

(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 RIPLEY
Town
Village
Local Law No. 1 of the year 19 83

Repealing Local Law No. 1 of 1978, known as The Dog Leash Law of the Town of Ripley, and enacting a new local law to be known as The Dog Control Law of the Town of Ripley
(Insert title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County
City of RIPLEY as follows:
Town
Village

Section I. Local Law No. 1 of 1978 of the Local Laws of the Town of Ripley, known as the Dog Leash Law of the Town of Ripley, is hereby repealed in its entirety, and a new local law, to be known as the Dog Control Law of the Town of Ripley, is hereby enacted.

Section II. The purpose of this local law is to prevent dogs from running at large and to prevent dogs from creating a nuisance in certain areas of the Town of Ripley.

Section III. The areas within the Town of Ripley to be encompassed by this law and to which it is to apply is bounded on the north by the south line of Route New York 5, bounded on the south by the north side of Sidehill Road, bounded on the west by the east lines of Barnes Road and Loomis Street and bounded on the east by the west line of Wiley Road and continuing southerly on an extended line thereof to Sidehill Road.

Section IV. It shall be unlawful for any owner or person harboring any dog, whether licensed or unlicensed, in the Town of Ripley, as described in Section III herein, to permit or allow such dog to:

- A. Run at large within the area designated under Section III within the Town of Ripley,

-continued-

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

unless said dog is restrained by an adequate chain or leash not exceeding ten (10) feet in length, except while such dog is being used for hunting as defined herein under Section V.

- B. Engage in prolonged or persistent barking or howling for a period of one (1) or more consecutive hours or to conduct itself in such a manner so as to habitually annoy any person other than the owner or harborer of such dog.
- C. Cause damage or destruction to property, or commit a nuisance upon the premises of a person other than the owner or harborer of such dog, or strew garbage which has been properly contained for disposal by a town resident other than the owner or harborer of such dog.
- D. Commit any action which is offensive or annoying or unpleasant or obnoxious so as to be detrimental to either the health or safety or general welfare or property of persons other than the owner or harborer of such dog.

Section V. As used in this local law:

- A. "Owner" shall mean any person or persons, firm, association or corporation owning, harboring or keeping a dog.
- B. A "dog running at large" shall mean a dog off the premises of the owner and not on a leash, or not accompanied by or under the immediate control of the owner or other responsible person.
- C. "Owner's premises" shall mean any premises owned, occupied or under the control of the

dog owner, but shall exclude any portion which is part of a public street, sidewalk or public place.

- D. "Dog while being used for hunting" shall mean any dog restrained by the accompaniment and control of the owner or other responsible person while said dog is lawfully being used for hunting or training purposes.

Section VI. Every such dog found to be running at large shall be seized by the dog control officer or any constable, police officer or sheriff and shall be confined or destroyed as prescribed in Article 7 of the Agriculture and Markets Law.

Section VII. Any injured or aggrieved person or representative thereof who observes a dog causing damage or destruction to property of a person other than its owner, or committing a nuisance upon the premises of a person other than its owner, or engaging in any activity prohibited under Section IV, may file a signed complaint, under oath, with the dog control officer or his designee of the Town of Ripley, or constable, police officer or sheriff, specifying the objectionable conduct of the dog, the dates thereof, the damage caused, a description of the dog and the name and residence, if known, of the owner or other person harboring said dog.

Section VIII. Upon receipt by the town justice of any complaint against the conduct of any particular dog, the town justice may summon the alleged owner or other person harboring said 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 IX. It shall be the responsibility of the dog control officer to serve written notice upon the owner of any licensed animal impounded, provided the collar, harness, muzzle or leash has attached thereto a license issued through the New York State department of agriculture and markets for the year in which the animal was appre-

hended or for the prior year. Such notice shall be served personally upon the owner or adult member of his family and shall inform the owner of the date on which the animal was seized and shall state that the animal shall be destroyed unless redeemed within the applicable period of time.

Section X. The penalty for violation of any of the provisions of this local law shall be a fine, not to exceed \$50.00 or five days of imprisonment or both such fine and imprisonment for each violation.

Section XI. A violation of this local law shall be deemed an offense.

Section XII. This local law shall take effect immediately.

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