

**Sodus Town Board Agenda
Regular Month End-Town Board Meeting
July 25, 2024
4:00 PM**

Pledge of AllegianceRoll Call: *(Lori Diver)*

Supervisor Johnson-absent, Councilperson LeRoy, Councilperson Ross, Councilperson Tertinek, Councilperson Pickering

Public Comments:**Month End Town Board Meeting Agenda**

1. Resolution approving Abstract #14-2024
First _____ Seconded _____
2. Resolution authorizing the Sodus Town Court to apply for JCAP Funds for the 2024-2025 Grant Cycle.
First _____ Seconded _____
3. Motion to allow Lori Diver Sodus Town Clerk to advertise legal notice, "Intent to File RD Application, Rural Utilities Service (WD No. 12).
First _____ Seconded _____
4. Discussion on Local Law Chapter 39 Water Fowl and Zoning Map.
First _____ Seconded _____
5. Motion to adjourn.
First _____ Seconded _____
Time _____

MINUTES

Minutes of the Month End Town Board Meeting commencing at 4:00 PM in the upstairs meeting room July 25, 2024 located at 14-16 Mill St. Sodus, NY 14551.

All meetings are open to the public.

Present: David LeRoy, Councilperson/Deputy Supervisor
Don Ross, Councilperson
Dale Pickering, Councilperson
Chris Tertinek, Councilperson

Recording Secretary: Lori Diver, Sodus Town Clerk

Absent: Scott Johnson, Supervisor

Others Present: Kyle Kephart, Backup DCO
Casey Carpenter, Times of Wayne County

Deputy Supervisor David LeRoy called the Month End Town Board Meeting to order commencing at 4:00 PM and Lori Diver opened with roll call. All Board Members were present with the exception of Supervisor Scott Johnson.

PUBLIC COMMENTS:

N/A

ABSTRACT
RESOLUTION TO PAY ABSTRACT No. 14-2024
(03 07-2024)

WHEREAS, the following bills were presented for payment on Abstract 14:

General	322-349	\$	40,143.36
Highway	170-185	\$	41,862.00
CM1-Parks	008-008	\$	282.48
Trust & Agency	014-015	\$	1,803.04
GRAND TOTAL:			\$ 84,090.88

NOW BE IT RESOLVED, Councilperson Dale Pickering motioned to authorize payment for Abstract # 14 as listed and adopt this resolution which was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Scott Johnson, absent; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and Dale Pickering, aye. Resolution Adopted.

(See report inserted-end of minutes)

RESOLUTION
COURT/JCAP GRANT
(04 07-2024)

Resolution Authorizing the Sodus Town Court to apply for JCAP Funds for the 2024-2025 Grant Cycle

Sodus Town Court is requesting authorization from the Sodus Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. One required component of the application is a Resolution from the Town Board authorizing the Town Court to apply for this funding.

WHEREAS, the Sodus Town Court is seeking permission to apply for funding from the New York State Justice Court Assistance Program

RESOLVED, the Board of the Town of Sodus authorizes the Sodus Town Court to apply for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.00

FURTHER BE IT RESOLVED, this resolution was adopted by Councilperson Don Ross and seconded by Councilperson Chris Tertinek. Upon roll call the following votes were heard, Supervisor Johnson absent; Councilperson David LeRoy, aye; Councilperson Don Ross, aye; Councilperson Chris Tertinek, aye; Councilperson Dale Pickering, aye. Resolution Adopted.

Councilperson Don Ross motioned to allow Lori Diver to advertise legal notice, "Intent to File RD Application, Rural Utilities Service for WD No. 12 was seconded by Councilperson Dale Pickering. Upon roll call the following votes were heard, Supervisor Scott Johnson, absent, David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye and Dale Pickering, aye. Motion carried.

