

TOWN OF PINE PLAINS

LOCAL LAW NO. ____ OF THE YEAR 2026

**A LOCAL LAW AMENDING ARTICLE XVIII, SECTION 275-116 OF CHAPTER 275
OF THE TOWN CODE**

BE IT ENACTED by the Town Board of the Town of Pine Plains as follows:

SECTION 1: TITLE.

This Local Law shall be entitled: “A Local Law Amending Article XVIII, Section 275-116 of Chapter 275 of the Town Code”.

SECTION 2: LEGISLATIVE INTENT.

Article XVIII, Section 275-116 of Chapter 275 of the Zoning Code contains a definition of “Farm Stand”. The Town Code does not contain any additional regulations with regard to farm stands other than this definition. The Pine Plains Planning Board has recommended certain amendments to the definition of a farm stand, which is currently permitted as an accessory use in all zoning districts for sale of agricultural products grown on the property, to allow the sale of agricultural products from a farm located in Pine Plains, or in Dutchess or Columbia Counties.

SECTION 3: STATEMENT OF AUTHORITY.

This Local Law is enacted pursuant to the authority of General Municipal Law §10; New York State Town Law and in accordance with Article XVII of the Town Code. To the extent the provisions of this Local Law are in conflict with §278 of the New York State Town Law, the Town Board asserts its intention to supersede §278 pursuant to the authority granted in Municipal Home Rule Law, §1(ii)(b)(3). In accordance with §22(1) of the MHRL, this Local Law supersedes §§267-a, 267-b, 274-a, 274-b, 276, 277 and 278 of the New York State Town Law.

SECTION 4: REVISIONS TO THE TOWN CODE:

Section 275-116 of the Town Code “Terns Defined” is hereby amended to eliminate the current definition of “Farm Stand” and, in its stead, adopt the following new definition of a “Farm Stand”:

“An accessory structure or vehicle used for the display and sale of agricultural or farm products grown on the premises or on a farm, and which uses its proximity to a roadway to attract potential customers as permitted by Section 275-10 of this Zoning Law. A farm stand may be permitted year round in an enclosed structure,

provided it meets the setback requirements of the zoning district and all other requirements of this chapter.”

SECTION 5. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which shall be given effect without such part or parts.

SECTION 6: EFFECTIVE DATE.

This local law shall take effect immediately after its filing with the State Secretary of State as provided in §27 of the Municipal Home Rule Law.