

LOCAL LAW NO. 2 OF THE YEAR 2024

Purpose

The purpose and subject of this Local Law is to establish rules, regulations, policies and code for the enforcement of the construction and maintenance of Fences throughout the Town of Westerlo.

Authority

The Town Board of the Town of Westerlo as Legislative Body for the Town of Westerlo hereby enacts this Local Law pursuant to authority conferred by New York State Town Law, New York State Municipal Home Rule Law, and the New York State Constitution.

Legislative Intent

The intent of this Local Law is adopt a local law for the enforcement and regulation of the construction and maintenance of Fences throughout the Town of Westerlo.

**THE TOWN BOARD OF THE TOWN OF WESTERLO HEREBY ENACTS
LOCAL LAW NO. 2 OF THE YEAR 2024 AS FOLLOWS:**

FENCES.

All Fences, to include but not limited to any barrier or other upright structure, may not be placed or remain within five (5') feet from the face of any occupied building on an abutting property. Any change to any Fence in existence on or before January 1, 2024, must be made in full conformance with this provision.

SUPERCESSION

The Town of Westerlo hereby exercises its authority pursuant to New York State Municipal Home Rule Law to supersede any conflicting state or local laws contrary to this Local Law.

SEVERABILITY

If any portion of this Local Law or the application thereof shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remaining portions of this Local Law.

EFFECTIVE DATE

This Local Law shall become effective immediately upon filing with the NYS Secretary of State in conformity with NYS Municipal Home Rule Law.