



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

2 of the year 2025

Local Law Title: A local law prohibiting private burials in the Town of Volney.

Be it enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one)

of Volney as follows on the attached pages:
(Name of Local Government)

For Office Use Only

FILED
STATE RECORDS

JUL 30 2025

DEPARTMENT OF STATE

Department of State Local Law Index Number: 2 of the year 2025

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

SECTION 1: PURPOSE AND INTENT

Pursuant to the statutory powers vested in the Town of Volney (hereinafter the "Town") to regulate and control land use, and to protect the health, safety, and welfare of its residents, the Town Board of the Town of Volney (hereinafter the "Board") hereby declares a local law prohibiting the burial of human remains or the establishment of burial grounds on privately owned property within the Town.

In the past, the Town has received inquiries regarding a property owner's rights to bury human remains or to establish burial grounds on their private property. The Town anticipates that it will continue to receive inquiries in the future, and the Board desires to address this issue on a comprehensive Town-wide basis, rather than on an ad hoc basis and to adopt this local law to properly regulate same.

SECTION 2: PROHIBITIONS

No person shall cause the remains of a human being to be buried or shall establish burial grounds for such purpose in the Town in any privately owned grounds not set apart and recognized as municipal, religious, or not-for-profit corporation cemetery.

SECTION 3: PRE-EXISTING CEMETERIES

This local law shall not alter the status of private burial grounds or cemeteries currently existing within the Town at the enactment of this local law.

SECTION 4: ENFORCEMENT

This local law shall be enforceable by the Town Code Enforcement Officer or any other recognized peace officer.

SECTION 5: PENALTIES

A violation of this local law shall be deemed an offense and punishable by a fine fixed by the Town Court, not less than Fifty (\$50.00) Dollars and shall not exceed One Thousand (\$1,000.00) Dollars.

SECTION 6: VALIDITY

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law, which can be given effect without such provision.

SECTION 7: EFFECTIVE DATE

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

Local Law Filing

(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 hereto ascribed as local law number 2 of 20 25 of the ~~(County)(City)~~(Town)(Village) of Volney was duly passed by the Town Board on May 15, 20 25 in accordance with the applicable provisions of law.
(Name of Legislative Body)

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, ascribed as local law number _____ 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 _____ (Elective Chief Executive Officer*) on _____ 20 _____ in accordance with the applicable provisions of law.
(Name of Legislative Body)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ 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 _____ (Elective Chief Executive Officer*) on _____ 20 _____.
(Name of Legislative Body)
Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of 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, ascribed as local law number _____ 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 _____ (Elective Chief Executive Officer*) 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.
(Name of Legislative Body)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

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

~~I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having 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 thereto, ascribed as local law number _____ 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 voting 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 the paragraph 1 above.

(Seal)

Theresa Anderson

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Theresa Anderson, Town Clerk

5/15/2025

(Date)