

Revised Definitions:

APARTMENT – See “dwelling unit”.

WS-1

DWELLING GROUP - Two or more Single-Family dwellings on the same lot.

IN-LAW APARTMENT - a separate dwelling unit within an owner-occupied Single-Family dwelling without a separate entrance that includes one kitchen or kitchenette, one bathroom, and one bedroom, and not to be advertised as Bed and Breakfast, Short-term rental, or Long-term rental property, and not sold or marketed as a double or duplex.

DWELLING UNIT - A building or portion thereof containing kitchen, bathroom, dining, sleeping and related facilities necessary and/or incidental to human habitation, designed and intended as a self-contained household unit for a single individual or family.

Revised code sections:

116-8.1 R1 Single-Family Residential District

116-8.1B Permitted uses when approved by the Town Board through special use permit:

Add – (3) In-Law apartment

(a) Requirements

- (1) A survey showing parking and detailed floor plan(s) is required.
- (2) All parking must be accommodated on site by one common driveway. At least two parking spaces shall be provided for the Single-Family dwelling, and at least one space for the In-Law apartment.
- (3) Exterior of building must have or maintain the appearance of a Single-Family dwelling.
- (4) All utilities hookups will be single service and be metered for gas, water, and electric.
- (5) Must meet current State Building and County Health codes.
- (6) Only one In-Law apartment is allowed per lot or Dwelling Group.
- (7) The Special Use permit is not transferable.
- (8) Property Owner shall make their property available to the Code Enforcement Officer for a Fire Safety Inspection in accordance with Section 116-46 for an existing In-Law apartment prior to the review by the Town Board of a Special Use permit application.

116-8.1D Building size

Revise - (1) Single-Family dwelling: not less than 1,200 square feet.

Add – (2) In-Law apartment: not less than 500 square feet and shall not exceed 50% of the size of the dwelling within or attached to in size.

Revise – (3) Accessory building/structure: footprint not to exceed 25% of the required rear yard.

116-8.2 R2 Residential District

116-8.2D Building Size

Add – (3) In-Law apartment: not less than 500 square feet and shall not exceed 50% of the size of the dwelling within or attached to in size.

Revise – (4) Accessory building/structure: footprint not to exceed 25% of the required rear yard.

116-8.3 R3 Residential District

116-8.3B Permitted uses when approved by the Town Board through a special use permit:

Revise - (2) Dwelling group consisting of two or more Single-Family dwellings units on the same lot.

116-8.3D Building size

Revise – (1) Single-Family dwelling: not less than 1,200 square feet.

Revise - (2) Two-family dwelling: not less than 1,800 square feet, with a minimum dwelling unit size of 500 square feet.

Add - (4) In-Law apartment: not less than 500 square feet and shall not exceed 50% of the size of the dwelling within or attached to in size.

Revise – (5) Accessory building/structure: footprint not to exceed 25% of the required rear yard.

116-8.4 RR Residential District

116-8.4B Permitted uses when approved by the Town Board through special use permit:

Revise – (2) Dwelling group consisting of two or more Single-Family dwellings units on the same lot.

116-8.4D

Revise – (1) Single-Family dwelling: not less than 1,200 square feet.

Add – (2) Two-Family dwelling: not less than 1,800 square feet, with a minimum dwelling unit size of 500 square feet.

Add – (3) In-Law Apartment: not less than 500 square feet and shall not exceed 50% of the size of the dwelling within or attached to in size.

116-8.5 A Agriculture

116-8.5B Permitted uses when approved by the Town Board through a special use permit:

Add – (14 or 16) In-Law Apartment. See 116-8.4B(2) for requirements.

116-8.6 Commercial districts generally

116-8.6E

Revise – (1) Single-Family dwelling: not less than 1,200 square feet

Revise – (2) Two-Family dwelling: not less than 1,800 square feet with a minimum dwelling unit size of 500 square feet.

Add – (4) In-Law Apartment: not less than 500 square feet and shall not exceed 50% of the size of the dwelling within or attached to in size.

Revise - (5) Accessory building/structure, residential and commercial: The combined footprint of all accessory buildings/structures is not to exceed 50% of the footprint of the principal building.

116-8.7 C1 Commercial

116-8.7D

Add – (14) In-Law Apartment. See 116-8.1B(2) for requirements.

Alarm Systems Chapter 35

*Alarm  
And  
Site Plan*

*WS-2*

35-1 Title. This chapter of the Aurora Town Code shall be known as the "town of Aurora Alarm Code."

35-2 Purpose. The purpose of this chapter is to protect and promote the health, safety and general welfare of the residents of the Town of Aurora by reducing the number of false alarms, via proprietary alarm systems of fire, intrusion, holdup, emergency medical systems or other emergencies which contribute to ineffective utilization of police and fire and emergency response agencies. Such emergency responses are susceptible to high accident rates, interfere with genuine emergencies (responses) and produce unnecessary alarm noise to the surrounding community.

35-3 Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Alarm System: a device or an assembly of equipment which is designed to detect smoke, abnormal rise in temperature, fire, water flow, medical emergency or an entry into or exit from a building, structure or facility or a holdup alarm and, by reason thereof, emits an audible response intended to alert persons outside of the premises and/or transmit a signal or message to an emergency agency, either directly or through a private or commercial relay facility.

Automatic dialer: a device that automatically dials and relays a prerecorded message to an emergency agency or to a commercial relay facility.

Emergency Agency: The Police Department or Fire Department, Central Fire Alarm Office, Emergency Medical Services (EMS), or other emergency dispatch center.

False Alarm: An activation of an alarm system where either an emergency situation does not exist or the activator does not have a reasonable basis to believe that an emergency situation does exist.

35-4 Existing alarm systems. The owners and lessees of premises having existing alarm system shall comply with §35-5 and §35-6 of this chapter within 90 days of the effective date described in §35-14.

35-5 Automatic cutoff system.

- A. No person shall install or maintain an external alarm system which does not contain an operational automatic cutoff system which turns off the external audible alarm once activated after a period not to exceed 10 minutes.
- B. An automatic dialer connected directly to an emergency agency shall automatically disconnect and/or terminate its message after the message has been transmitted a maximum of two times. Notwithstanding the foregoing, however, the total transmission time of all messages shall not exceed five minutes.

35-6 Direct communication to emergency agency. There shall be no automatic alarm system with direct communication to any type of an emergency agency without prior written authorization from the emergency agency where the alarm terminates.

35-7 Charges for false alarms. An owner or lessee of real property to which an emergency agency responds as a result of a false alarm shall pay a fee for each such response in each calendar year as follows:

- A. Police Department response.
  - 1. First false alarm response: no charge.
  - 2. Second false alarm response: \$50.
  - 3. Third or more false alarm responses: \$100 each.
- B. Fire Department response.
  - 1. First false alarm response: no charge.
  - 2. Second false alarm response: \$50.
  - 3. Third or more false alarm responses: \$100 each.
- C. EMS response.
  - 1. First false alarm response: no charge.
  - 2. Second false alarm response: \$50.
  - 3. Third or more false alarm responses: \$100 each.

35-8 Notice of excessive use: The owner or lessee of real property which received an emergency response by reason of a false alarm shall be notified, in writing, by means of first-class mail, of all false alarms, including police alarms, fire alarms, and/or EMS alarms, in a calendar year. The letter shall inform the owner or lessee of the times and types of emergency responses provided to the address location and, where applicable, contain a copy of the Alarm Code and notify the owner or lessee of any charges due pursuant to §35-7 of this chapter.

