

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~

~~Town~~

~~Village~~

Local Law No. 4 of the year 2007

A local law Amending and replacing Local Law #1-1999

(Insert Title)

of the Dog Control of the Town of Groveland

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

~~County~~

~~City~~

~~Town~~

~~Village~~

of Groveland as follows:

The purpose of the law is to protect health, safety, and the well being of persons property by imposing restrictions and regulations upon the keeping of dogs and the seizure thereof within the Town. The Town of Groveland finds that running at large and other uncontrolled behavior of dog(s) that cause annoyance to any person(s), damage to property and created nuisance within the Town is unacceptable.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2007 of the (County)(City)(Town)(Village) of Groveland was duly passed by the Town Board on 6-14 2007, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Sandra L. Bear
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: 6/14/2007

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Livingston

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title

~~County~~
~~City~~
Town
~~Village~~

of

Groveland

Date:

6/20/07

**Town of Groveland
Regulation of Dog Control
Local Law # 4 2007**

Section 1. Title.

This local law shall be known as the "Dog Control Ordinance of the Town of Groveland, County of Livingston."

Section 2. Purpose.

The Town of Groveland, County of Livingston, New York finds that the running at large and other uncontrolled behavior of dog(s) that cause annoyance to any person(s), damage to property and created nuisance within the Town is unacceptable. The purpose of this ordinance is to protect the health, safety, and well-being of persons and property by imposing restrictions and regulations upon the keeping of dogs and the seizure thereof within the Town.

Section 3. Authority.

This local ordinance is enacted pursuant to the provisions of Section 124 of Article 7 of the Agriculture and Markets Law.

Section 4. Definitions.

- (a) "Dog" shall refer to both male and female dogs except where the context requires otherwise.
- (b) "Owner" means any person who harbors or keeps any dog. In the event any dog found in violation of this ordinance shall be owned by a person under eighteen years of age, the owner shall be deemed to be the parent or guardian of such person (or the head of the household in which said person resides).
- (c) "Harbor" means to provide food or shelter to any dog.
- (d) "At large" means any dog that is unleashed and on property open to the public or is on private property not owned or leased by the owner of the dog unless permission for such presence has been obtained. No dog shall be deemed to be at large if it is: (a) accompanied by and under the immediate supervision and control of the owner or other responsible person; (b) a police work dog in use for police work; (c) accompanied by its owner or other responsible person and is actively engaged in hunting or training for hunting on unposted land or on posted land with the permission of the owner of the land; (d) is actively engaged as a livestock protection dog or a herd dog and is in the company of its designated livestock on lands owned or leased by the owner of the dog, or by the permission of the owner or lessor of such lands.
- (e) "Dog Control Officer" means any individual appointed by the Town of Groveland, County of Livingston to assist in the enforcement of this ordinance.

Section 5. Restrictions.

It shall be unlawful for any owner of any dog to permit or allow such dog, in the Town of Groveland, County of Livingston, to:

- (a) Be at large,
- (b) Cause damage or destruction to property or commit a nuisance upon the premises of any person;
- (c) Habitually chase motor vehicles, bicycles, horseback riders, pedestrians or persons moving by human or animal powered devices such as skateboards, roller blades, carriages, sleds, wagons, or skis;
- (d) Engage in habitual, loud, howling or barking or conduct itself in a manner as to disturb the public peace,
- (e) Kill or injure any other dog or cat.

Section 6. Dangerous Dogs

Any dog, which shall attack any person or domestic animal within the meaning of Article 7 of the Agriculture and Markets Law of the State of New York, shall be dealt with in accordance with Article 7 of the Agriculture and Markets Law.

Section 7. Enforcement.

Any dog control officer, peace officer when acting pursuant to his/her special duties, or law enforcement officer, shall enforce this local ordinance.

Section 8. Seizure, Impoundment, Redemption and Adoption.

- (a) Any dog found in violation of the provisions of Section 5 of this ordinance may be seized pursuant to the provisions of Section 118 of the Agriculture and Markets Law.
- (b) Every dog seized shall be properly cared for, sheltered, fed and watered for the redemption period set forth in Section 118 of the Agriculture and Markets Law.
- (c) Seized dogs may be redeemed by producing proof of licensing and identification pursuant to Article 7 of the Agriculture and Markets Law and by paying the redemption fees set forth in Section 118 of said Article,
- (d) Any dog unredeemed at the expiration of the appropriate redemption period shall be made available for adoption or euthanized pursuant to the provisions of Section 118 of the Agriculture and Markets Law.
- (e) All impoundment fees shall be the property of the County of Livingston and shall be used only for the controlling of dogs and the enforcement of this ordinance.

Section 9. Appearance Ticket.

Any dog control officer, peace officer acting pursuant to his/her special duties, or police officer in the employ or under contract to the Town of Groveland, County of Livingston observing a violation of this ordinance in his/her presence shall issue an appearance ticket for such violation.

Section 10. Penalties.

Any person convicted of a violation of this ordinance shall be deemed to have committed a violation and shall be subject to a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not exceeding 15 days.

Section 11. Separability.

Each separate provision of this ordinance shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 12. Disposition of Dogs Voluntarily Surrendered to the County Shelter.

- (a) In the event an owner wishes to surrender an unwanted dog to the County shelter, such person must execute a consent form prescribed by the County, allowing the Dog Control Officer to dispose of the dog immediately by either adoption or euthanasia at the discretion of the officer and absolve the County, forever, of liability in connection with said dog.
- (b) The owner of any dog surrendered to the County must pay a fee in the amount set by the County.
- (c) This service may be discontinued at any time, by order of the Dog Control Officer, if overcrowding or any other condition at the shelter would create a situation whereby dogs could not be properly sheltered and cared for.

Section 13. Repealer.

This ordinance shall supersede all prior local laws, ordinances, rules and regulations relative to the control of dogs within the Town of Groveland, County of Livingston, and they shall be, upon the effective date of this ordinance null and void.

Section 14. Effective Date.

This ordinance shall take effect once filed with the Secretary of State.

Effective: July 11, 2007



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

RECEIVED

JUL 16 2007

Town of Groveland

ELIOT SPITZER
GOVERNOR

July 11, 2007

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

Town of Groveland
4955 Alen Rd.
Groveland, NY 14462

RE: Town of Groveland, Local Law No. 4, 2007 , filed on 06/25/2007

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated.
Additional local law filing forms will be forwarded upon request.

Sincerely,
Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755