

LEGISLATION

Chapter 22

ANIMALS

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[HISTORY: Adopted by the Board of Trustees of the Village of Port Dickinson 7-9-74 as Local Law No. 2-1974. Amendments noted where applicable.]

§ 22-1. Purpose.

The purpose and intent of this chapter shall be to preserve the public peace and good order in the Village of Port Dickinson and to contribute to the public welfare and the preservation and protection of the property and the person of the inhabitants of said village by declaring and enforcing certain regulations and restrictions on activities of animals and other pets and their owners within the Village of Port Dickinson.

§ 22-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANIMAL or ANIMALS — Horses, cattle, rabbits, goats, sheep, swine, poultry, pigeons, any animal generally considered by species to be wild, poisonous insects, poisonous reptiles or any reptile over three (3) feet in length.

PETS — Shall include dogs, cats or any other animal or reptile not included in the term of animal as hereinbefore defined.

§ 22-3. Restrictions.

It shall be unlawful and a violation of this chapter for any person, firm or corporation to:

- A. Hereafter keep, house or maintain any animals, as defined by § 22-2 of this chapter, within the limits of the Village of Port Dickinson without a special permit in writing from the Board of Trustees, signed by the Mayor and one (1) Trustee. Said permit may be granted at the discretion of the Board of Trustees and shall remain valid until such time as it shall appear from the complaints

of the neighbors or otherwise that the keeping of such animals is objectionable or offensive by reason of noise, smell or other cause.

- B. Permit or allow any pet to run at large unless restrained by a collar and leash or unless accompanied by its owner or a responsible person able to control the pet. This subsection shall not apply to house cats.
- C. Permit a pet to engage in habitual howling, barking or production of noise or conducting itself in such manner as to habitually annoy any person.
- D. Permit a pet or fail to curb or control such pet so that it causes damage or destruction to property or to commit a nuisance upon the premises of a person other than the owner or person harboring such pet.
- E. Permit or fail to curb or control such pet so that it shall chase, bite, snap at, jump upon 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.
- F. Permit or to so fail to control the pet that it shall habitually chase or bark at motor vehicles.
- G. Board to keep pets owned by other persons for pay, whether in money or money's worth.
- H. Maintain kennels or pet harborage in such a manner as to be unsanitary or order bearing.
- I. To permit to allow a dog to be on that real property within the Village of Port Dickinson on Chenango Street known as Port Dickinson Community Park. [Added 12-8-92 by L.L. No. 2-1992]

§ 22-3A. Canine waste.

- A. Any person owning, harboring, walking or in charge of a dog who allows the dog to defecate on public property, or on any private property without the permission of the property owner, shall remove all feces immediately after it is deposited by the dog. All feces removed in accordance with this section shall be placed in a suitable bag or other container which closes. The bag or closed container shall then be deposited in a receptacle for the disposal of refuse.
- B. The provisions of this section shall not apply to blind persons using dogs as guides.
- C. Any police officer of the Village of Port Dickinson or other designee of the Village Board who observes a violation of this section is hereby authorized to issue an appearance ticket setting forth a brief description of the circumstances of the violation.
- D. Any person who observes a violation of this section may appear before the Town Justice of the Town of Dickinson and sign an Information (criminal complaint). The Town Justice shall summon the person who allegedly violated this section of the local law to appear in person before him at a hearing, at which both the complainant and the alleged violator shall have an opportunity to be represented by counsel and to present evidence.
- E. The provisions of sections 22-4 and 22-5 of this chapter shall not apply to violations of this section.

§ 22-4. Seizure and impoundment.

- A. Any animal or pet in violation of any of the provisions of this chapter shall be subject to seizure and impounding by any police officer or by any other person or agency designated by the village or authorized by law to seize and impound such animal or pet. Any such warden, police officer or other person or agency so seizing such animal or pet hereunder shall be empowered to exercise such degree of force as shall be necessary to effect such seizure.
- B. After such seizure and impounding as above provided, the resident owner of such animal or pet, if ascertainable, shall be notified thereof personally or by affixing a written notice to such owner's last known place of residence. Such animal or pet so seized and impounded shall be delivered to the Broome County Dog Shelter and shall thereafter be subject to the rules and regulations of such shelter, including the destruction and/or sale of such animal or pet pursuant to the provisions of the Agricultural and Market Law of the State of New York or other applicable law in effect at the time of such impounding.

§ 22-5. Existing violations.

Any person, firm or corporation in violation of this chapter at the date of its enactment shall have thirty (30) days from such enactment date to cure such violation and conform to the provisions of this chapter.

§ 22-6. Penalties for offenses.

The violation of this chapter and conviction thereof shall be punishable by a fine not to exceed twenty-five dollars (\$25.) for each and every offense, unless the amount of any such fine is specifically prescribed or limited by the Agricultural and Market Law of the State of New York.

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Chapter 23

ASSESSMENT

[HISTORY: Adopted by the Board of Trustees of the Village of Port Dickinson April 13, 1993 as Local Law No. 1-1993.]

§ 23-1. Legislative intent.

The intent of the Board of Trustees of the Village of Port Dickinson is to implement section 1402(3) of the Real Property Tax Law providing for the voluntary termination of the Village's status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to