

NOTICE OF ADOPTION OF LOCAL LAW

The Genesee County Legislature adopted Local Law Introductory No. 1, Year 2021 to Allow 12 And 13 Year Old Licensed Hunters To Hunt Deer With A Firearm Or Crossbow During Hunting Season With The Supervision Of A Licensed Adult.

Be it enacted, by the Legislature of the County of Genesee, State of New York as follows: **Section 1. Legislative Intent**

The intent of this Local Law is to authorize the County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law ECL 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program, allowing the opportunity for youth hunters, ages 12 and 13, to hunt deer with certain firearms and crossbow through December 31, 2023, if a County authorizes such action within their municipality. The County is passing this Local Law because hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Definitions for the purposes of this Local Law:

- a. "physical control" shall mean that the physical proximity of such minor to the parent, guardian or person is such that the parent, guardian or person is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision to the minor.
- b. "eligible area" shall mean within the boundaries of the County.

Section 3. State Requirements

A hunting license holder who is twelve or thirteen years of age may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm as provided in this title in an eligible area provided that;

- a. Such minor is accompanied by their parent or legal guardian, or by a person designated in writing by such parent or legal guardian on a form prescribed by the Environmental Conservation Department who is twenty-one years of age or older; and
- b. Such parent, guardian or person has had at least three years' experience in hunting deer; and
- c. Such parent, guardian or person holds a hunting license; and
- d. Such parent, guardian or person maintains physical control over the minor at all times while hunting; and
- e. Such parent, guardian or person and the minor remain at ground level at all times while hunting; and
- f. Such parent, guardian or person and the minor shall each display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

Section 4. Local Law Filing Requirements

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

Section 6. Effective Date

This Local Law shall take effect upon proper filing with the Office of the Secretary of State, and shall expire and be deemed repealed on December 31, 2023.

WHEREAS, The Clerk of the Genesee County Legislature did post a certified notice of Public Hearing on said proposed Local Law on the bulletin board in the Old Courthouse, and

WHEREAS, The Clerk of the Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory Number 1, Year 2021, and

WHEREAS, a Public Hearing was held at 5:30 on May 12, 2021 in the Legislature Chambers of the Old Courthouse, Batavia, New York and via Zoom videoconference at which time all interested persons who wished to speak were heard, Now therefore Be it

RESOLVED, that **“LOCAL LAW INTRODUCTORY 1, YEAR 2021 OF THE COUNTY OF GENESEE, NY, TO ALLOW 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT”** be known as Local Law No. 3 Year 2021, for the County of Genesee as introduced April 28, 2021, be and hereby is adopted.

Pamela LaGrou

Clerk of the Legislature

Dated May 17, 2021