RESOLUTION
WD #12-LATERAL RESTRICTIONS
(05 07-2024)

TOWN OF SODUS
WATER DISTRICT NO. 12

AUTHORIZATION TO ADOPT LATERAL RESTRICTIONS WITHIN WATER DISTRICT NO. 12

The following resolution was presented by Deputy Supervisor David LeRoy, moved by Councilperson Dale Pickering, seconded by Councilperson Chris Tertinek,

WHEREAS, the Town Board of the Town of Sodus intends to create Town of Sodus Water District No. 12 for the express purpose of providing public water supply to residents along portions of Barclay Road, Bond Road, NYS Route 14, Red Mill Road, State Street Extension, North Road, and Emerald Point Road; and

WHEREAS, all or part of the land area within proposed Water District No. 12 is also within Wayne County Agricultural District No. 1; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impacts of providing a source of public water supply within this area on lands within Wayne County Agricultural District No. 1; and

WHEREAS, the New York State Department of Agriculture and Markets has indicated that lateral restrictions will be required to minimize potential adverse impacts that said public water supply may have on agriculture uses within said Agricultural District.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Sodus, Wayne County, New York, as follows:

1. The Town Board, in recognition of the potential impacts to agricultural uses, hereby resolves to limit connections to the public water supply, within those areas of Sodus Water District No. 12 that are also located within Wayne County Agricultural District No. 1, to existing or previously approved non-farm uses and to farm related uses.
2. This Resolution shall take effect July 25, 2024.

VOTE – AYES 4 NAYS 0 ABSENT 1

BE IT RESOLVED, Councilperson Dale Pickering motioned to adopt this resolution was seconded by Councilperson Chris Tertinek. Upon roll call the following votes were heard, Scott Johnson, absent; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and Dale Pickering, aye. Resolution Adopted.

Councilperson Don Ross motioned to change the month end Town Board meeting from August 22, 2024 to August 29, 2024 at 4:00 PM was seconded by Councilperson Dale Pickering. Councilperson Chris Tertinek suggested to change the date since the Regular meeting and Month End meeting were only separated by one week. Upon roll call the following votes were heard, Supervisor Scott Johnson, absent, David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye and Dale Pickering, aye. Motion carried.

Councilperson David LeRoy motioned to allow Lori Diver Sodus Town Clerk to advertise for and to hold a Public Hearing for Local Law 1-2024 amendments to Chapter

39 Water Fowl in Town of Sodus Code August 29, 2024 at 4:00 PM was seconded by Councilperson Dale Pickering. Upon roll call the following votes were heard, Supervisor Scott Johnson, absent, David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye and Dale Pickering, aye. Motion carried.

Councilperson Don Ross motioned to allow Kyle Kephart to work with Sal Vittozzi Camp Beechwood Caretaker/Groundskeeper for cemeteries as the backup Caretaker-Groundskeeper, not to exceed 20 hours weekly at \$18.00 per hour. The position may at times exceed 20 hours per week. In the event Kephart needs to work more than 20 hours per week he will need to contact Supervisor Scott Johnson or Councilman Don Ross for prior approval. This was seconded by Councilperson Dale Pickering. Upon roll call the following votes were heard, Supervisor Scott Johnson, absent, David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye and Dale Pickering, aye. Motion carried.

Councilperson Dale Pickering motioned to adjourn the Town Board Meeting was seconded by Councilperson Chris Tertinek. Upon roll call the following votes were heard, Supervisor Scott Johnson, absent, David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye and Dale Pickering, aye. Motion carried.

Time: 4:25 PM

Minutes Written By:

