

## **PROPOSED LOCAL LAW 2-2020**

A Local Law amending Chapter 75, Article II (Animals, Dog Control) of the Village of Ossining Code.

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

**Section 1.** Chapter 75, Article II (Dog Control Law of the Village of Ossining) is amended as follows with new matter underlined and deleted matter in [brackets].

**§ 75-10 Short title.**

This article shall be known as the "Dog Control Law of the Village of Ossining, New York."

**§ 75-11 Legislative intent.**

It is the intent of the Board of Trustees of the Village of Ossining by the enactment of this article to provide for the [licensing and identification of dogs,] the control and protection of the dog population and the protection of persons, property and domestic animals from dog attack and damage, all pursuant to and in accordance with the provisions of Article 7 of the Agriculture and Markets Law of the State of New York.

**§ 75-12 Definitions.**

As used in this article, the words "at large" shall mean unaccompanied by a person who is competent to control and who has control of a dog by means of a chain, leash or other restraining device not exceeding six feet in length. All other words and phrases herein shall have the same meaning as are set forth in § 108 of Article 7 of the Agriculture and Markets Law of the State of New York.

**§ 75-13 Animal Control Officer.**

There is hereby established the position of Animal Control Officer of the Village of Ossining, New York, who shall possess all of the powers necessary to enforce the provisions of this article as well as the provisions of Article 7 of the Agriculture and Markets Law of the State of New York. In addition, the Animal Control Officer is hereby authorized to issue appearance tickets as such term is defined in the Criminal Procedure Law of the State of New York, for violations of the provisions of this article or Article 7 of the Agriculture and Markets Law.

**[§ 75-14 Licensing.**

**[Added 12-21-2010 by L.L. No. 1-2011]**

- A. All dogs in the Village of Ossining must be licensed with the Village Clerk by the age of four months and required to present a current certificate of rabies vaccination at the time of licensing or the renewal of an existing license.
  - B. All dog licenses will be for a period of one year and will expire at the end of the month one year from the date of issue.
  - C. Fees for licensing of dogs.
- (1) The fee for a neutered male or spayed female dog shall be set by the Board of Trustees in the Village Fee Schedule or by resolution. It shall include a state assessment pursuant

**Commented [1]:** Editor's Note: This local law also repealed former § 75-12, License fees, as amended.

to § **110-3** of the New York State Agriculture and Markets Law, and additional funds for remuneration as provided for by § **110-4(a)** of the Agriculture and Markets Law.

- (2) The fee for an unneutered male or unspayed female dog shall be set by the Board of Trustees in the Village Fee Schedule or by resolution. It shall include a state assessment pursuant to § **110-3** of the New York State Agriculture and Markets Law, and additional funds for remuneration as provided for by § **110-4(a)** of the Agriculture and Markets Law.
- (3) Enumeration fee. When the Board of Trustees determines the need for a dog enumeration, a fee set by the Board in the Village Fee Schedule or by resolution shall be assessed to all dogs found unlicensed or renewed at the time enumeration is conducted.
- (4) Purebred licenses. The Village of Ossining will not be issuing purebred or kennel licenses. All dogs will be licensed individually as per the fee system stated above.
- (5) Service dogs. The Village of Ossining requires licenses for all dogs living or harbored within the incorporated area of the Village of Ossining; however, the Village fee for licensure of all types of services dogs listed in § **110-2** of the Agriculture and Markets Law, including, but not limited to, guide dogs, service dogs, hearing dogs, and detection dogs, is waived.
- (6) Shelters. The Village of Ossining does not allow the licensing of dogs by a shelter. The shelter must notify the adoptive owners of their responsibility to license any dog who will be living within the incorporated area of the Village of Ossining with the Village Clerk within 30 days of adoption. The shelter must provide the Village with a list of adoptive owners monthly.
- (7) Senior citizens exemption. Residents of the incorporated area of the Village of Ossining who are 60 years of age and older shall be exempt from any Village of Ossining local fees incorporated within the fees enumerated herein.]

**§ 75-1[5]4 Impoundment fees.**

Each dog seized in accordance with the provisions of Article 7 of the Agriculture and Markets Law may be redeemed by its owner upon proof that the dog has been licensed by the [Village of Ossining] Town of Ossining and upon payment of impoundment fees set from time to time by the [Board of Trustees.] Town of Ossining.

**§ 75-1[6]5 Running at large prohibited; exceptions.**

No person owning, harboring or having custody or control of any dog, whether or not licensed, shall permit, suffer or allow any such dog to be at large at any place within the Village of Ossining elsewhere than:

- A. On the premises of such person owning, harboring or having custody or control of such dog; or

**Commented [2]:** Editor's Note: The Schedule of Fees is on file in the Village offices.

- B. On the premises of another person with the knowledge and consent of such other person.

**§ 75-1[7]6 Penalties for offenses.**

The Village of Ossining hereby elects to prosecute any violation of the provisions this article or of the provisions of § 119, Subdivision 1, of Article 7 of the Agriculture and Markets Law as a violation under the Penal Law of the State of New York punishable by a fine of not more than \$25 except that:

- A. Where the person was found to have violated the provisions of § 119 of the Agriculture and Markets Law or former Article 7 of the Agriculture and Markets Law within the preceding five years, the fine may be not more than \$50; and
- B. Where the person was found to have committed two or more such violations within the preceding five years, it shall be punishable by a fine of not more than \$100 or by imprisonment for not more than 15 days, or both.

**Section 2. Effective Date.**

**This local law shall take effect immediately upon filing with the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.**