35-9 Administrative review: The Chief of Police whose jurisdiction is the Town of Aurora, ~~of the Town of Aurora,~~ or his designee, and/or the ~~Building Superintendent~~ Code Enforcement Officer of the Town of Aurora, or his designee, shall establish a policy and procedure, ~~which need not be written,~~ whereby an owner of real property or lessee thereof on which an alarm system has been installed and who has been notified of a false alarm may present evidence as to why any such alarm should not be classified as a false alarm. The Chief of Police, or his designee, and/or the ~~Building Superintendent~~ Code Enforcement Officer, or his designee, shall designate one or more members of their departments, which may include themselves, not to exceed three in total, to receive such evidence and make recommendations and findings of fact concerning such classification. The Chief of Police, or his designee, and/or the ~~Building Superintendent~~ Code Enforcement Officer, or his designee, shall make the final determination concerning a classification, which determination shall be reviewable only pursuant to procedures under Article 78 of the New York Civil Practice Law and Rules. To challenge the classification of an alarm as a false alarm, the real property owner or lessee thereof shall, in writing, notify the Chief of Police and/or the ~~Building Superintendent~~ Code Enforcement Officer within 10 days after receipt of notice of the alarm, which will be presumed to have been received three days after mailing pursuant to §35-8 of this

chapter. The failure to give such timely notice shall be deemed a waiver of the right to review any such determination.

35-10 Payment of charges. Charges for false alarms shall be paid to the Town Clerk of the Town of Aurora at the Aurora Municipal Center ~~5 South Grove Street, East Aurora, New York 14052~~, within 30 days of the mailing date of any notice provided pursuant to §35-8 of this chapter.

35-11 Failure to remit charges. Failure of a real property owner or lessee of property on which an alarm system is installed to pay any false alarm charges, as defined in §35-7 of this chapter, within 30 days of the mailing date of a notice of the amount due provided pursuant to §35-8 of this chapter shall be deemed a violation of this chapter and may result in said real property owner or lessee, as the case may be, being served with a summons.

35-12 Enforcement. The Chief of Police shall enforce this chapter for alarm systems which detect intrusions or holdup alarms at a building, structure or facility. The ~~Building Superintendent~~ Code Enforcement Officer shall enforce this chapter for alarm systems which detect smoke, fire, water flow or abnormal rate of rise in temperature or emergency medical systems. If both Police Department and Fire Department alarms are activated, the ~~Building Superintendent~~ Code Enforcement Officer will enforce this chapter.

35-13 Penalties for offenses. Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

35-14 Effective date. This chapter shall become effective on the latter of the first day of March 1994 or its proper filing with the Secretary of State of New York in a manner consistent with §27 of the New York Municipal Home Rule Law.

#### Site Plan Chapter 95.

95-1 Intent: The intent of a site plan review is as follows:

- A. To evaluate the intended building design in its arrangement to and its suitability to natural site conditions and the compatibility with surrounding land uses.
- B. To permit the Town of Aurora to analyze development proposals in terms of their impacts on local growth and the need for facilities and services.
- C. To protect and provide for the public health, safety and general welfare of the Town.
- D. To conform with current zoning, ~~restrictions, the Table of District Regulations, and the Official Map, and Master Comprehensive Plan, if any, now or in the future.~~
- E. To protect the value of land throughout the Municipality, to encourage orderly and beneficial development upon the land, and to minimize misunderstanding in the interpretation of intended land uses set forth in current zoning restrictions.

- F. To prevent the pollution of air and water, to assure the adequacy of proper drainage methods, and to safeguard the natural water table through responsible sewage removal/treatment.
- G. To provide for the preservation of open spaces through the most efficient design and layout of buildings, including but not limited to the use of cluster development of buildings on a parcel of land.

#### 95-2 Applicability; exceptions.

- A. All applications for building permits shall be accompanied by a site plan as approved by the Town Board, based on the review and recommendations of the Town Planning Board and, if appropriate, the Town's Engineer, Highway Superintendent and/or ~~Superintendent of Buildings~~ Code Enforcement Officer and upon the opinions and concerns brought up at a required public hearing(s), if any.
- B. An approved site plan need not accompany an application for a building permit to construct any of the following:
  - 1. A one-family or two-family dwelling and its permitted accessory uses or structures.
  - 2. A ~~nonresidential~~ commercial improvement, either in the form of an addition to an existing structure or the construction of a new structure, which upon completion, will be less than 2,500 square feet. Notwithstanding this exception, if an applicant, during any three-year period, has engaged in a series of small improvements on his, her, or its property ~~over a period of time~~ which, in the opinion of the ~~Superintendent of Buildings~~ Code Enforcement Officer, are intended to circumvent the requirements for a site plan review, the ~~Superintendent of Buildings~~ Code Enforcement Officer may, in his or her reasonable judgement view all of those improvements in the aggregate in determining whether or not any such improvement or improvements would be excluded from the requirement of a site plan because of the amount of improved square footage involved.
  - 3. Improvements on agricultural properties or farms within the Town of Aurora which would either not otherwise be subject to the issuance of a building permit or which are located in the rear of existing improvements, provided that such improvements are located on a parcel of land of 10 acres or more.
  - 4. Construction for the purposes of accessibility.
- C. Notwithstanding any other provision contained in this §95-2, a site plan review will be required for any ~~nonresidential~~ commercial improvement constructed on a property which immediately adjoins or is directly across the street from ~~and~~ or is within 500' of a property which is zoned residential by the Town

#### 95-3 Review Procedures

- A. Upon applying for a building permit which requires a site plan review, the ~~Superintendent of Buildings~~ Code Enforcement Officer will advise the applicant of the specific materials which need to be submitted to the Planning Board and/or Town Board for review. This step is designed to save the applicant from possible future delays. The ~~Superintendent of Buildings~~ Code Enforcement Officer will review the basic site design concept and advise the applicant

- as to potential problems and concerns and will assist the applicant in determining the information needed to begin a preliminary site plan review. In order to accomplish these objectives, the applicant shall provide sketches of the proposed development, together with an area map showing the location of the site in relation to neighboring points of interest.
- B. At this time, the Town's designated state environmental quality review (SEQR) officer will decide if an environmental review is necessary.
  - C. All materials needed for a site plan review will be filed with the ~~Superintendent of Buildings~~ Code Enforcement Officer, together with a completed site plan review application to be developed by and obtained from the ~~Superintendent of Buildings~~ Code Enforcement Officer. A nonrefundable fee, the exact amount of which will be established from time to time by resolution by the Town Board, shall be paid at that time to the Town Clerk. Thereafter, the ~~Superintendent of Buildings~~ Code Enforcement Officer will distribute the ~~proper documents~~ application to the ~~Planning Board~~ Town Board for referral to the Planning Board, as well as to any other individuals, agencies or bodies that may be appropriate for their review, report and recommendation.
  - D. Upon receiving the information required on the site plan submittal checklist (which is to be attached to the site plan review application) and a complete set of plans, drawings, maps, surveys and other materials deemed reasonably necessary and appropriate, the Planning Board will review and make an initial assessment of materials and notify the applicant of any additional materials needed to complete the site plan review. If variations from the submission requirements are to be granted, they will be mutually agreed upon by the applicant and the Planning Board at this initial consultation. This will be the preliminary stage of the site plan review.
  - E. To further aid in determining public opinion and concerns, an optional public hearing may, but need not be, scheduled by the Planning Board within 45 days of receipt of a completed application for site plan review.
  - F. The Planning Board shall act on such an application and notify the Town Board an applicant, in writing, of its action, which shall be to recommend either the acceptance or rejection of an application or the conditional acceptance of any application or the acceptance of an application conditioned upon certain changes in the proposed project or development.
  - G. Final site plan approval or disapproval will be given by the Town Board following its receipt of a written recommendation by the Planning Board to approve, disapprove, or approve with modification an applicant's site plan review application. Such a written recommendation shall be made by the Planning Board within 60 days of any ~~required~~ public hearing held by the Planning Board or the submission of a completed site plan review application to the Planning Board.
  - H. Any time limits set forth herein may be extended by mutual consent of the Planning Board and/or Town Board and the applicant to allow all interested parties to comment upon or modify any pending proposal. Notwithstanding the above, if the Town Board determines that it is in the best interest of the Town to expedite the review and approval or disapproval of a pending application, subject to the provisions of this chapter, the Town Board may notify the Planning Board of this determination, in which event the Planning Board will make a

written recommendation to the Town Board to either accept a pending application without change, to accept a pending application subject to certain changes, conditions or modifications or to reject a pending application within 60 days of the date of the Town Board's written request.

