

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.

**Village of Holley
County of Orleans**

FILED
STATE RECORDS
APR 25 2022

Local Law No. 1 of the year 2022. DEPARTMENT OF STATE

**A LOCAL LAW AMENDING CHAPTER 91 OF THE VILLAGE OF HOLLEY
CODE PERTAINING TO ANIMALS**

Be it enacted by the Board of Trustees of the Village of Holley as follows:

WHEREAS, Chapter 91 of the Official Code of the Village of Holley currently regulates issues related to animals in the Village of Holley, and

WHEREAS, it has become necessary to examine changes in certain aspects of the Village of Holley Code as related to animals, and

WHEREAS, this proposed amendment modifies some portions of the current text of Chapter 91 of the Code of the Village of Holley as it pertains to animals, and

NOW, THEREFORE be it resolved that the following proposed local law was published for public review in accordance with the Municipal Home Rule Law and the Village Law, and that a public hearing was held thereupon on the 11th day of May, 2021, for the purposes of consideration of adoption of the proposed local law which reads as follows:

I. AMENDMENT: - The following provision shall replace the existing code section 91.8 in Chapter 91, Article I, of the Village of Holley Code:

91.8. Number of dogs

The maximum number of dogs over the age of four months allowed to be harbored in any single family residence is three. The maximum number of dogs over the age of four months allowed to be harbored in any multi-unit residential dwelling is three.

Persons, who at the time of adoption of this article, shall have more than three dogs as allowed in this ordinance, shall be allowed to maintain said dogs. However, upon the loss of such dog by death,

sale, or other transfer, said persons may not replace that dog if the total number of dogs will be more than three.

II. AMENDMENT: - The following provision, currently in the code as 91-8, shall be renumbered and added to Chapter 91, Article I, of the Village of Holley Code:

91.9 - Penalties for offenses. The current text of 91-8 Penalties for offenses shall remain. Only the section number shall be changed from 91-8 to 91-9.

III. AMENDMENT: - The following provisions shall be added to Chapter 91 of the Village of Holley Code:

Article III: Other Common Household Pets shall be added.

91.18

Common household pets are allowed in the Village of Holley if confined indoors in the residence and are domesticated. A common household pet is defined, but not limited to hare, rabbit, gerbil, hamsters, ferret, chinchilla, hedgehog.

IV. AMENDMENT: - The following provisions shall be added to Chapter 91 of the Village of Holley Code:

Article IV: Hoofed Animals shall be added.

91.19

Housing of any hoofed animal is not allowed in the Village of Holley. A hoofed animal is defined as, but not limited to, horse, bovine, sheep, goat, swine, reindeer, deer, donkey, mule, mini horse, pony, cow.

V. AMENDMENT: - The following provisions shall be added to Chapter 91 of the Village of Holley Code:

Article V: Fowl shall be added.

91.20

Definition: A chicken is a domesticated hen. A hen is a female chicken.

91-21

The following fowl are not permitted in the Village of Holley: rooster, pigeon, geese, swan, duck, turkey.

91-22 Chickens

1. A total of six chickens are permitted.
2. Chickens shall be contained or kept in a fully enclosed coop or run.
 - a. A coop shall provide a minimum of four square feet per hen. A run shall have a minimum of eight square feet per hen.
 - b. A coop and a run shall be at the rear of the residence, at least twenty feet from any property line, and at least five feet from and residence.
 - c. The enclosed run must be attached to, or surround, the coop.
 - d. The coop and/or run shall be kept clean, dry, and in sanitary condition at all times. Animal waste, uneaten or discarded food, and feathers are to be removed regularly with a minimum frequency of once per week.
 - e. Odor from chickens and/or animal waste shall not create a nuisance for occupants of nearby buildings or properties.
 - f. A coop shall be designed and built so that it provides ventilation and shade for the chickens and protection from the weather.
3. Slaughtering is prohibited.
4. Feed must be stored in an enclosed, rodent-proof container.
5. The sale of chickens or eggs on residential property is prohibited.

VI. AMENDMENT: - The following provisions shall be added to Chapter 91 of the Village of Holley Code:

Article VI: Cats shall be added.

91.23

Definition. A cat is any member of the species Felis Catus.

