

<b>Topic:</b>	Right-to-Farm; Farmland Protection & Preservation
<b>Resource Type:</b>	Regulations
<b>State:</b>	New York
<b>Jurisdiction Type:</b>	Municipal
<b>Municipality:</b>	Town of Malta
<b>Year (adopted, written, etc.):</b>	1996
<b>Community Type – applicable to:</b>	Suburban; Rural
<b>Title:</b>	Town of Malta Farming Ordinance
<b>Document Last Updated in Database:</b>	March 2, 2016

### ***Abstract***

It is the general purpose and intent of this chapter to maintain and preserve the rural tradition and character of the Town of Malta, to permit the continuation of agricultural practices, to protect the existence and operation of farms and to encourage the initiation and expansion of farms and agricultural businesses.

### ***Resource***

Town of Malta NY Farming  
Code of the Town of Malta NY  
Chapter 86: Farming  
Note Local version of Right to Farm

General Code

[HISTORY: Adopted by the Town Board of the Town of Malta 8-5-1996 by L.L. No. 2-1996. Amendments noted where applicable.]

#### **§ 86-1. Legislative intent and purpose.**

- A. The Town Board of the Town of Malta find that farming is an essential activity within the Town of Malta.
- B. Farming, as defined herein, reinforces the special quality of life enjoyed by citizens, provides the visual benefit of open space and generates economic benefits and social well-being within the community. Therefore, the Town of Malta emphasizes to newcomers that this town encourages its agriculture and requests newcomers to be understanding of the necessary day-to-day operations.
- C. It is the general purpose and intent of this chapter to maintain and preserve the rural tradition and character of the Town of Malta, to permit the continuation of agricultural

practices, to protect the existence and operation of farms and to encourage the initiation and expansion of farms and agricultural businesses.

- D. For the purpose of reducing future conflicts between farmers and nonfarmers, it is necessary for notice to be given to future neighbors about the nature of agricultural practices.

## **§ 86-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**AGRICULTURAL PRACTICES** — Includes all activities conducted on a farm, necessary to the operation of a farm.

**FARM** — Includes livestock, dairy, poultry, furbearing animal, aquaculture, apiculture, fruit, vegetable and field crop farms, plantations, orchards, nurseries, greenhouses or other similar operations used primarily for the raising of agricultural or horticultural commodities.

## **§ 86-3. Right to undertake agriculture practices.**

Farmers, as well as those employed, retained or otherwise authorized to act on behalf of farmers, may lawfully engage in farming practices within the Town of Malta at any and all such times and all such locations as are reasonably necessary to conduct the business of farming, provided that such practices are legal under the zoning ordinances and other laws and ordinances of the Town of Malta and the State of New York. For any activity or operation, in determining the reasonableness of the time, place and methodology of such operation, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.

## **§ 86-4. Notice to prospective neighbors.**

The following notice shall be included in building permits and on plats of subdivisions submitted for approval pursuant to Town Law § 276 or Village Law § 7-728: "This property may border a farm, as defined in the Town of Malta's Right To Farm Law. Residents should be aware that farmers have the right to undertake farm practices which may generate dust, odor, smoke, noise and vibration