Lori K. Diver

Sodus Town Clerk, RMC

TOWN OF SODUS
Abstract of Unaudited Vouchers
GENERAL FUND - TOWNWIDE

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
322	BILL DOYLE FOOD TRUCK ENTERTAINMENT	A7550.4	500.00	3232	07/22/2024
323	FINGER LAKES CONSULTING JUNE 2024 PROFESSIONAL SVC'S	A1620.48	1,520.00		
324	WEX BANK FUEL FOR JUNE 2024	A7110.4	255.58		
325	COSTICH ENGINEERING, DPC BEECHWOOD GRANT # 218681	A600	599.18		
326	THERESA RYAN 148 COURT MILEAGE @ .67 CENTS	A1110.4	99.16		
327	ROBERT A FRATANGELO MAGISTRATES DINNER	A1110.4	65.00		
328	VILLAGE OF SODUS VILLAGE SHARE COURT FINES	A1130.4	175.00		
329	MRB GROUP PC WD NO. 12 PROFESSIONAL SVC'S	A600	9,646.25		
330	BEST FRIENDS MUSIQUE FOOD TRUCK ENTERTAINMENT EVENT	A7550.4	100.00		
331	VILLAGE OF SODUS VILLAGE FINE SHARE FEBRUARY 2024	A1130.4	112.50		
332	ROCHESTER AREA CONST. & HEALTH INSURANCE AUGUST 2024	A9060.8	4,125.00		
333	YOUNG EXPLOSIVES 20882/FIREWORKS DISPLAY FOOD TRUCK	A7550.4	7,500.00		
334	CINTAS FIRST AID & SAFETY 5220860815/FIRST AID SUPPLIES	A5132.4	90.02		
335	LAKE COUNTRY DISTRIBUTING 719569/MUNICIPAL WATER BOTTLES	A1620.4	19.50		
336	SCHWAAB INC 4560672/OFFICE SUPPLIES	A1410.4	33.45		
337	SAFEGUARD BUSINESS SYSTEMS 9005213058/OFFICE SUPPLIES	A1410.4	214.10		
338	BREWER'S SEPTIC 07863-JULY/PORT A JOHN	A7110.4	275.00		
338	BREWER'S SEPTIC 07863-JULY/PORT A JOHN	A7110.45	275.00		
339	WAYUGA PRINTING & PUBLISHING 6BB2FFD1-0009/ASSESSOR LEGAL NOTICE	A1355.4	77.62		

TOWN OF SODUS
Abstract of Unaudited Vouchers
GENERAL FUND - TOWNWIDE

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
339	WAYUGA PRINTING & PUBLISHING 8EE07361-0009/WD NO. 12 LEGAL NOTICE	A600	53.53		
340	HUMANE SOCIETY OF WAYNE COUNTY ADMISSION-ADOPTION-REDEEED	A3510.4	90.00		
341	BLUE360 MEDIA IN2406233162/LAW MANUAL -COURT	A1110.4	37.95		
342	CASELLA WASTE SERVICES 1443409/CAMP BEECHWOOD -DUMPSTER-EMPTY	A7110.45	145.00		
343	VERIZON WIRELESS 9968059802/DCO	A3510.4	31.24		
343	VERIZON WIRELESS 9968059802/HIGHWAY	A5132.4	31.24		
343	VERIZON WIRELESS 9968059802/BEECHWOOD	A7110.45	49.79		
344	CHARTER COMMUNICATIONS 141749001071424/INTERNET-FAX	A1620.4	329.96		
345	CHARTER COMMUNICATIONS 142339301070724/DIGITAL ADAPTER	A1620.4	28.42		
346	JROCHESTER GAS AND ELECTRIC 2003-1838-277/HIGHWAY	A5132.4	508.61		
346	JROCHESTER GAS AND ELECTRIC 2002-7887-429/CAMP BEECHWOOD GARAGE	A7110.45	115.36		
346	JROCHESTER GAS AND ELECTRIC 2003-2792-853/CEMETERY	A8810.4	32.95		
347	PROFORMA BK14002894A/SUPERVISOR ENVELOPES	A1220.4	220.00		
348	LYONS NATIONAL BANK 4614/OFFICE SUPPLIES	A1110.4	60.35		
348	LYONS NATIONAL BANK 4655/REALTOR ASSOCIATION	A1355.4	1,079.00		
348	LYONS NATIONAL BANK 4630/OFFICE 365	A1410.4	107.99		
348	LYONS NATIONAL BANK 4614/OFFICE SUPPLIES	A1410.4	237.89		
348	LYONS NATIONAL BANK 4622/HIGHWAY ADMIN FEES-FIRE	A5132.2	20.00		
348	LYONS NATIONAL BANK 4630/CREDIT-HIGHWAY PARTS TAX	A5132.4	-9.40		

TOWN OF SODUS
Abstract of Unaudited Vouchers
GENERAL FUND - TOWNWIDE

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
348	LYONS NATIONAL BANK 4630/PARTS -HIGHWAY	A5132.4	126.82		
348	LYONS NATIONAL BANK 4614/OFFICE SUPPLIES	A5132.4	44.47		
348	LYONS NATIONAL BANK 0568/RECREATION FEES	A7310.4	9,507.54		
349	MORGAN RUBBISH REMOVAL INC. 406733/GARBAGE	A5132.4	99.91		
Total:			38,630.98		

