

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

~~County~~
~~City~~ of Cohocton
Town
~~Village~~

Local Law No. 1 of the year 19 78

A local law for the control of dogs
(insert title)

Be it enacted by the Cohocton Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Cohocton as follows:
Town
~~Village~~

Section 1. PURPOSE AND INTEREST.

The purpose of this Local Law shall be to promote the health, safety, morals and general welfare of the Town of Cohocton, including the protection and preservation of the property of the Town and its inhabitants and of the peace and good order by adopting and enforcing certain regulations and restrictions on the privileges of the owners of dogs and the rights and privileges of the residents of the Town of Cohocton and by imposing restrictions upon the keeping and running at large of dogs within the Town of Cohocton.

Section 2. DEFINITIONS.

DOGS - The term "dog" or "dogs" shall mean both male and female dogs except where the context requires otherwise.

OWNER - The term "owner" shall include any person who owns, keeps or harbors, or has the care, custody, or control of a dog. Dogs owned by minors shall be deemed to be in the custody and control of the minor's parents, or other head of the household where the minor resides.

AT LARGE - The term "at large" shall mean a dog off the premises of the owner.

Section 3. REGULATIONS AND RESTRICTIONS.

(a) The owner of any dog shall be required to license said dog upon the dog attaining the age of six (6) months in accordance with the Agricultural and Markets Law of the State of New York. Said license shall be an annual license in accordance with the Agricultural and Markets Law of the State of New York and by rules and regulations as promulgated by the Town Board of the Town of Cohocton, New York. The owner of any dog shall be required to keep on each licensed dog a suitable collar with license securely attached. A dog at large without a collar and license is presumed to be unlicensed.

(If additional space is needed, please attach sheets of the same size as this and number each)

(b) No dog shall be in any restaurant, grocery, or commercial establishment which sells food for human consumption except that a guide dog for the blind may enter any such premises if leading or accompanying a blind person therein.

(c) No person shall keep or suffer to be kept a dog which has attacked any person peaceably conducting himself in any place where such a person may lawfully be, or which has attacked, chased or worried or killed any domestic animal, as defined in the Agricultural and Markets Law of the State of New York, while such animal is in any place where it may lawfully be.

(d) An owner of any dog shall not permit or suffer such dog to damage or destroy property of any kind or to deposit waste on the private property of other persons.

(e) No person shall keep, suffer or permit to be kept on the premises occupied by such person, any dog which by its continual barking, howling, or whining or other frequent or long continued noises shall unreasonably disturb the comfort or repose of other persons.

(f) No owner of a dog shall permit the premises, structures, or enclosures in which such dog is kept to be unclean or unsanitary.

(g) No person shall permit a female dog owned by him to be off such owners premises while such female dog is in heat.

Section 4. DOG WARDEN.

The Town Board may from time to time appoint a dog warden or wardens, a peace officer or other agents of the Town of Cohocton, as needed pursuant to the appropriate statutes of the State of New York. It shall be the duty of any dog warden, peace officer, or other agent to enforce the provisions of this Local Law as well as of the Agricultural and Markets Law of the State of New York, with respect to dogs in the Town of Cohocton.

Section 5. SEIZURE OF DOGS.

Dogs shall be permitted off an owners property only when under the control of a responsible person able to control such dog by lease or otherwise. Dogs contained in motor vehicles on public or private property shall be considered in compliance with this section.

It shall be the responsibility of any owner of any dog to comply with the Steuben County night quarantine on dogs, as from time to time promulgated, by keeping said dogs confined between the hours of sun set and one hour after sun rise on each and every day.

A dog warden, peace officer, or other agent as appointed by the Town Board shall seize any dog which is found at large within the Town of Cohocton in violation of this Local Law, as well as any dog or dogs otherwise required to be seized under and by virtue of the Agricultural and Markets Law of the State of New York.

Section 6. REDEMPTION OF SEIZED DOGS.

(a) Every dog seized pursuant to this Local Law or the provisions of the Agricultural and Markets Law of the State of New York shall be immediately turned over to the Steuben County Dog Warden.

(b) In the event that the dog so seized bears a license tag, the dog warden, peace officer, or other agent shall ascertain the owner of the dog and shall thereafter give immediate notice, in writing, to the owner of such dog or to an adult member of said owner's family stating that the dog has been seized and that the dog will be destroyed or sold unless redeemed within the period hereinafter provided.

(c) The owner of a dog seized bearing a license tag shall redeem said dog within twelve (12) days after notice is given. The owner of a dog seized bearing no license tag may redeem said dog within five (5) days of the date of receipt of notice, if possible, or the date of seizure, whichever shall be greater.

(d) The owner of any dog may redeem said dog within said applicable time periods by paying to the Town Clerk of the Town of Cohocton the sum of Five (\$5.00) Dollars per day for each day of retention plus any penalty imposed under this Local Law for a violation of this Local Law.

(e) If any dog so seized is not redeemed within the time period hereinbefore set forth, the owner shall forfeit all title to said dog and the dog shall either be sold or destroyed by the Town, in accordance with the provisions of the Agricultural and Markets Law of the State of New York.

Section 7. TOWN JUSTICE TO HAVE JURISDICTION.

(a) The Town Justice of the Town of Cohocton shall have jurisdiction to hear all signed complaints filed as hereinafter provided, and all actions and proceedings hereunder, and of all prosecutions for the violation of this Local Law. Upon receipt by the Town Justice of any complaint against the conduct of any particular dog, the Town Justice shall summon the alleged owner of other person harboring said dog to appear in person before him. If the summons is disregarded the Town Justice may permit the filing of an information and issue a warrant for the arrest of such owner or other person harboring said dog.

(b) The dog warden, peace officer, or other agent of the Town of Cohocton who observes a dog causing damage or destruction to property of a person other than its owner or violating any section of this Local Law may file a signed complaint, under oath, with the Town Justice of the Town of Cohocton, specifying the objectionable conduct of the dog, the date thereof, the damage caused, and a description of the dog and the name and residence, if known, of the owner of other person harboring said dog.

Section 8. PENALTIES.

A violation of this Local Law shall be deemed an offense against the within Local Law and shall be punishable by a fine not exceeding Twenty-

five (\$25.00) Dollars and not less than Five (\$5.00) Dollars. Each separate offense shall constitute a separate additional violation. The provisions hereof are in addition to the regulations, restrictions, requirements and penalties as contained in the Agricultural and Markets Law of the State of New York pertaining to dogs.

Section 9. VALIDITY.

The invalidity of any such sentence, clause, paragraph or provision of this Local Law shall not invalidate any other sentence, clause, paragraph or provision or part thereof.

Section 10. REPEAL OF PRIOR LAWS

Any and all existing ordinances, or other Local Laws pertaining to the control of dogs in the Town of Cohocton is hereby repealed in its entirety.

Section 11. WHEN EFFECTIVE.

The provisions of this Local Law shall take effect immediately.