All cats, to the extent practicable, shall be restrained to stay within the boundaries of the premises of the owner.

91-24

No house, apartment, store, yard, enclosure, or other place in the Village of Holley shall be permitted to keep or harbor more than five cats over the age of three months. This section does not apply to any approved/licensed animal establishment, animal shelter, pet shop, veterinary hospital or kennel.

91-25

Restricted Acts. It shall be unlawful for any owner of or person harboring any cat to permit or allow such cat in the Village of Holley to:

- a. Be vicious or to spray or to defecate in such a way as to cause annoyance to any person other than the owner or person harboring such cat.
- b. Cause damage or destruction to property or to commit a nuisance upon the premises of a person other than the owner or person harboring such cat.

VII. AUTHORITY: The Legislative body of the State of New York has granted authority to local government units to adopt and amend local laws from time to time as necessary in order to protect the health, safety and welfare of the persons and properties within such local municipality. In addition, the Legislative body of the State of New York has specifically deemed that the local government unit shall adopt a local law in certain situations. That, pursuant to such grant of authority, and pursuant to the provisions of Section 714 of the General Municipal Law of the State of New York, the Board of Trustees of the Village of Holley, being the local legislative body of such municipality, is empowered to adopt a local law creating and/or modifying laws, rules, ordinances or regulations in the Village of Holley.

The Village of Holley Board of Trustees has authorized that these changes be made to the Village of Holley Code and that same be implemented into, and enforced as set forth in the Village of Holley Code.

VIII. EFFECTIVE DATE OF AMENDMENT: The amendment as described above shall become effective upon the filing of this local law in the office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed here, designated as local law No. 1 of 2022 of the Village of Holley was duly passed by the Town Board on April 12, 2022, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~

3. (Final adoption referendum)

~~I hereby certify that the local law annexed hereto, designated local law No. _____ of 20____ of the County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated local law No. _____ of 20____ of the County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~

5. (City local law concerning Charter revision proposed by petition.)

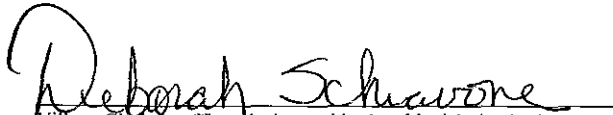
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.~~

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November __, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.


Village Clerk or officer designated by local legislative body

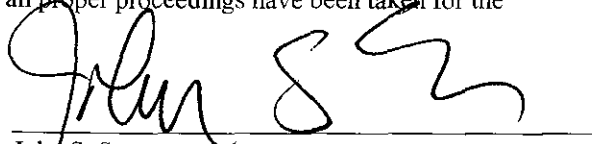
Date: 4/12/22

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK)
)SS:
COUNTY OF ORLEANS)

I, the undersigned, JOHN S. SANSONE, ESQ., Village of Holley Attorney, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been taken for the enactment of the local law annexed hereto.


John S. Sansone
Village of Holley Attorney

Date: 4/12/22

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed here, designated as local law No. 3 of 2021 of the Village of Holley was duly passed by the Town Board on ~~December 14, 2021~~, in accordance with the applicable provisions of law.

May 27, 2024

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption referendum)

I hereby certify that the local law annexed hereto, designated local law No. _____ of 20__ of the County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated local law No. _____ of 20__ of the County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

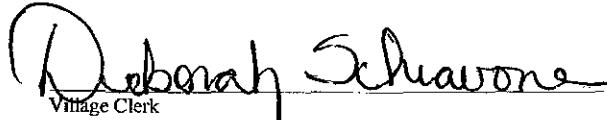
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November __, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.


Village Clerk

Date: 12-14-21

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK)
COUNTY OF NIAGARA)

I, the undersigned, JOHN S. SANSONE, ESQ., Village of Holley Attorney, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been taken for the enactment of the local law annexed hereto.

