

January 8, 1991

TOWN OF CAROGA, NEW YORK - LOCAL LAW NO. 2 OF THE YEAR 1991

A LOCAL LAW TO REGULATE DOGS IN THE TOWN OF CAROGA, NEW YORK

BE IT ENACTED by the Town Board of the Town of Caroga, New York as follows:

- SECTION 1. TITLE
- SECTION 2. PURPOSE
- SECTION 3. APPLICABILITY
- SECTION 4. NUISANCE DOGS PROHIBITED
- SECTION 5. PROCEDURE
- SECTION 6. PENALTY
- SECTION 7. SEVERABILITY
- SECTION 8. EFFECTIVE DATE

SECTION 1. TITLE

A. The title of this Local Law is "A Local Law to Regulate dogs in the Town of Caroga, New York".

SECTION 2. PURPOSE

A. The purpose of this local law shall be to preserve the public peace and good order in the Town of Caroga, and to contribute to the public welfare and the preservation and protection of the property and the persons or the inhabitants of said Town by declaring and enforcing certain regulations and restrictions on activities of dogs within the Town.

SECTION 3. APPLICABILITY

A. This local law shall apply to all territory within the confines of the Town of Caroga.

SECTION 4. NUISANCE DOGS PROHIBITED

A. No person being the owner of any dog or having the custody or control of any dog shall permit such dog to commit any nuisance within the Town or cause damage to the property of others. The following acts are declared to be public nuisances and are set forth herein for explanatory purposes only and are not to be considered as excluding other types of nuisances.

i. Engage in loud howling or barking or to conduct itself in such a manner so as to annoy any person other than the owner or person harboring such a dog.

ii. Habitually chase and/or bark at automobiles, bicycles, moving vehicles or persons on foot.

iii. Jumping upon any person or knocking any person over.

iv. Being found upon the school yard of any of the schools of the Town during the time of year when said schools are open between thirty (30) minutes prior to the beginning of the school day to thirty (30) minutes after the end of the school days.

v. To cause any damage to any property or deface any property. For the purpose of this Local Law it shall be considered damage to property for a dog to dig holes or to deposit his waste eliminations thereon; although such damage is set out herein for explanatory purposes only, is not to be considered as excluding other types of damage from the purview thereof.

vi. To run together in a pack or to in any way form a pack. For the purpose of this Local Law the word "pack" is hereby defined to mean (3) or more dogs.

vii. To permit a female dog in heat to be at large.

SECTION 5. PROCEDURE

A. Any persons who observed a dog causing damage or destruction to property of a person other than its owner may file a signed complaint, under oath, with a Town Justice specifying the objectionable conduct of the dog, the date thereof, the damage cause, a description of the dog and name and residence, if known, of the owner or person harboring the said dog.

B. Upon receipt by the Town Justice of any complaint against the conduct of any particular dog, the Town Justice may summons the alleged owner or other person harboring dog to appear in person before him. If the summons is disregarded, the Justice may permit the filing of an information and issue a warrant for the arrest of such person.

SECTION 6. PENALTY

A. Any person convicted of a violation of any of the provisions of this Local Law shall be guilty of an offense and shall be punished by a fine of not more than fifty dollars; and for a second or subsequent conviction within six months thereafter, such person shall be punished by a fine or not more than one hundred fifty dollars.

SECTION 7. SEVERABILITY

A. If any clause, sentence, paragraph, subdivision, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder thereof.

SECTION 8. EFFECTIVE DATE

A. This Local Law shall become effective immediately upon its filing with the New York Department of State.