

LOCAL LAW 4-2017

A Local Law amending Chapter 75 (Animals) of the Village Code of the Village of Ossining.

BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:

Section 1. Chapter 75 is amended to add a new Article IV titled “Prohibition on Sale of Commercially Bred Dogs and Cats in Pet Stores.” (New Matter underlined).

Section 2. Chapter 75, section 23 is added with new matter underlined:

Definitions.

The following terms used in this article shall have the following definitions:

PET STORE: A retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail.

RESCUE AND HUMANE ORGANIZATION: A New York State nonprofit corporation that is exempt from taxation under Internal Revenue Code section 501(c)(3), participates in early age spay/neuter of animals, complies with state and local laws regarding the humane treatment of animals, and whose mission and practice is, in whole or significant part, the rescue and placement of dogs and/or cats.

Section 5. Chapter 75, section 24 is added with new matter underlined:

PROHIBITIONS. It shall be unlawful for any person to sell any live dog or cat in any pet store, retail business or other commercial establishment located in the Village of Ossining, unless the dog or cat was obtained from an animal shelter or a humane society located in the County of Westchester, or a nonprofit rescue and humane organization registered with the New York State Department of Agriculture.

Section 6. Chapter 75, section 25 is added with new matter underlined:

ENFORCEMENT: This article shall be enforced by the Village’s Code Enforcement Officers including the Building Inspector and Assistant Building Inspector.

Section 7. Chapter 75, section 26 is added with new matter underlined:

PENALTIES FOR OFFENSES:

- A) A violation of this article may be prosecuted as a misdemeanor. A violation of this Article also may be enforced by means of an administrative citation and penalty in the

amount of \$250 for the first violation, \$500 for the second violation and \$1,000 for any subsequent violations.

- B) Each animal sold in violation of this article shall constitute a separate and distinct violation.
- C) The Corporation Counsel shall be authorized to bring a proceeding against a responsible party(ies) in a court of competent jurisdiction to enforce this article.

Section 8. Chapter 75, section 27 is added with new matter underlined:

SEVERABILITY: If any subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 9. Chapter 75, section 28 is added with new matter underlined:

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.