



Webmaster 1/2002
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STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

RANDY A. DYNELLS
SECRETARY OF STATE

November 21, 2002

Ruth A Kelder
Town of Halcott
79 Turk Hollow Road
Halcott Center, NY 12420

RE: Town of Halcott, Local Law 4, 2002, filed 11/12/2002

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

Linda Lasch

Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755

Be it enacted by the Town Board of the Town of Halcott as follows:

Section 1. Purpose. The purpose of this local law is to protect the health, safety and well being of persons, pets and property by imposing restrictions on dogs which cause physical harm to persons and/or pets, damage to property, and/or which are nuisances within the town.

Section 2. Authority. This local law is enacted pursuant to the provisions of Article Seven of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

Section 3. Title. The title of this law shall be, "Dog Control Law of the Town of Halcott".

Section 4. Definition of terms. As used in this local law, the following words shall have the following respective meanings.

(a) "Dog" means male and female, licensed and unlicensed, members of the species *Canis Familiaris*.

(b) "Owner" means person entitled to claim lawful custody and possession of a Dog and who is responsible for purchasing the license for such Dog unless the Dog is or has been lost, and such loss was promptly reported to the Dog Control Officer and a reasonable search has been made. If a Dog is not licensed, the term owner shall mean any person or persons, who or which at any time has custody, control of, harbors, or is otherwise responsible for any Dog that is kept, brought, or comes within the Town. Any person owning or harboring a Dog for a period of one (1) week prior to the filing of any complaint charging a violation of this local law, shall be held and deemed to be the Owner of such Dog for the purpose of this local law. In the event the Owner of any Dog found to be in violation of this chapter shall be under eighteen years of age, the head of the household in which said minor resides shall be deemed the Owner.

(c) "Town" means the Town of Halcott.

Section 5. Restrictions. It shall be unlawful for any Owner of any Dog in the Town to permit or allow a Dog to cause a nuisance by destroying property, harassing or harassing other domestic animals, cats and/or dogs, or endangering people.

Section 6. Seizure of Dogs and Penalties

(a) A Peace officer or Dog Control Officer observing a violation of this local law in his presence may issue and serve an appearance ticket for such violation. The Dog Control Officer or peace officer may also investigate and report to a town justice of the town any dangerous Dog described in Article 7 of the Agriculture and Markets Law, and see that the order of the town justice in such case is carried out.

(b) Any person who observes a Dog in violation of this local law, may file a complaint under oath with the Dog Control Officer or a Peace Officer specifying the nature of the violation, the date thereof, a description of the Dog and the name and residence, if known, of the owner of such Dog. Such complaint may serve as the basis for enforcing the provisions of this local law.

(c) A seized Dog shall be kept and disposed of in accordance with the provisions of Article 7 of the Agriculture and Markets Law. The Owner of such Dog will be responsible for the payment of any and all impoundment fees and penalties under this local law.

Section 7. Penalties. Any person convicted of a violation of this local law shall be deemed to have committed a violation and shall be subject to a fine not exceeding twenty-five dollars (\$25.00) for a first violation, not exceeding fifty dollars (\$50.00) for a second violation and not exceeding one hundred (\$100.00) for each subsequent violation.

In addition to the above, the fee for seizure and impoundment of Dogs in violation of this local law are as follows:

- (a) \$10.00 a day for the impoundment of any Dog;
- (b) Any other fees incurred, such as medical assistance, spaying or neutering, or euthanizing resulting from seizure and impoundment of any Dog.

Section 8. Separability. Each separate provision of this local law shall be deemed independent of all other provisions herein and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

I 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 1 above.

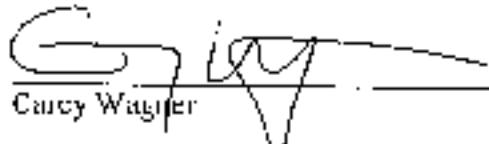
John A. Kilmer
Town Clerk of the Town of Halcott

Date: November 3, 2002

(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 GREENE

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.



Carey Wagner

Attorney for Town of Halcott
Date: November 4, 2002