

(This form is used to file a local law with the Secretary of State.)

**TOWN OF WOODSTOCK
Proposed Local Law No. ? of the Year 2025**

A Local Law amending Chapter 192 of the Woodstock Code, Solid Waste of the Town of Woodstock to protect the health, safety, and welfare of the residents of the Town of Woodstock by minimizing and preventing dangerous interactions between humans and bears.

Be it enacted by the Town Board of the Town of Woodstock as follows:

SECTION 1. Statutory Authority.

This Local Law is enacted in accordance with New York State Town Law Article 9, which grants the Town Board of the Town of Woodstock authority to enact local laws for the purpose of promoting the health, safety and welfare of the people of the Town; Article 2, Section 10 of the Municipal Home Rule Law, which gives the Town of Woodstock the power to protect and enhance its physical environment; Article 12-B, Sections 239-l and m of the General Municipal Law; Section 10 of the New York Statute of Local Governments; Article IX of the New York State Constitution; and other legislative authority of the State of New York, as amended from time to time.

SECTION 2. Findings, Legislative Intent and Purpose

The Town Board finds that conflicts between people and bears are primarily caused by human food sources, whether intentional or unintentional. This Local Law seeks to refine the Town's Solid Waste regulations to reduce those conflicts, keeping both residents and wildlife safe. This Local Law prohibits the intentional feeding of black bears and establishes that incidental feeding becomes unlawful if not remedied within the given time period specified.

SECTION 3. Amend Section 192 of the Woodstock Code to add the following terms:

Amend Section 192-2 - Definitions by adding the following definitions:

Feeding- The placing, giving, exposing, depositing, distributing, or scattering of any material with the intent of attracting black bears to feed on such material.

Incidental or Indirect Feeding- The placing, exposing, depositing, distributing, or scattering of any material that unintentionally results in attracting black bears. This includes, but is not limited to, the improper storage of garbage or refuse, unclean or inadequately secured barbeque grills, and birdseed or pet food made accessible to bears. Bird feeders and bird seed are only allowed in accessible areas during the winter months when bears are hibernating.

Amend Section 192-5 - Prohibited Acts by adding the following:

- I. Deliberately or intentionally feeding black bears.
- J. Incidentally or indirectly feeding black bears.

Amend Section 192-7- Enforcement by adding the following:

The Town of Woodstock Police and/or Code Enforcement Officers shall have authority to issue warnings, summonses, or complaints for violations of §192-5(i), (j), or (k). These officials may, during reasonable hours, inspect properties for violations related to bear attractants.

Amend Section 192-8 to add new subsection (C): Penalty Schedule:

First Offense: \$100 fine, which may be waived if the material and/or food that can attract bears is removed within 48 hours of receiving the notice

Second Offense: \$200 fine

Third Offense: \$300 fine

Subsequent Offenses (within one year): Mandatory court appearance and penalty of up to \$1,000.

These are minimum fines. All violations are also subject to a general penalty of up to \$1,000 per violation under Chapter 192.

Remedial Actions:

In addition to fines, violators are required to abate bear attractants, which may include but are not limited to:

- Removing bird feeders or pet food
- Cleaning or securing barbecue grills
- Using bear-resistant containers or enclosures
- Modifying refuse storage practices

SECTION 4. SEVERABILITY

If any section, sub-section, sentence, clause, phrase, or other part of this Law is, for any reason, held by any court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portion(s) of this Law.

SECTION 5. EFFECTIVE DATE

This Law shall take effect upon being filed in the Office of the Secretary of State.

§192-8 – Penalties

SECTION 5 – Severability

If any part of this law is found invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

SECTION 6 – Effective Date

This law shall take effect immediately upon filing with the New York State Secretary of State.