John S. Sansone
Village of Holley Attorney

Date: _____

Attending: Mayor Lynch, Trustee Nenni, Trustee DeFilippis, Trustee Moroz, Trustee Bower

Board of Trustees Meeting 7:30am

Approve Union Contract

Motion by Trustee Bower and seconded by Trustee Nenni approving the updates to the CSEA Union Contract in effect June 1, 2021 thru May 31, 2024 and allowing Mayor Lynch to sign.
 Mayor Lynch Aye, Trustee Nenni Aye, Trustee DeFilippis Aye, Trustee Moroz Aye, Trustee Bower Aye
 Ayes 5, Nays 0
 Motion Carried X

Approve Changes to Animal Ordinance

Motion by Trustee Bower and seconded by Trustee Moroz approving the updates to the animal ordinance presented at the Public Hearing on May 11, 2021.
 Mayor Lynch Aye, Trustee Nenni Aye, Trustee DeFilippis Aye, Trustee Moroz Aye, Trustee Bower Aye
 Ayes 4 Nays 1
 Motion Carried X

New Business

Abstract

Motion by Trustee Nenni and seconded by Trustee Bower approving the totals on the year-end voucher summary totals as indicated below.
 Mayor Lynch Aye, Trustee DeFilippis Aye, Trustee Nenni Aye, Trustee Moroz Aye, Trustee Bower Aye
 Ayes 5, Nays 0
 Motion Carried X

FUND	PRE-PAID	DIRECT-PAYS/ WIRE TRANS	ABSTRACT	TOTALS
A (GENERAL)	\$8,275.22		\$72,839.96	\$81,115.18
F (WATER)	\$16,056.56		\$2,494.50	\$18,551.06
G (SEWER)	\$0.00		\$13,747.43	\$13,747.43
GRAND TOTAL: A,F,G	\$24,331.78		\$89,081.89	\$113,413.67
E (ELECTRIC)	\$71,991.94		\$30,184.32	\$102,176.26
TA (TRUST & AGENCY)	\$1,241.70		\$0.00	\$1,241.70
H FUND	\$0.00		\$0.00	\$0.00
MONTHLY TOTALS	\$97,565.42		\$119,266.21	\$216,831.63

May 11 Meeting Minutes

Motion by Trustee DeFilippis and seconded by Trustee Nenni approving the May 11, 2021 meeting minutes. Mayor Lynch Aye, Trustee DeFilippis Aye, Trustee Nenni Aye, Trustee Moroz Aye, Trustee Bower Aye
 Ayes 5, Nays 0
 Motion Carried X

Resignation of Deputy Clerk Treasurer

Motion by Trustee Nenni and seconded by Trustee DeFilippis with regrets accepting the retirement resignation of Deputy Clerk Treasurer Mary Ellen Ridley. Her last day will be on Monday, May 31, 2021.
 Mayor Lynch Aye, Trustee Nenni Aye, Trustee DeFilippis Aye, Trustee Moroz Aye, Trustee Bower Aye
 Ayes 5, Nays 0
 Motion Carried X

Datto Backup, Disaster & Recovery Device

Motion by Trustee Nenni and seconded by Trustee Bower approving the Office purchase from Deeley IT of Datto SIRIS Backup, Disaster & Recovery Devices at a cost of \$984.00.
 Mayor Lynch Aye, Trustee DeFilippis Aye, Trustee Nenni Aye, Trustee Moroz Aye, Trustee Bower Aye

Ayes 5, Nays 0
Motion Carried X

Watson Enterprises- Sidewalk, Aprons & Curbing on E. Albion St.

Motion by Trustee _____ and seconded by Trustee _____ approving the hiring Watson Enterprises to install curbing, sidewalks and aprons on East Albion Street at a cost of \$55,116.00 for labor only.

Motion Tabled

Pay Increase for Fiscal Year beginning June 1, 2021

Motion by Trustee Bower and seconded by Trustee DeFilipps approving a 2% pay increase for the fiscal year beginning June 1, 2021 to the current employee of the Electric & Water Department, DPW and Village Office.

Mayor Lynch Aye, Trustee Nenni Aye, Trustee DeFilipps Aye, Trustee Moroz Aye, Trustee Bower Aye.

Ayes 5, Nays 0

Motion Carried X

Adjournment

Adjourn meeting

Motion by Trustee DeFilipps and seconded by Trustee Bower to adjourn meeting at 7:58 am

Mayor Lynch Aye, Trustee Nenni Aye, Trustee DeFilipps Aye, Trustee Moroz Aye, Trustee Bower Aye

Ayes 5, Nays 0

Motion Carried X