- I. Within 45 days of receiving a recommendation from the Planning Board, and to further aid in determining public opinion and concerns, the Town Board shall schedule a public hearing.
- J. Within 45 days of receiving a recommendation from the Planning Board, the public hearing, the Town Board shall approve, disapprove or approve with modifications an applicant's final site plan. In the event that the Town Board rules that the site plan does not comply with Town standards or regulations or is unacceptable to the Town Board for any other reason, then the record of such determination shall be delivered to the applicant, including a separate statement setting forth, in as much detail as needed for the applicant to understand the basis for such determination, the criteria used by the Town Board and others in the determination of disapproval.
- K. Upon approval by the Town Board, a complete final site plan review package will be sent to the ~~Superintendent of Buildings~~ Code Enforcement Officer after which a building permit will be issued to the applicant if he, she, or it complies with all other applicable rules and regulations.
- L. All costs incurred by the Planning Board and/or Town Board or other individuals involved in the site plan review for consultation fees or other expenses in connection with the review procedure shall be charged to and paid by the applicant, in the Town's discretion either before or after they are incurred.

#### 95-4 Submission requirements.

- A. The site plan submittal checklist will assist in providing the Town's Planning Board with a basis for reaching a final decision regarding the recommendation of a final site plan to the Town Board for approval, disapproval or approval with modifications. An applicant's proposed site plan and all supporting data will be submitted by and bear the official and signature of a licensed architect, landscape architect, professional engineer or land surveyor.
- B. Site plan components, as allowed or required by state law, which will, to the extent deemed appropriate, be considered by the Town Board, Planning Board and others as part of an analysis of an applicant's site plan will include the following: legal data, impact on the environs, natural features, existing man-made features, proposed development, impact on stormwater pollution and other information or materials. If a stormwater pollution prevention plan (SWPPP) is submitted pursuant to §95-4B(6) of this chapter, such SWPPP shall be considered by the Town Board, Planning Board and others as part of an analysis of an applicant's site plan, and the site plan and SWPPP shall not be approved unless they comply with the performance and design criteria and standards in Chapter 96, Stormwater Management, of the Code.
  - 1. Legal data

- a. The name, ~~and~~ address, email and phone number of the applicant and authorization of the owner if different from the applicant; the name and address of the owner(s) of record, if different from the applicant; and the name, ~~and~~ address, email and phone number of the person or firm preparing the site plan and any related maps or sketches.
  - b. Ownership intentions of the applicant others, such as future options, rights-of-way etc.
  - c. Current zoning classification of the property, including exact zoning boundary if in more than one district.
  - d. Property boundary lines plotted to scale by a licensed surveyor, including distances, angles, North arrow, scale and date.
  - e. The locations, widths, elevations, and names of existing and proposed adjacent streets.
  - f. A description of all existing deed restrictions or covenants applying to the property.
  - g. The identification and record of the application and approval status of all necessary state and county permits as part of the final stage of any applicant's site plan review.
2. Impact of proposal on environs:
- a. Relationship to:
    - i. Adjacent and nearby land uses, both public and private.
    - ii. Existing and proposed traffic patterns.
    - iii. Existing and projected water supply, sewage disposal and similar service capabilities
    - iv. The community's ability to provide adequate recreation, education and fire protection.
  - b. Visual compatibility with surroundings.
  - c. Effect on air and water quality standards applicable to commercial site plans.
  - d. Effect on energy consumption and conservation.
  - e. Whether the designated lead agency deems the proposal to be significant pursuant to the State Environmental Quality Review Act, in which event a draft environmental impact statement, followed by an environmental impact statement, will be required and reviewed.
3. Natural features:
- a. Geological features, such as depth to bedrock and the locations of rock outcrops.
  - b. Topographical features, including a map showing existing contour intervals of no more than five feet. Two-foot contour intervals will be required if the topography is relatively flat. Areas of steep slopes should be delineated as necessary.
  - c. Soil characteristics, such as load-bearing capacity and drainage capacity.

- d. Hydrologic features, which should include drainage and natural runoff patterns, flood zones, noted wetlands, vegetative cover and average depth to groundwater.
- 4. Existing development and infrastructure:
  - a. The location and dimensions of major buildings and structures.
  - b. The location and width of roads, private drive and paths, including site access.
  - c. The location, size and flow direction of sewers, water supply lines, and culverts; all utilities to be identified.
  - d. Other existing developments adjacent to the site, including setback and lot line dimensions.
- 5. Proposed development:
  - a. The intended use of the completed project.
  - b. A grading and drainage plan.
  - c. Site placement of buildings, accessory structures, fences, parking lots, sidewalks, storage tanks, waste-disposal units, etc.
  - d. The location and size of water and sewer lines and appurtenances.
  - e. The location, size and design of all outdoor lighting facilities, public-address systems and outdoor signs, including those posted on buildings.
  - f. A general landscaping plan and planting schedule, including buffer zones and green space.
  - g. An estimated project schedule and phasing plan (final site plan).
  - h. A performance bond, if determined to be appropriate, with the amount, completion schedule, public improvements covered and inspection and bond approval.
- 6. Impact on stormwater pollution:
  - a. A stormwater pollution prevention plan (SWPPP), if required for the proposed development under Chapter 96, Stormwater Management, of the Code.
  - b. The recommendation of the Stormwater Management Officer to approve, approve with modifications, or disapprove the SWPPP pursuant to Chapter 96 of the Code.
- 7. Other: any other information or materials with the Town Board, Planning Board, Town's Engineer, Highway Superintendent and/or ~~Superintendent of Buildings~~ Code Enforcement Officer deems reasonably necessary and/or appropriate to complete a meaningful site plan review in connection with the applicant's proposed improvements or development project.

95-5 Waiver of review process. The Town Board may waive the applicability of all or any portion of the site plan review process to a particular applicant or project if it determines that such review is not in the interest of public health, safety or general welfare or is inappropriate to a particular site plan or project, except that the requirements of §95-4B(6) of this chapter shall not be waived.

95-6 Decision; notice and filing

- A. Prior to reaching a final decision on a site plan review application, the ~~Planning Board or Superintendent of Buildings~~ Code Enforcement Officer shall, if required, mail notice of such proposed action to the Erie County Department of Environment and Planning Board.
- B. The decision of the Town Board on any site plan application shall be filed in the office of the Town Clerk within five business days after such decision is rendered and a copy mailed to the applicant.

95-7 Effective date. This chapter shall take effect the 11<sup>th</sup> day of January 1999.

Add the following:

99-31A(5): Front yard setback

- A. 200 feet from the boundary line parallel to the street right-of-way
- B. No accessory building/structure shall be erected in the front yard.

