

LOCAL LAW NO. "M" FOR 2012

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK SETTING FORTH THE REQUIREMENTS FOR AGRICULTURAL PRODUCTS TO BE LABELED "LOCALLY GROWN" IN ALBANY COUNTY

Introduced: 10/9/12

By Ms. Connolly, Messrs. Domalewicz and Clenahan:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Title

This Local Law shall be known as the "Albany County Locally Grown Posting Law."

Section 2. Legislative Intent and Purpose.

This Legislature finds and determines that the citizens of Albany County are entitled to know that agricultural products labeled "locally grown" are, in fact, "locally grown" and that their purchase supports agriculture in New York State.

Accordingly, the purpose of this local law is to insure that all agriculture products advertised and sold as "locally grown" are actually grown in New York State.

Section 3. Posting Requirements

All agricultural products sold as "locally grown" must be grown in New York State.

Section 4. Enforcement

The Albany County Department of General Services shall establish procedures and regulations for the orderly administration of this Local Law.

Section 5. Penalties

Any person who violates the provisions of Section 3 of this Local Law shall be subject to a civil penalty not to exceed one hundred (\$100.00) dollars for the first violation and not to exceed three hundred (\$300.00) dollars for each subsequent violation. Each day that there is noncompliance shall be considered a separate violation for purposes of this Local Law. The Commissioner of the Department of General Services shall refer any cases of unpaid penalties to the Albany County Attorney for appropriate legal action.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional,

such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date.

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

Referred to Audit and Finance Committee. 10/9/12