TOWN OF SODUS
Abstract of Unaudited Vouchers
GENERAL FUND - OUTSIDE VILLAGE

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
332	ROCHESTER AREA CONST. & HEALTH INSURANCE AUGUST 2024	B9060.8	1,375.00		
339	WAYUGA PRINTING & PUBLISHING 68B2FFD1-0012/ZBA LEGAL NOTICE	B8010.4	36.98		
339	WAYUGA PRINTING & PUBLISHING 68B2FFD1-0010/ZBA LEGAL NOTICE	B8010.4	36.98		
339	WAYUGA PRINTING & PUBLISHING 68B2FFD1-0008/ZBA LEGAL NOTICE	B8010.4	32.18		
343	VERIZON WIRELESS 9968059802/CODE ENFORCEMENT	B3620.4	31.24		
Total:			1,512.38		

TOWN OF SODUS
Abstract of Unaudited Vouchers
CM1 - PARKS

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
8	PEAKE OFFROAD 21649/SERVICE	CM1-7110.4	282.48		
Total:			282.48		

TOWN OF SODUS
Abstract of Unaudited Vouchers
HIGHWAY FUND - TOWNWIDE

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
170	WEX BANK FUEL FOR JUNE 2024	DA5130.4	694.36		
172	REGIONAL INTERNATIONAL CORP 022213615P/PARTS-TRUCK # 3	DA5130.4	269.68		
174	PAIGE EQUIPMENT 59609/PARTS	DA5130.4	13.16		
174	PAIGE EQUIPMENT 59579/PARTS	DA5130.4	329.00		
174	PAIGE EQUIPMENT 59647/PARTS	DA5130.4	43.50		
175	WHITAKER FORD 49012/2017 F350- PART	DA5130.4	40.45		
176	ENERGETIX 2024-9310/URINE TEST	DA5130.4	70.00		
177	SOUTHWORTH-MILTON CAT INV3290514/PART	DA5130.4	46.63		
179	TORQUE AUTO 15484/PARTS	DA5130.4	8.51		
180	ALLEN CHASE ENTERPRISES, INC 12529/WEED SPAY -TOWN ROADS	DA5130.4	3,803.66		
181	VANBORTEL FORD, INC FOCS114638/REPAIR	DA5130.4	2,880.05		
182	E & V ENERGY CORP 41648/DIESEL 620.5 GAL @ 2.8332	DA5130.4	1,758.00		
183	PLASSCHE LUMBER CO INC 421245/SUPPLIES	DA5130.4	24.95		
184	WILLIAMSON AUTOMOTIVE 9546/TRUCK # 8 REPAIR	DA5130.4	850.63		
185	ADVANCE AUTO PARTS MULTIPLE/PARTS	DA5130.4	406.21		
Total:			11,238.79		

TOWN OF SODUS
Abstract of Unaudited Vouchers
HIGHWAY FUND - OUTSIDE VILLAGE

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
171	ROCHESTER AREA CONST. & HEALTH INSURANCE AUGUST 2024	DB9060.8	9,625.00		
173	RAM ASPHALT-DOLOMITE PRODUCTS 1171635/ASPHALT	DB5110.4	504.60		
173	RAM ASPHALT-DOLOMITE PRODUCTS 1173086/ASPHALT-STELL RD	DB5112.3	9,600.15		
173	RAM ASPHALT-DOLOMITE PRODUCTS 1170445/ASPHALT	DB5112.3	7,464.87		
173	RAM ASPHALT-DOLOMITE PRODUCTS 1172093/ASPHALT	DB5112.3	2,986.28		
178	SYRACUSE SAND & GRAVEL 601740/CRUSHER RUN	DB5110.4	442.31		
Total:			30,623.21		

TOWN OF SODUS
Abstract of Unaudited Vouchers
TRUST & AGENCY

Total Claims: \$84,090.88

07/25/2024

Number 014

Voucher #	Claimant	Account #	Amount	Check	Date
14	ROCHESTER AREA CONST. & HEALTH INSURANCE AUGUST 2024	TA20	1,357.64		
15	EXCELLUS HEALTH PLAN DENTAL INSURANCE AUGUST 2024	TA20	445.40		
Total:			1,803.04		

To; Lori A. Diver, Sodus Town Clerk

From: Hon. Jay A. De Wispelaere, Justice, Sodus Town Court

Re: Application for funding from the Justice Court Assistance Program

Date: August 1, 2024

Resolution Authorizing the Sodus Town Court to apply for JCAP Funds for the 2024-2025 Grant Cycle

Sodus Town Court is requesting authorization from the Sodus Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. One required component of the application is a Resolution from the Town Board authorizing the Town Court to apply for this funding.