WS-3

Draft 6, 7/7/25 final

## Article XII

### 116-96 Purpose and Intent

Lighting

The purpose of this article is to provide regulations which will protect the health, safety and welfare of the general public, conserve valuable energy resources, prevent light trespass from interfering with quality of life, protect ecological and natural resources, and preserve the ability to view the celestial features of the night sky for present and future generations. By this legislation, the Town Board establishes provisions and a process for review so that outdoor lighting that is protective of the environment is installed on all new construction and is used when current outdoor lighting fixtures that are not in compliance with this article need replacement. These standards provide for the following:

- A. Comprehensive regulations and guidelines in order for residents, business owners, and the municipality to comply with the standards set by the community for outdoor lighting.
- B. Preservation of rural character, aesthetic value, and the unique quality of life enjoyed by Town residents by preserving and enhancing the ability to view the night sky.
- C. Advancement of sound environmental policies which will benefit residents and serve as a positive example.
- D. Proper direction and use of light in order to minimize light trespass, and energy wasted on unnecessary and indiscriminate illumination.
- E. Elimination of the need for commercial establishments to compete for visual attention by escalating outdoor lighting levels
- F. Reduction in excessive illumination which can have a detrimental effect on flora and fauna that depend on the natural cycle of day and night for survival.
- G. Prevention of nuisances caused by unnecessary light intensity, and light trespass.
- H. Reasonable implementation of lighting changes to minimize impact on existing properties.

### 116-97 Definitions

As used in this article, the following terms shall have the meanings indicated;

#### Average Footcandles

The average level of illuminance for a given area measured at ground level with a light meter placed parallel to the ground.

#### Commercial Lighting

Any outdoor lighting intended for use on a lot with a business (except home occupation), industrial, or institutional use (or if undeveloped, is zoned for such use). Municipal buildings and facilities shall follow commercial standards.

#### Essential Lighting

Light used for a specified period of time that is necessary for a specific purpose, as defined herein, while said purpose is actively being served. This includes fully shielded lighting that is necessary to promote location identification, identify entrances and exits for public circulation, to illuminate walkways in order to promote public safety, and fully shielded security lighting activated by motion sensors and/or timers providing for illumination for a maximum period of 10 minutes per triggering event.

#### Excessive Lighting

Light that exceeds the amount that is needed to perform a visual task at night or is required for safety, per suggested minimum illuminance levels published by IES in its Recommended Practices.

#### Light Fixture

The complete lighting assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens; also referred to as a "luminaire."

#### Flood- or Spotlight

Any light fixture or lamp that incorporates a reflector, a refractor, or a prismatic lens to concentrate the light output into a directed beam in a particular direction.

#### Fluorescent

A type of discharge lamp that employs mercury vapor and phosphors. Unlike incandescent lamps, fluorescent lamps require a ballast to regulate the flow of electricity.

#### Footcandle

The unit of measurement used to quantify the amount of light falling on a surface. One footcandle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

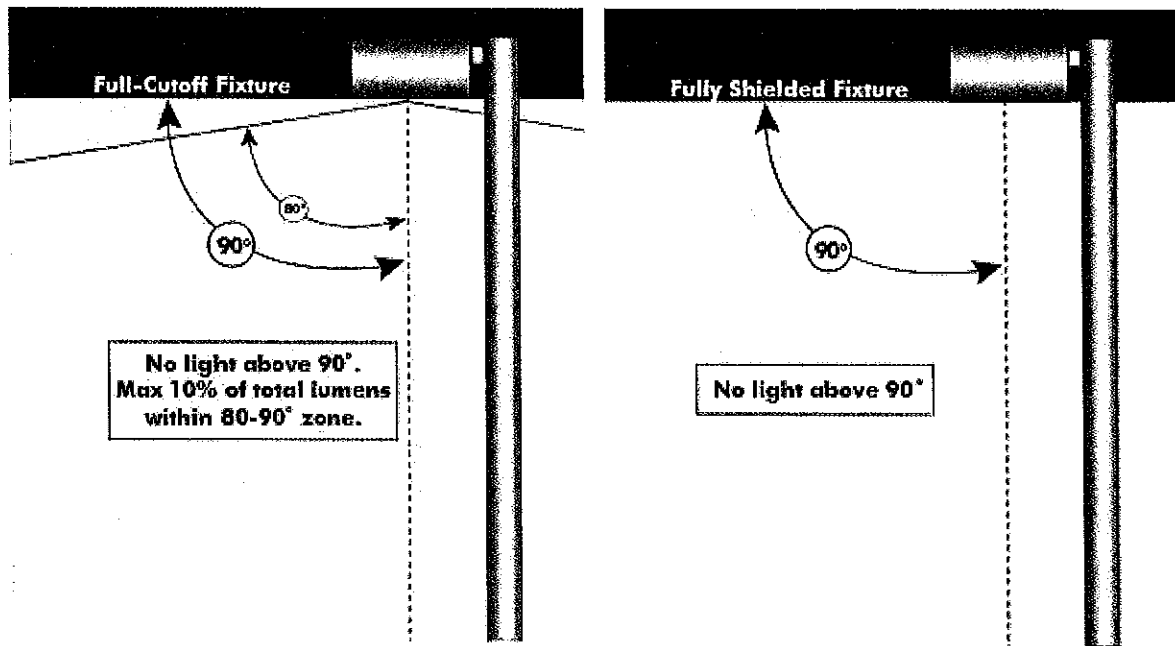
#### Full-Cutoff

For the purposes of this article, a "full-cutoff fixture" is considered one that delivers 100% of the total lumens within the 0° to 90° zone with a maximum of 10% of total lumens delivered within the 80° to 90° zone. Full-cutoff fixtures are considered fully shielded. See Figure 1.

#### Fully Shielded

A fixture constructed and installed in a fixed position and in such a manner that all light emitted is projected below the horizontal plane through the fixture's lowest light-emitting part. Unlike a full-cutoff fixture, a fully shielded fixture is not engineered to limit lumen distribution in the 80° to 90° zone. See Figure 1

Figure 1



#### High-Intensity Discharge (HID) Lighting

An energy-efficient family of lighting that includes high-pressure sodium, mercury vapor, and metal-halide-type bulbs. These types require a warmup time, usually require a ballast exclusive to the light source, and have a higher lumen output per watt than incandescent or halogen lamps.

#### Holiday Lighting

Temporary lighting of various types and colors installed in connection with holiday or religious observances and removed thereafter. Certain holiday lighting displays may require a Special Event Permit through the Town Board as per Town Code § 95-C.

#### Illuminance

The amount of light falling on a surface, measure in footcandles (lumens per square foot).

#### Lamp

A light bulb or other component of a fixture that changes electricity into visible light.

#### Lamp Type

The category to which a lamp belongs by virtue of the process by which it produces light. The principal categories are incandescent, fluorescent, low-pressure sodium, high-intensity discharge (HID) (which includes high-pressure sodium, metal halide, and mercury vapor), and LED (light-emitting diode). The categories vary in terms of:

- A. The amount of light output (lumens) per watt consumed;
- B. Lamp life;

- C. The color of the light emitted (Correlated Color Temperature); and
- D. The accuracy with which colors of an illuminated object are reproduced (Color Rendering Index).

**LED (Light-Emitting Diode)**

A semiconductor device that emits visible light when electrical current passes through it.

**Lighting**

Man-made illumination or equipment used to produce it.

**Light Level**

The illuminance as measured by a light meter or reported in photometric calculations. Light levels are indicated in footcandle measurements and may also be expressed as uniformity ratios, maximum or average to minimum.

**Light Pollution**

Any adverse effect of artificial light including, but not limited, glare, light trespass, skyglow, visual clutter, excessive or unnecessary lighting, or any artificial light that unnecessarily diminishes the ability to view the night sky or is disruptive to the natural environment.

**Light Source**

The light-emitting part or parts of a light fixture, consisting of the lamp or lamps and any transparent or translucent covering over the lamp, as well as any refractors, reflectors prismatic lenses, mirrors, or diffusers which emit or transmit light.

**Light Trespass**

Light projected onto a property or into the public right-of-way from a light source on a different property.

