

Local Law Filing

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
JUN 09 2005

~~County~~
~~City~~ of Richfield
Town
~~Village~~

Local Law No. 2 of the year 2005

MISCELLANEOUS
& STATE RECORDS

A local law REGULATING THE RESTRAINT OF DOGS AND RESPONSIBILITES
(Insert Title)
OF THE DOG OWNER IN THE TOWN OF RICHFIELD

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

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

TOWN OF RICHFIELD

LOCAL LAW # 2 of 2005

A LOCAL LAW REGULATING THE RESTRAINT OF DOGS AND RESPONSIBILITIES
OF THE DOG OWNER IN THE TOWN OF RICHFIELD

BE IT ENACTED BY the Town Board of the Town of Richfield, Otsego
County, New York,

SECTION 1. Purpose and intent - the purpose of this local
law shall be to promote the health, safety, and general welfare of
the residents of the Town of Richfield, including the protection
and preservation of the property of the residents and inhabitants
of the Town of Richfield and of their peace and good order by
adopting and enforcing certain regulations and restrictions on
the privileges of the owners and harborers of dogs and by
imposing restrictions upon the keeping of dogs within the
Town of Richfield.

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

Section 2. It shall be unlawful for any owner of, or any person harboring any dog in the Town of Richfield, to permit or allow such dog, whether or not tagged or licensed, to:

A. Run at large off the owner's property unless leashed or accompanied by and under the immediate control of the owner.

B. Engage in habitual loud howling or barking or to conduct itself in such manner as to habitually annoy any person other than the owner or person harboring such dog.

C. Cause damage or destruction to property or commit a nuisance upon the premises of a person other than the owner or person harboring such dog.

D. Chase or otherwise harass any person in such a manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.

Section 3. A dog control officer or other property authority designated by the Town Board as provided in section 118 of the Agriculture and Markets Law and other applicable laws and provisions, may enforce the provisions of this ordinance and may also investigate and report to a Town Justice any dangerous dog as described in section 121 of the Agriculture and Markets Law and see that the order or orders of the Town Justice in such case are carried out.

Section 4. Any person 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 in violation of any subdivision of Section 2, may file a signed complaint, under oath, with a Town Justice of the Town of Richfield specifying the objectionable conduct of the dog, the date thereof, the damage caused or other violations, a description of the dog and residence, if known, of the owner or other person harboring said dog.

Section 5. Upon receipt by the Town Justice of any complaint against the conduct of any particular dog submitted by the Town Dog Control Officer, 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 6. Any person who violates this local law or knowingly permits the violation of this local law or any of the provisions thereof shall be deemed to have committed a violation punishable by a fine in an amount not in excess of \$50.00 (Fifty) for the first offense and second and further offense by a fine not in excess of \$500.00 (Five Hundred).

Section 7. The invalidity of any section or provisions of the local law shall not invalidate any other section or provision thereof.

Section 8. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(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. 2 of 20 05 of the ~~(County)(City)~~(Town)(~~Village~~) of Richfield was duly passed by the Town Board on May 16 20 05, in accordance with the applicable provisions of law.

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.

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.

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.

* 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.

Monica Harris
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 6/8/05

(Seal)

(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 Otsego

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]
Signature

Town Attorney
Title

County
City of Richfield
Town
Village

Date: 6/8/05