Whereas: the Sodus Town Court is seeking permission to apply for funding from the New York State Justice Court Assistance Program

Resolved: the Board of the Town of Sodus authorizes the Sodus Town Court to apply for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.00

Certified:

Approved:

Dated:

TOWN OF SODUS
WATER DISTRICT NO. 12

AUTHORIZATION TO ADOPT LATERAL RESTRICTIONS WITHIN WATER DISTRICT NO. 12

The following resolution was presented by _____, moved by _____, seconded by _____,

WHEREAS, the Town Board of the Town of Sodus intends to create Town of Sodus Water District No. 12 for the express purpose of providing public water supply to residents along portions of Barclay Road, Bond Road, NYS Route 14, Red Mill Road, State Street Extension, North Road, and Emerald Point Road; and

WHEREAS, all or part of the land area within proposed Water District No. 12 is also within Wayne County Agricultural District No. 1; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impacts of providing a source of public water supply within this area on lands within Wayne County Agricultural District No. 1; and

WHEREAS, the New York State Department of Agriculture and Markets has indicated that lateral restrictions will be required to minimize potential adverse impacts that said public water supply may have on agriculture uses within said Agricultural District.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Sodus, Wayne County, New York, as follows:

1. The Town Board, in recognition of the potential impacts to agricultural uses, hereby resolves to limit connections to the public water supply, within those areas of Sodus Water District No. 12 that are also located within Wayne County Agricultural District No. 1, to existing or previously approved non-farm uses and to farm related uses.
2. This Resolution shall take effect July 25, 2024.

VOTE – AYES _____ NAYS _____

Town Clerk Certification

STATE OF NEW YORK:
COUNTY OF WAYNE: ss
TOWN OF SODUS

I, Lori K. Diver, RMC, Town Clerk of the Town of Sodus, Wayne County, New York, do hereby certify that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Sodus on the 25th day of July, 2024, with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and the whole thereof.

DATED: _____, 2024

(SEAL)

Lori K. Diver, RMC
Town Clerk

Lori Diver

From: Ceo Clerk
Sent: Tuesday, July 23, 2024 11:55 AM
To: Amy Kendall, Esq; Chris Tertinek; cwillmott@rochester.rr.com; David Johnson ; David LeRoy (councilmanleroy@rochester.twcbc.com); Don Ross (councilmanross@rochester.twcbc.com); Frank Gahr; James Russell; John Hayslip; Kim Buell ; Lori; Ray Stacy; Sal Vittozzi (salvittozzi@gmail.com); supervisorjohnson@townofsodus.net; Cathy Willmott; Dennis Grabb; Ed Grosz ; Joe Pasquale; John Bernhard ; Chris Tertinek; Dale Pickering ; David LeRoy; Donald Ross ; Lori Diver; Scott Johnson ; Supervisor Clerk
Cc: Town Ceo
Subject: Draft Chapter 39 Fowl and Livestock
Attachments: DRAFT Chapter 39 FOWL and LIVESTOCK..pdf; NEW ZONING MAP...pdf

After review of the attached draft law, some concerns were addressed.
Live stock is limited by acreage in residential zones where applicable.
Prohibited sales of eggs at roadside stands have been removed.
The special permissions have been changed to a use permit,
being that the use of the land would be for an agricultural purpose.
Attached is the updated version. Please let me know what you think.
This draft is using the new zoning map. Also attached.

Thank you,



Chandra Jensen
Code Enforcement Clerk
14-16 Mill Street
Sodus, NY 14551
Office: (315) 483-6934
Fax: (315) 483-4038
enforcementclerk@rochester.twcbc.com

Chapter 39

FOWL & LIVESTOCK

- | | |
|--|--|
| <p>§ 39-1. Short Title</p> <p>§ 39-2. Permitted Uses</p> <p>§ 39-3. Purpose and Intent</p> <p>§ 39-4. Definitions</p> <p>§ 39-5. Keeping of Fowl and Livestock</p> | <p>§ 39-6. Presumption of Ownership</p> <p>§ 39-7. Structures</p> <p>§ 39-8. Residential Requirements</p> <p>§ 39-9. Sanitation & Nuisance Prevention</p> <p>§ 38-10. Administration and Enforcement</p> |
|--|--|

[HISTORY: Adopted by the Town Board of the Town of Sodus _____]

GENERAL REFERENCES

Zoning - See Ch. 135.