**Low-Pressure Sodium**

A type of discharge lamp that primarily employs sodium. These lamps have a higher lumen output per watt than HID lamps but low Color Rendering Index.

**Lumen**

The unit of measurement used to quantify the amount of light produced by a lamp or emitted from a fixture (as distinct from "watt," which is a unit of measurement of electrical power). For the purposes of this article, measurements in lumens shall refer to "initial lamp lumens" (as opposed to "maintained lamp lumens") as rated by the manufacturer when the lamp is new as listed on the packaging.

**Luminaire**

See "fixture."

**Mercury Vapor**

A type of high-intensity discharge lamp that uses mercury as the primary light-producing element. Mercury vapor lamps produce light with a cool Correlated Color Temperature (CCT) from 3000 to 7000 K.

**Metal Halide**

A type of high-intensity discharge lamp that uses mercury and several halide additives as light-producing elements. Metal halide lamps are typically available with cool Correlated Color Temperatures (CCT) from 2300 to 5400 K and with CRI values from 60 to 93.

**Mounting Height**

The vertical distance measured from the average elevation of the existing natural grade or average elevation of the approved grade (if cut/fill activities are proposed) to the lowest light-emitting part of an installed fixture.

**Non-conforming**

Lighting which does not meet the requirements and specifications contained in this article.

**Nonessential Lighting**

Lighting which is unnecessary for pedestrian passage or other tasks and therefore not generally useful (i.e. decorative and landscape lighting). This includes lighting intended for a specific task or purpose when said task or purpose is not being actively performed (i.e. parking lot illumination and wall mounted perimeter lights after business hours).

**Nuisance Lighting**

Any outdoor lighting that creates a potential hazard to the public, illuminates the interior of a neighboring residential structure from an external point, or creates a light trespass or glare to neighboring properties, thereby causing loss of enjoyment, comfort, or repose.

**Outdoor Lighting**

Lighting that provides illumination to a surface, building, structure, device, or other outdoor feature. Any fixture located indoors that is intended to illuminate something outdoors is considered outdoor lighting for the purposes of this article.

**Photometric(s) or Photometry**

A test to determine light distribution and performance of a fixture. A photometric report, which may include candlepower distribution data, cutoff or other light distribution classification, foot candle chart, etc., is generally available from the manufacturer.

**Repair**

Any service normally provided by an electrician to a light fixture or lighting installation, including replacement, modification, or relocation of any of the following: Poles, mounting arms, wiring, housings, or any component within or attached to a light fixture. Replacement of a user-serviceable lamp (i.e. light bulb) shall not by itself be considered a repair.

**Residential Lighting**

Any outdoor lighting on a lot having a structure or structures whose primary use is residential (or if undeveloped, is zoned for such use). Although reviewed as a commercial site plan, lighting plans for multifamily or condominium developments shall follow residential standards.

**Searchlight**

Lighting designed to project a high-intensity beam of light that is typically used to sweep the sky for promotional purposes.

**Sensor (Motion)**

A device that causes a light fixture to turn on or off in response to motion or light or infrared radiation or a combination thereof.

**Shield or Shielded**

An opaque device that is attached to a light fixture to prevent light from being emitted in certain directions. Auxiliary "back" or "house-side" shielding added to an already fully shielded fixture can help limit trespass where a fixture is located near the property line.

**Streetlighting**

Permanent outdoor lighting that is owned and maintained by a municipality or other public agency and that is specifically intended to illuminate streets for automotive vehicles and may also incidentally light sidewalks and private property.

**Temporary lighting**

Lighting which is intended to be used for a specified purpose and for a limited time and is removed thereafter.

**Town**

The Town of Aurora and its employees, officers, or agents, including any board committee, council, or department of the Town created by law or by the Town Board or by the Town Supervisor, the expenses of which are paid in whole or in part from Town Funds.

**UL Rating**

A reference to "Underwriters Laboratory," a commercial agency that certifies the maximum safe wattage for fixtures and other electrical devices. A UL label indicating the maximum safe wattage is affixed or imprinted on all light fixtures which are offered for sale.

**Uniformity Ratio**

A ratio that describes uniformity of illuminance across an area. The uniformity ratio may be a ratio of the maximum to minimum illuminance or the average to minimum illuminance.

**Unshielded**

A fixture designed or installed so that it is not fully shielded, i.e. emits light above the lowest light-emitting part of the fixture.

**Watt**

The standard unit of measurement of electrical power. One watt is one ampere of current flowing at one volt.

**116-98 Applicability**

- A. New lighting. All outdoor lighting newly installed after the effective date of this article shall comply with its provisions.
- B. Preexisting lighting. All properties with legally existing and operative outdoor lighting, at the effective date of this article shall be exempt from compliance, subject to the provisions below.

1. Any outdoor lighting fixture that is replaced, changed, repaired, or relocated, in whole or in part, after the effective date of this article shall comply with its provisions.
    - a. Commercial and Residential lighting. Subsequent to the effective date of this article, any addition or expansion that is made to a property, shall subject said addition or expansion to the provisions of this article. Existing lighting may remain in place unless specified by New York State Uniform Code requirements.
  2. Nuisance lighting. The exemption shall not apply if the Town determines that certain outdoor lighting creates nuisance lighting as defined in §116-97. If the Town determines that nuisance lighting exists on a property, that lighting shall comply with Subsection B(3) below, in accordance with the procedures outlined in §116-104B.
    - a. Light trespass shall be considered nuisance lighting when:
      - i. Illuminance at or beyond a property line abutting a residential or open space parcel exceeds 2 footcandles as measurable from any orientation of the measuring device; or
      - ii. Illuminance at or beyond a property line abutting a commercial property or public right-of-way exceeds 5 footcandles as measurable from any orientation of the measuring device; or
    - b. Light shall be considered a nuisance when such light illuminates the interior of a neighboring residential structure from an external point.
  3. Abatement of nuisance lighting. If the Town determines nuisance lighting ~~to existing~~ exists on a property, that lighting shall comply with either section below in accordance with the procedures outlined in §116-104B.
    - a. To the extent that the abatement of nuisance lighting will require re-aiming a fixture or re-lamping to reduce lumen output, such lighting shall be re-aimed and/or re-lamped so that the light source is not visible across property lines.
    - b. To the extent that the abatement of nuisance lighting will require removing, replacing, shielding, retrofitting, or relocating a fixture, such lighting shall be removed, replaced, shielded, retrofitted, or relocated so that the light source is not visible across property lines.
  4. Hours of operation. Preexisting lighting on both residential and commercial properties shall comply with the limits on hours of operation set forth in §§116-101D and 116-102D of this article.
  5. Streetlighting. No new light fixture (other than municipal streetlighting) shall be installed on a public utility pole after the effective date of this article.
- C. Use. Lighting plans and installations shall continue to be reviewed by the Town based on the use of a property and with due regard to the underlying zoning district as well as potential impacts to existing adjacent uses.
- D. Other laws.
1. In the case where this article is found to be in conflict with another provision of local law, the provision that is the more restrictive, or that which establishes the higher standard, shall prevail.
  2. Sign lighting. Illumination of signs shall be governed by §116-34 of this Chapter and any amendments thereto.

3. Special events. Outdoor lighting for special events shall be governed by Chapter 95-C (Special Events) of this Code and any amendments thereto.
- E. Other jurisdictions. Federal, state, county agencies, and school districts with facilities located within the Town are urged to comply with the provisions of this article except where doing so would conflict with established regulations.

