TOWN OF MINA
LOCAL LAW NO. 1 OF 2026

A LOCAL LAW REGULATING THE CONTROL OF LIVESTOCK

Be it enacted by the Town Board of the Town of Mina, in the County of Chautauqua, as follows:

Section 1. Authority.

This local law is adopted by the Town of Mina pursuant to the authority granted by:

A. Article IX of the New York State Constitution, §2(c)(6) and (10);
B. New York Statute of Local Governments, §10(1);
C. New York Municipal Home Rule Law, §10(1)(i) and (ii) and §10(l)(a)(6), (12) and (14); and
D. New York Town Law §130 (11) (Peace, good order and safety) and (15) (Promotion of public welfare).

Section 2. Findings of Fact / Statement of Purpose.

A. **Findings of Fact**. The Town Board of the Town of Mina finds as follows:

(1) That under the present codes and laws of the Town of Mina there are no restrictions or controls prohibiting livestock from roaming free and trespassing on public and private highways and lands unattended.

(2) That in order to provide for the orderly growth and proper functioning of the Town of Mina, it is necessary to impose certain restrictions on livestock with respect to their running free and trespassing on public and private highways and lands.

B. **Statement of Purpose**. The Town Board of the Town of Mina recognizes that the failure to confine livestock and allowing such domestic animals to roam free and to trespass on public and private highways unattended and on public and private lands without permission of the owner or possessor of such lands, are injurious to health, safety, and welfare of the Town of Mina.

C. **Definitions**. As used in this Local Law, the following terms shall have the meanings. hereinafter designated.

(1) *Livestock* - Shall mean:
(a) Cattle - one or more calves, heifers, cows, bulls, steers, oxen, or other bovines;
(b) Horses - one or more colts, ponies, stallions, geldings, mares, or other equines;
(c) Swine - one or more pigs, piglets, or hogs;
(d) Sheep - one or more lambs, ewes, or rams, and
(e) Goats – one or more kids, does, or bucks.

(2) *Owner* - Shall mean the registered owner, if cattle or horses are entered on a public or private register of owners of such animals, and any person claiming or asserting any interest in cattle, horses, swine, or sheep, whether such claim or assertion is based on documentary or oral evidence.

(3) *Possessor* - Shall mean any person having cattle, horses, swine, or sheep in his possession or under his control, whether as a bailee or other agent of the owner.

(4) *Person* - Shall mean corporations, partnerships, unincorporated associations, as well as individuals.

(5) Throughout this Local Law, the use of the singular shall include the plural and vice versa, and the use of the masculine shall include the feminine and vice versa.

D. **Confinement of Livestock.** Every owner and/or possessor of livestock shall keep such animals securely and safely confined to his own lands. by adequate fencing or other lawful restraints and shall not allow such animals to roam unattended on public or private lands or highways.

E. **Presumption**. If livestock are found unattended on public or private highways, or are discovered on public or private lands, other than lands owned or leased by the owner and/or possessor of such animals, it shall be presumed that the owner and/or possessor of such animals failed to confine or restrain such animals in a proper manner as specified herein, and the burden of proving proper confinement or restraint shall be on the owner and/or possessor of such animals.

F. **Penalties & Enforcement**.

(1) Repeat offences of any and every violation of the provisions of this Local Law by any person shall be deemed to be an offense against such Local Law, punishable by a fine not exceeding $300.00 or imprisonment not exceeding 15 days, or both. Each additional animal found at large during a single offense shall be punishable by a fine not exceeding $100.00 per animal. For any subsequent offense of the same nature within 45 days of the first offense, the fines stated above shall be doubled.

(2) Any code enforcement officer, animal control officer, peace officer, when acting pursuant to his special duties, or police officer upon observing a violation of this article may issue and serve an appearance ticket for such violation.

(3) In addition to the above provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town and the Court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such Local Law.

Section 3. Severability.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. Effective Date.

This local law shall take effect immediately upon its filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.