Permitted Uses - See Ch. 135.

Building Construction and Fire Prevention - See Ch. 46

Fee Schedule A137

Agriculture & Markets Law Section 108
New York Executive Law 63 (12)

§ 39-1. Short Title:

This chapter shall be known as the “2024 Fowl and Livestock Regulations of the Town of Sodus, New York.”

§ 39-2. Permitted Uses:

Agricultural	Agricultural Residence	Residential	Waterfront Residential	High Density Residential	Commercial Residential	Commercial	Industrial	Airport				
A	A-R	R-1	W-R	R-2	C-2	C-1	I	P				
USE				ZONING DISTRICT								
				A	A-R	R-1	W-R	R-2	C-2	C-1	I	P
Agriculture, including the keeping of fowl or farm animals. 4-acre minimum or not permitted.				P	P	P	P	NP	SP	SP	NP	NP

§ 39-3. Purpose and Intent:

The purpose of this chapter is intended to be construed in harmony with the New York State Agriculture & Markets Law and Regulations¹, the Town Building Law² and the Town Zoning Law³. This Chapter shall be to preserve the public peace and good order in the Town of Sodus and to contribute to the protection of persons, property, public health and safety, Town aesthetics and general welfare of its people by establishing certain regulations providing for the maintenance, control and protection of chickens, ducks, geese, fowl, bees, livestock or farm animals.

1. Editor's Note; See Agriculture & Markets Law Section 108

2. Editor's Note; See Ch. 46, Building Construction and Fire Prevention.

3. Editor's Note; See Ch. 135, Zoning.

§ 39-4. Definitions:

In this local law, the following terms shall have the meanings shown in this section:

FARM ANIMALS and LIVESTOCK – Domesticated animals raised in an agricultural setting in order to provide labor and produce diversified products for consumption such as meat, eggs, milk, fur, leather, and wool. Farm animals include but are not limited to cattle, sheep, goats, horses, pigs and fowl.

HOUSEHOLD PETS - A domesticated animal, including but not limited to dogs, cats, tropical birds, rodents including rabbits, fish, and certain reptiles, that are kept in the home for pleasure rather than profit.

FARM - An area of land and its buildings used for growing crops and rearing animals that make a profit as a business by growing crops or keeping livestock typically under the control of one owner or company.

GENERAL FARM OPERATION – Under the Agricultural Markets Law¹, a farm operation includes the production, preparation and marketing of crops, livestock and livestock products that are produced on land that is owned or rented, contiguous or non-contiguous to one another. Land can be owned or rented in another town or county and still be considered part of the farm operation.

FOWL - A domesticated animal including but are not limited to such birds as chicken or turkey and game such as pheasant and duck. Such birds lay eggs or are raised to be eaten.

RUN AT LARGE – see §38-12 Running at large prohibited

ANIMAL NOISE – see §38-15 Continued Noises [Added 12-8-1982 by L.L. NO. 2-1982]

§ 39-5. Keeping of Fowl and Livestock:

- A. Keeping of fowl and livestock shall be permitted on a farm, or part of a general farm operation as defined in this chapter.
- B. No animals other than household pets as defined in this chapter shall be maintained, housed or harbored in High Density Residential districts (R-2).
- C. No fowl or livestock shall be maintained, housed or harbored in any residential districts of less than four acres or in a building, no part of which is closer to any property line less than 150 feet without a use permit issued by the Zoning Board of Appeals. If a complaint is filed with the Code Enforcement office these same rules can be referred to for housing honey bees.

§ 39-6. Presumption of Ownership:

Any person harboring any animal for a period of two weeks prior to any violation of this article shall be deemed to be the owner for purposes of this article.