#### 116-99 Exempt and prohibited outdoor lighting.

- A. Exempt outdoor lighting. The following are exempt from the provisions of this article:
  1. All temporary emergency lighting determined to be necessary by the Chief of Police, Chief of Fire Department, Superintendent of Highways, or other firefighting or emergency service providers.
  2. Lighting used in municipal road construction or emergency repair or maintenance of utility lines, sewer, water mains or similar public infrastructure.
  3. Holiday lighting, as defined in §116-97.
  4. Flag uplighting, provided any such flag is not used for advertising purposes and the light source is not visible across property lines or from roadways.
  5. Lighting for radio and communication towers, provided that the owner or occupant demonstrates to the satisfaction of the Town Board that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this article, and that the provisions of this article are otherwise met to the fullest extent possible. Lighting for any wireless communications facility shall not be permitted unless required by the FAA: in which case, required lighting shall be of the lowest allowed intensity, unless specifically forbidden by the FAA.
- B. Prohibited outdoor lighting. The following outdoor lighting shall not be permitted within the Town as of the effective date of this article, except as exempt above:
  1. Lighting used to illuminate a property other than that on which the fixture is located.
  2. Searchlights, except those used for governmental or emergency purposes.
  3. Strobe lights and laser lights, including laser light shows and aerial laser lights.
  4. Neon lights
  5. Fixtures that revolve or create blinking, flickering, scrolling, rotating, pulsating or tracing light, including on signs, exclusive of exempt holiday lighting.
  6. Flashing lights.
  7. Any type of lighting used to outline all or part of a building (i.e., a window, roof, or gable), except for fully recessed soffit lighting that otherwise complies with this article.
  8. Any light fixture that may be construed as or confused with a traffic signal or traffic control device.
  9. Lighting that is determined by municipal law enforcement to contribute to a condition of disabling or distracting glare into a public roadway.
  10. Mercury vapor (MV) lamps.

#### 116-100 General standards for all outdoor lighting installations.

- A. All new or replacement outdoor lighting shall be designed, located, aimed, directed, and maintained in order to prevent the following:
  1. Nuisance lighting.
  2. Excessive lighting and energy consumption.

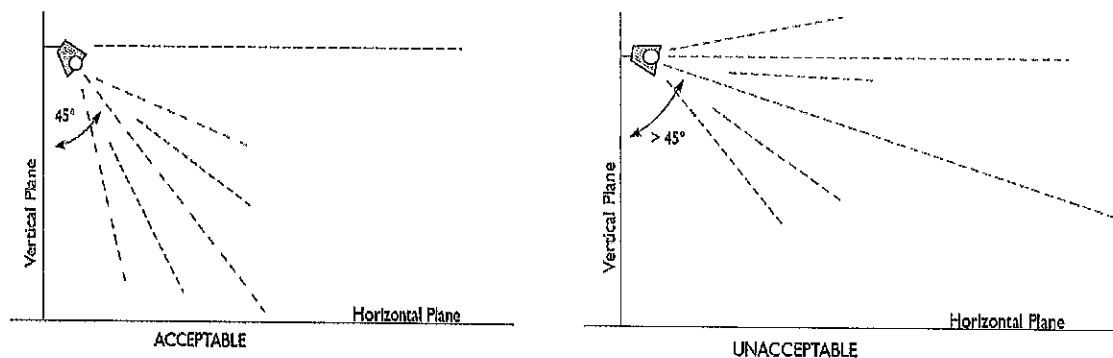
3. Light trespass.
4. Interference with pedestrian or vehicular travel on streets, roadways, and highways.

#### 116-101 Residential lighting standards.

All residential and multi-family residential properties shall comply with the requirements of the New York State Uniform Code and the following standards:

- A. Nuisance prevention. Outdoor lighting on residential properties shall be designed and installed so that all light which is emitted by any outdoor light fixture shall not shine on or illuminate any neighboring property. No outdoor lighting shall be maintained or operated in such a manner so as to be nuisance lighting, as defined in §116-97.
- B. Shielding. All outdoor lighting fixtures shall be fully shielded and aimed straight downward, with the following exceptions:
  1. Outdoor lighting fixtures with total light output of 600 lumens (40 watts incandescent equivalent or less) are exempt from the shielding and aiming requirement above.
  2. Unshielded outdoor lighting fixtures operated by motion sensors are permitted, provided that:
    - i. The fixture is set to go on only when activated and to go off within ten minutes after activation has ceased; and
    - ii. The sensor shall not be triggered by activity off the property; and
    - iii. The output per fixture does not exceed 1,800 lumens (100 watts Incandescent).
  3. Unshielded floodlights not exceeding 1,800 lumens (100 watts incandescent) are permitted, provided they are aimed no higher than 45°, as shown in Figure 2, and do not cause nuisance lighting, as defined in §116-97.

Figure 2



4. Driveway lighting. Unshielded lighting fixtures installed in or on a pillar or post at the foot of a driveway may not exceed 250 lumens (25 watts incandescent) per pillar/post.
- C. Mounting height.
  1. The mounting height of a light fixture attached to any structure shall not exceed 12 feet from the lowest light-emitting point on the fixture to the area to be lit directly below the fixture, except for fully recessed soffit lighting that otherwise complies with this article.

2. The mounting height of any freestanding light fixture shall not exceed 10 feet, and when located in the side and/or rear yards, shall have a minimum 10' setback from lot lines.
- D. Hours of operation. Automated shutoff controls for outdoor lighting are encouraged to conserve energy, to extinguish lighting that is not needed for safety, and to alleviate nuisance lighting.
  1. Nonessential outdoor lighting shall not remain on continuously from 10:00pm until dawn.
  2. Essential outdoor lighting sufficient for security purposes may be in operation continuously from 10:00pm until dawn, provided that illumination on the ground or on any vertical surface is not greater than 1 footcandle.
- E. No light fixture on a residential property shall have a total light output exceeding 2,600 lumens (150 watts incandescent).

#### 116-102 Commercial lighting standards.

Properties with commercial lighting, as defined in §116-97, shall comply with the New York State Uniform Code and the following standards.

- A. Nuisance prevention. Outdoor lighting on commercial properties shall be designed and installed so that all light that is emitted by any outdoor light fixture shall not shine on or illuminate any neighboring property. No outdoor lighting shall be maintained or operated in such a manner so as to be nuisance lighting as defined in §116-97.
- B. Shielding. Unless otherwise specified, all outdoor lighting fixtures shall be fully shielded and aimed straight downward.
- C. Mounting height.
  1. Building or structure. Outdoor lighting fixtures shall not be installed at a height greater than 12 feet from grade to the lowest light-emitting part of the fixture, except for fully recessed soffit lighting that otherwise complies with this article.
  2. Free-standing pole. Outdoor lighting fixtures shall not be installed at a height greater than 10 feet from the natural grade to the lowest light-emitting part and shall be setback a minimum of 10 feet from lot lines.
  3. Parking lot lighting.
    - i. Lighting fixtures shall not be installed at a height greater than 20'.
    - ii. Shall have full cutoff fixtures.
    - iii. Shall be setback a minimum of 20' from lot lines.
- D. Hours of operation.
  1. Nonessential outdoor lighting shall not remain on continuously from 10:00pm until dawn.
  2. Essential outdoor lighting in operation after the close of business shall be controlled by timers or motion sensors.
  3. The Town Board, upon the recommendation of the Planning Board, may establish hours of operation in connection with a lighting plan and may authorize specific lighting to remain on after the close of business.

#### 116-103 Procedures.

- A. Adding new or relocating outdoor lighting on commercial properties requires a site plan approval through the Town Board.

