Newfane, New York 14108
TDD 1-800-662-1220

RESOLUTION #58-2026

RESOLUTION ISSUING A NEGATIVE DECLARATION UNDER SEQRA AND ADOPTING A LOCAL LAW ENACTING A NEW CHAPTER 103 OF THE CODE OF THE TOWN OF NEWFANE, ENTITLED “DOMESTIC ANIMALS AND LIVESTOCK”

WHEREAS, the Town Board caused to be prepared and introduced a proposed local law to enact a new Chapter 103 of the Code of the Town of Newfane, entitled “Domestic Animals and Livestock”; and

WHEREAS, said proposed local law enacts a new Chapter 103 authorizing the raising and keeping of livestock, poultry, and rabbits for domestic, non-commercial use, subject to restrictions governing sanitary conditions, confinement, nuisance, and noise, establishing minimum shelter and space requirements, and providing for enforcement and penalties; and

WHEREAS, by Resolution No. 51-2026, the Town Board scheduled a public hearing on the proposed local law for August 13, 2026, at 5:45 p.m., and directed that notice be published as required by law; and

WHEREAS, a Notice of Public Hearing upon said proposed local law was published in the official newspaper of the Town of Newfane not less than five days prior to the date of the hearing, and a copy of said proposed local law was placed on file with the Town Clerk and was available for public inspection during regular business hours; and

WHEREAS, a public hearing upon said proposed local law was duly held before this Town Board on August 13, 2026, at 5:45 p.m. at the Town Hall, 2737 Main Street, Newfane, New York, at which all persons desiring to be heard were afforded an opportunity to be heard, and said hearing was thereafter closed; and

WHEREAS, no substantive amendment has been made to said proposed local law subsequent to the close of the public hearing thereon; and

WHEREAS, said proposed local law, in its final form, has been upon the desks of each member of this Town Board for the period required by Municipal Home Rule Law § 20(4); and

WHEREAS, the Town Board is the only agency with authority to approve the proposed local law and is therefore the lead agency for purposes of considering the action under the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations, 6 NYCRR Part 617; and

WHEREAS, the Town Board has determined that the adoption of the proposed local law is classified as an Unlisted Action under 6 NYCRR Part 617; and

WHEREAS, a Short Environmental Assessment Form has been prepared with respect to said proposed local law pursuant to the direction of this Town Board contained in Resolution No. 51-2026, and this Town Board has reviewed the same together with the comment received at the public hearing; and

WHEREAS, the Town Board has considered the action and the criteria for determining significance set forth in 6 NYCRR section 617.7(c), and has determined the adoption of the proposed local law will not result in any significant adverse environmental impacts; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane hereby declares itself lead agency for purposes of review of said proposed local law under SEQRA, and hereby classifies the adoption thereof as an Unlisted action; and

BE IT FURTHER RESOLVED, that based upon the Short EAF and the entire record before it, the Town Board hereby determines that the action will not have a significant adverse impact on the environment and adopts a Negative Declaration for the following reasons:

1. The proposed local law is regulatory. It authorizes no construction beyond that already permitted under the Zoning Chapter, no excavation, and no clearing or grading, and it imposes limitations upon an activity presently occurring within the Town and presently unaddressed by the Code.
2. The keeping of livestock, poultry, and rabbits for domestic, non-commercial purposes presently occurs within the Town and is presently unregulated by any provision of the Code addressed to that activity. The proposed local law imposes limitations upon an existing practice where none previously existed.
3. The minimum pasture and shelter requirements established by the proposed local law operate to limit the number of animals that may be kept upon a given area of land, and thereby limit the concentration of animals and of animal waste. The proposed local law further requires that animals be kept in clean and sanitary conditions at all times, that animals be confined to the property, and that animal waste be disposed of in a manner preventing nuisance, unsanitary conditions, or sanitary problems.
4. The chapter makes no change in the use or intensity of use of any land. Keeping for domestic use remains accessory to the residential use of the premises; commercial agriculture remains governed by the Zoning Chapter.

5. To the extent the proposed local law has any effect upon the environment, that effect is beneficial, consisting of the prevention of unsanitary conditions, of odors, of the attraction of rodents and other pests, and of the escape of animals from the premises upon which they are kept.
6. The proposed local law affects no critical environmental area, no property listed on or eligible for listing on the State or National Register of Historic Places, no archaeologically sensitive area, no threatened or endangered species or its habitat, and no wetland, watercourse, or waterbody.

BE IT FURTHER RESOLVED, that the Town Board hereby adopts and enacts the proposed local law to enact Chapter 103 of the Code of the Town of Newfane, entitled “Domestic Animals and Livestock”; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to assign the local law its appropriate consecutive number; file a certified copy of said local law in the Office of the Town Clerk and file a certified copy of said local law, together with the required Local Law Filing form, with the New York State Secretary of State, within 20 days after final adoption in accordance with Municipal Home Rule Law § 27; transmit a copy of said local law to the Town’s code publisher for codification in the Code of the Town of Newfane; and take such further action as may be necessary or appropriate to effectuate this resolution; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, and the local law shall take effect upon filing with the New York State Secretary of State as provided in the local law and by Municipal Home Rule Law § 27.

By Order of the Town Board
 Town of Newfane, Niagara County, New York
 Adopted this ____ day of _____, 2026

Town Board Member

Vote

 Supervisor John Syracuse

☐ Aye ☐ Nay

 Councilman Paul Conrad

☐ Aye ☐ Nay

Councilman Robert Horanburg

☐ Aye

☐ Nay

Councilwoman Jessica Reinhardt

☐ Aye

☐ Nay

Councilman Peter Robinson

☐ Aye

☐ Nay