SODUS CODE

§ 39-7. Structures:

- A. Coops, runs, hutches and outdoor animal shelters shall be located in the rear of residential structures no part of which is closer to any property line less than 150 feet. A coop and run shall be permitted in the rear yard only and shall not be permitted in a side or front yard in residential areas.
- B. A coop shall be designed and built so that it provides ventilation and shade for hens, and protection from precipitation, cold weather, predators and rodents. Openings in windows or doors are to be covered and secured with wire mesh or screens to deter predators. Access doors are required and are to be placed to provide for ease of cleaning. The enclosed run must be attached to or surrounding the coop. The sides of the run must be made of wire mesh or screening to discourage predators. The run must be enclosed on all sides including the top or roof plane. A coop shall provide a minimum of four-square feet per hen.
- C. A building permit shall be required for the construction of a coop or run for the keeping of livestock and fowl to ensure compliance with these provisions. A certificate of compliance from the Code Enforcement Officer shall be issued following construction and prior to livestock and fowl being bred, raised, harbored or maintained in any shelter, coop or run. Shelters and coop building permit fees are set forth on the Town of Sodus fee schedule¹ using the same fee requirements as sheds, utility buildings and pole barns.
- D. The Code Enforcement Officer may deny a building permit to an applicant that cannot meet the area and setback requirements or any other requirement of this chapter. The Code Enforcement Officer may also deny a permit to anyone who has been or is convicted of animal cruelty violations.

§ 39-8. Residential Requirements:

This section is referring to all residential districts with the exemption of R-2 districts as follows: R-1, A-R, W-R.

- A. Four acres of residential land is required.
- B. There shall be no more than one coop and run on a lot.
- C. The maximum number of hens shall be 12 per property.
- D. Roosters shall be prohibited.
- E. Livestock are limited to 2 animals per acre total, with one housing structure.

¹ Editor's Note: See Fee Schedule A137

§ 39-9. Sanitation and Nuisance Prevention:

SODUS CODE

- A. Animal housing shall be kept clean, dry and in a sanitary condition at all times. Animal waste, uneaten or discarded food, and animal by-products are to be removed regularly with a minimum frequency of once per week. Feed must be stored in an enclosed, rodent-proof container at all times.
- B. Odor from animal waste and related substances shall not create a nuisance for occupants of nearby buildings or properties.
- C. Fowl or livestock shall not be housed or kept on any residential premises of less than four acres without a use permit issued by the Zoning Board of Appeals and subject to additional restrictive conditions. Such animals shall be housed in such a manner as not to create an annoyance to surrounding properties.
- D. Livestock and fowl shall be contained or kept in a fully enclosed shelter with fenced outdoor areas or a coop and run. Animals must be kept in a fully fenced pen or run at all times. If the housing, coop or shelter are not located in a fenced yard. No animals shall be permitted to run at large.
- E. No person shall keep, suffer or permit on the premises occupied by such person any animals or birds prone to long-continued noises that unreasonably disturb the comfort and repose of other persons residing in the neighborhood.

§ 39-10. Administration and Enforcement

- A. This chapter may be enforced by the Town of Sodus Code Enforcement Officer or local Police Department, each of whom are hereby authorized to issue and serve violation notices and/or appearance tickets upon any person in violation of this chapter.
 - 1. The violation of any provisions of this Chapter shall be deemed an offense under this Chapter, and each separate offense shall constitute a separate additional violation.
 - 2. Any Person who violates, disobeys, neglects, refuses to comply with or resists the enforcement of any provision of this law or any written order of the Code Enforcement Officer directing compliance with this law shall be deemed to have violated this law, and shall be liable to pay the Town a civil penalty of up to one thousand dollars for each such violation. Such a civil penalty may be assessed in any action or proceeding brought by the Town, pursuant to the New York Executive Law¹, to enforce the provisions of this law.
 - 3. Continuous Violations. Each day a violation or offense is continued or not corrected shall be deemed a separate violation or offense.