- B. New construction or additions on commercial properties. A comprehensive lighting plan for the site shall be reviewed and approved by the Town Board for outdoor lighting which is associated with new commercial construction, building expansion, and/or additions as specified in §116-98B(2). In any case where total light output will not exceed 4,000 lumens and where all outdoor lighting will be fully shielded, the Town Board may review the general specifications in an expedited fashion; in such case, full site plan renderings with footcandle measurements may not be required.
- C. All applications for proposed or required outdoor lighting submitted to the Town, including but not limited to site plan review, subdivision approvals, or building permits, shall include outdoor lighting plans, fixture and lighting control specifications and any additional documentation required in order for the reviewing entity to verify that the preexisting or proposed outdoor lighting conforms to the provisions of this article.
- D. The following items shall accompany a lighting plan submission for review and approval by the Town Board:
  - 1. A site plan complete with all existing and proposed structures, parking spaces building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, indicating with shading or highlighting all areas where pedestrians shall be walking or where pedestrians may come into conflict with vehicles.
  - 2. A detailed lighting plan shall be submitted for review and approval for sites that will have a total lumen output of 4,000 or greater.
    - i. Footcandle measurements on a grid of the site showing readings in every five-foot square. The grid shall include the location and installed height of each existing and proposed fixture (i.e. pole -mounted lights, wall-mounted lights, and streetlights), and the overall light levels, in footcandles, on the entire site.
    - ii. The grid shall extend at least 20 feet beyond the site property lines, indicating the zoning of all adjacent properties to assure compliance with light trespass requirements.
    - iii. Photometric plans shall be prepared by the fixture manufacturer or a licensed professional architect, landscape architect, or engineer and shall provide calculation of average maintained footcandles, maximum and minimum footcandle readings, and the average-to-minimum and the maximum-to-minimum uniformity ratios.
  - 3. A description of each light fixture as depicted and identified on the site plan, including the manufacturer, model number, a photograph of the fixture, a manufacturer's catalog cut-sheet, a description of the cutoff characteristics of each fixture, light output in initial lumens, and lamp type verifying any compliance requirements specified within this article.
  - 4. Mounting height indicated with the distance to the nearest property line for each proposed and existing fixture, including pole foundation description.
  - 5. Shielding or glare reduction devices and all mounting details.
  - 6. Types of timing devices or motion sensor devices used to control the fixtures and a schedule of the proposed hours when each fixture will be operated.
  - 7. Total outdoor lamp lumens for all fixtures on the property, calculated at initial lumen output.
  - 8. A summary key table identifying the maximum, minimum, and average light levels in footcandles as well as uniformity ratios for all parking areas and walkways.

- E. When considering a site plan application, the Town Board may require the use of motion sensor devices to control lighting for illumination of a building entrance, recreation areas, parking areas, accessways or other such areas.
- F. A post-installation inspection conducted by a registered professional to verify compliance with the approved plan. The applicant shall submit a certification to the Building Department verifying that such an inspection was performed and that the installed system operates and is in conformance with the approved plan along with a manufacturer's cut-sheet/certification for the installed fixtures prior to the issuance of a certificate of occupancy.
- G. The Town shall have the right to conduct a post-installation inspection on any property with an approved lighting plan to verify compliance with the requirements of this article and, if appropriate, to require remedial action at the expense of the applicant.

116-104 Prohibited acts; penalties for offenses.

- A. It shall be unlawful for any person, firm, owner, tenant, person in possession, partnership, corporation, or other business entity (hereinafter referred to as "person and/or business entity") to install, alter, repair, move, equip, use or maintain or allow such installation of any outdoor lighting in violation of any of the provisions of this article or fail in any manner to comply with a notice, directive or order of the Code Enforcement Officer.
- B. If, after investigation, the Code Enforcement Officer finds that any provision of this article is being violated or nuisance lighting exists, notice shall be given by hand delivery, or by certified mail, return receipt requested and 1<sup>st</sup> class mail, of such violation to the owner and/or occupant of such premises, instructing that the violation or nuisance lighting must be abated with the time specified in the notice, or in absence thereof, within 30 days of the date of hand delivery or of the date of mailing of the notice. If the violation is not abated within said period, the Code Enforcement Officer may request the Town Board initiate actions and proceedings, either legal or equitable, to enjoin, restrain, or abate any violations of this article. Any costs incurred through abatement by the Town will be paid for by the owner or levied on the tax bill.
- C. Residential. Any person and/or business entity who violates this article, or any provision thereof, shall be guilty of a violation punishable by a civil penalty not to exceed \$250 per day of violation, or imprisonment not exceeding 15 days, or both for residential violations after the expiration of the abatement period provided in Subsection B, and each day shall constitute a separate offense for the purpose of calculating the civil penalty.
- D. Commercial. Any person and/or business entity who violates this article, or any provision thereof, shall be guilty of a violation punishable by a civil penalty not to exceed \$250 per day of violation, or imprisonment not exceeding 15 days, or both for commercial violations after the expiration of the abatement period provided in Subsection B, and each day shall constitute a separate offense for the purpose of calculating the civil penalty.

SUPERVISOR  
Charles D. Snyder  
(716) 652-7590  
[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)



townclerk

WS-4

## TOWN OF AURORA

Aurora Municipal Center  
575 Oakwood Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

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Anthony DiFilippo IV

HISTORIAN  
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FAX: (716) 652-3507

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August 26, 2025

To: Town Board Members

I respectfully request the Town Board approve of the attached proposal to provide Dog Control Services to the Town of Holland and The Town of Sardinia beginning January 1, 2026. Please have the Town Attorney prepare a contract for all parties to sign.

The proposed consolidation of services will not only improve the Service level to the Town of Holland and The Town of Sardinia it will cut costs for the Town for Aurora residents. It will increase efficiency for all parties and additional revenue to the Town of Aurora.

Currently the Town of Aurora has a budget of \$29,741 to provide Dog Control services to all the Town of Aurora including Village of East Aurora residents. We currently manage roughly 2,252 licensed dogs.

The proposal for the Town of Holland is to give \$15,000 to the Town of Aurora to manage their roughly 464 licensed dogs.

The proposal for the Town of Sardinia is to give \$10,000 to The Town of Aurora to manage their roughly 291 licensed dogs.

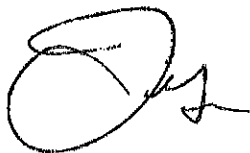
In addition to the annual fees listed above, The Town of Aurora will collect directly from the nonresidents the Impound and Kennel fee if provided to the nonresident. My recommendation is that the Kennel fee remains the same for all at \$40.00 per night but the Impoundment fee should be amended to include the current \$25.00 for residents and a Nonresident Impoundment fee of \$50.00. This will defray the costs of the additional milage on our Dog Control vehicle.

The budget impact will be \$15,000 in appropriations which if approved I will submit to the budget officer to adjust the current submitted budget for 2026. It will be split between \$8,000 in additional Dog Control director stipend and \$7,000 in additional Part Time Labor.

This proposal will save the Taxpayers of Aurora \$10,000 plus additional fees or roughly more than a third of the cost of Dog Control budgeted to the Town of Aurora residents. Our staff is eager to try this proposal and are happy to have the trust of the Town of Holland and Sardinia to provide them with these services. Consolidation is always difficult but, in the future, it is the reality that municipalities are faced with as our populations age and tax bases shrink. If .

consolidation does not work out to benefit of all 3 townships it can be discontinued in the future.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Gunner', with a large loop at the start and a trailing flourish.

David M. Gunner  
Superintendent of Highways  
Dog Control Director

SUPERVISOR  
Charles D. Snyder  
(716) 652-7590  
[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)



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## TOWN OF AURORA

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August 20, 2025

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Town of Sardinia  
Beverly Gambino  
Town Supervisor  
12320 Savage Road  
Sardinia, NY 14134

Dear Beverly,

Thank you for expressing an interest in The Town of Aurora Dog Control Department expanding and performing all Dog Control duties for the residents of the Town of Sardinia. Consolidations of services can result in savings for all sides. As the Town Board appointed Dog Control Director, I am pleased to submit the following proposal to the Town of Sardinia:

The Town of Aurora will perform all duties required under NYS Ag & Markets law to be done within the Town of Sardinia. This will include 24 Hour on call dog control service, monthly reports to the Town of Sardinia Board, Court representation, Dog Census as time and budget allows, Kennel Service, and rehoming of unclaimed dogs.