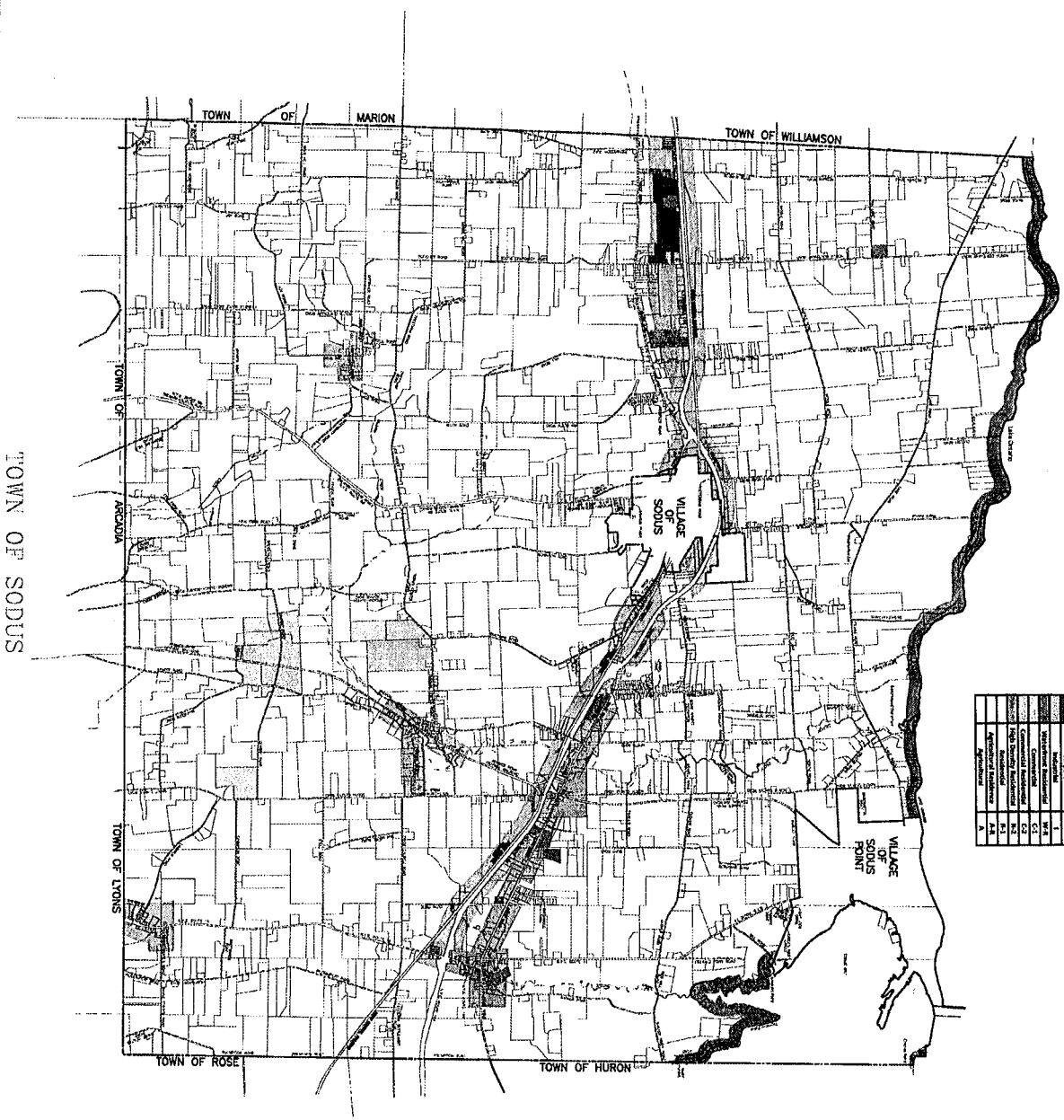
¹ Editor's Note: See New York Executive Law 63 (12)

WAYNE COUNTY REAL PROPERTY TAX SERVICE

16 WILLIAM STREET
LYONS, NEW YORK
14456-1000
Phone: 516-634-2200
Fax: 516-634-2201

LEGEND

Symbol	Description
1	Residential
2	Commercial
3	Industrial
4	Public Use
5	Forest Land
6	Water
7	Wetlands
8	Other



Town of Sodus Map

Legend	Symbol
1	Residential
2	Commercial
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NOTICE OF DISCLAIMER

FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE

This map is a reproduction of a map prepared by the Town of Sodus for the purpose of assessing property taxes. It is not to be used for any other purpose, including but not limited to, conveying property interests. The Town of Sodus does not warrant the accuracy or completeness of the information shown on this map.

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To Real Property Tax Maps
For the
TOWN OF SODUS
Wayne County, New York

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SECTION NO. 1

MAP NO. 1