I would like to propose a 3-year contract with the lump sum of \$10,000 per year to begin January 1, 2026. It should also have a no penalty termination option if for any reason either party chose to terminate the agreement. In addition to the lump sum fee the Town of Aurora will collect all impoundment and Kennel fees that are assessed to residents that have utilized our kennels.

Since this proposal will require us to modify our budget for 2026 please let me know in writing as soon as you are able to so I can submit the proposal to the Town of Aurora Town board for their approval. If both sides agree to the proposal the Town of Aurora Town Attorney can draw up a legal contract to be signed by both parties. If you have any questions or if you would like me to present to the Town of Sardinia Town Board let me know.

Sincerely,

David M. Gunner  
Superintendent of Highways  
Dog Control Director

## Town of Sardinia

12320 Savage Road  
PO. Box 219  
Sardinia, NY 14134  
Tel. (716) 496-8900  
Fax (716) 496-8917



|             |                                                                         |
|-------------|-------------------------------------------------------------------------|
| Supervisor: | Beverly A. Gambino                                                      |
| Councilmen: | Matthew Krist<br>Krissy Kittleson<br>Kathleen Becker<br>Lenard Hochadel |
| Town Clerk: | Jennifer L. Bray                                                        |
| Hwy. Supt.: | Donald W. Hopkins                                                       |

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Town of Aurora  
David M. Gunner  
Aurora Municipal Center  
575 Oakwood Avenue  
East Aurora, New York 14052

August 24, 2025

Re: Dog Control Duties for the Town of Sardinia

Dear Dave,

Thank you for expressing an interest to perform all dog control duties for The Town of Sardinia Dog Control Department. We are very interest in the proposal that you put forth in your letter dated August 20<sup>th</sup> 2025. We are agreeable to all items and terms mentioned in this proposal. We understand that you still have to present this proposal to your town board, and these items and terms may change. We are very open to any negotiations and look forward to working with the Town of Aurora.

Please let me know if you need more information from me and always feel free to reach out to me.

I look forward to hearing from you, and the Aurora Town Board

Sincerely,

**Beverly Gambino**  
**Supervisor Town of Sardinia**  
**12320 Savage Road**  
**PO Box 219**  
**Sardinia, NY 14134**  
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## TOWN OF AURORA

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TOWN ATTORNEY  
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TOWN JUSTICE  
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Anthony DiFilippo IV

HISTORIAN  
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opportunity provider and employer.*

August 20, 2025

Town of Holland  
Geoffrey Hack  
Town Supervisor  
47 Pearl Street  
Holland, NY 14080-9722

Dear Geoffrey,

Thank you for expressing an interest in The Town of Aurora Dog Control Department expanding and performing all Dog Control duties for the residents of the Town of Holland. Consolidations of services can result in savings for all sides. As the Town Board appointed Dog Control Director, I am pleased to submit the following proposal to the Town of Holland:

The Town of Aurora will perform all duties required under NYS Ag & Markets law to be done within the Town of Holland. This will include 24 Hour on call dog control service, monthly reports to the Town of Holland Board, Court representation, Dog Census as time and budget allows, Kennel Service, and rehoming of unclaimed dogs.

I would like to propose a 3-year contract with the lump sum of \$15,000 per year to begin January 1, 2026. It should also have a no penalty termination option if for any reason either party chose to terminate the agreement. In addition to the lump sum fee the Town of Aurora will collect all impoundment and Kennel fees that are assessed to residents that have utilized our kennels.

Since this proposal will require us to modify our budget for 2026 please let me know in writing as soon as you are able to so I can submit the proposal to the Town of Aurora Town board for their approval. If both sides agree to the proposal the Town of Aurora Town Attorney can draw up a legal contract to be signed by both parties. If you have any questions or if you would like me to present to the Town of Holland Town Board let me know.

Sincerely,

David M. Gunner  
Superintendent of Highways  
Dog Control Director

Town Clerk – Tax Collector  
JILL DIX

Highway Superintendent  
JASON SIMMONS

Town Attorney  
RONALD P. BENNETT

Assessor  
TAMMY ADSITT



## TOWN OF HOLLAND

GEOFFREY W. HACK  
Supervisor

Town Justices  
CHRISTOPHER O'BRIEN  
JILL ANDERSON

Council  
KAREN L. KLINE  
WILLIAM KOLACKI  
DANIEL F.C. LOTITO  
LYNNE ROTH

Town of Aurora  
David M. Gunner  
575 Oakwood Ave  
East Aurora, NY 14052

08/26/2025

Re: Dog Control

Thank you for expressing an interest in performing all dog control duties for the Town of Holland. We are very interested in your proposal. We are agreeable to all items and terms mentioned in this proposal. We understand that you will be presenting this proposal to your Town Board, and some items may change. We are very open to negotiations and look forward to working with the Town of Aurora.

Please let us know if you have any questions or need more information from us, and please keep us updated!

Sincerely,

Geoff W. Hack  
Supervisor, Town of Holland

SUPERVISOR  
Charles D. Snyder  
(716) 652-7590  
[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)



TOWN CLERK  
Martha L. Librock  
(716) 652-3280  
[townclerk@townofaurora.com](mailto:townclerk@townofaurora.com)

## TOWN OF AURORA

Aurora Municipal Center  
575 Oakwood Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

### TOWN COUNCIL MEMBERS

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August 27, 2025

To: Town Board Members

I respectfully request the Town Board authorize temporary Dog Control Services to the Town of Sardinia from 9/1/25-12/31/25. This can be done temporarily through the current Municipal Shared services agreement that both Towns are a part of.

I have been notified by Beverly Gambino Town of Sardinia Supervisor that the private Dog Control service that had been contracted to the Town of Sardinia has resigned effective 8/31/25. The Town of Sardinia has no way of providing these services required under NYS Law. The Town of Sardinia is willing to pay for the remainder of the year the current budget of \$650 per month to the Town of Aurora as compensation which my office can bill to their town each month.

I feel that this is fair compensation that will not impact on the Town of Aurora residents or our services in a negative way. In fact, we can probably use the additional revenue.

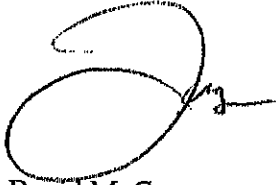
In addition to The Town of Sardinia I have been notified by the Town of Holland and the Town of Wales that the Private Dog Control Services that both towns have contracted with has resigned effective 12/31/25.

I have advised Town of Wales Supervisor to reach out to his peers in the Town of Marilla and the Town of Elma who have already consolidated their Dog Control Service under the Town of Marilla to see if an EMW arrangement can be made. At the time of his request yesterday for assistance I explained how Holland and Sardinia have been talking to our Town since May and that I am not sure we could handle an additional town. He agreed to contact Marilla and will let me know if he was successful.

I have submitted proposals to both Town of Holland and the Town of Sardinia for possible consolidation. Both Town Supervisors have accepted the proposal in writing. Yesterday I submitted both proposals and letters from the two Town Supervisors to the Supervisor's office for consideration by the Town of Aurora Town Board.

Consolidation can benefit all parties, and I believe the proposals submitted will. Currently, as all towns are seeing aging populations and less tax base it is understandable how the smaller towns are having a harder time fulfilling services and mandates from NYS.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Gunner', written over a large, loopy oval shape.

David M. Gunner  
Superintendent of Highways  
Town of Aurora