

(Please Use this Form for Filing your 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.

~~County~~
~~City~~ of Guilford
~~Town~~
~~Village~~
Local Law No. 2 of the year 19 80

A local law imposing restrictions on those who keep or harbor dogs
(Insert title)

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

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

SECTION 1. PURPOSE. The Town Board of the Town of Guilford finds that certain uncontrolled behavior of dogs occasionally causes nuisances within the Town. The purpose of this local law is to protect the health, safety and well-being of residents of the Town by imposing restrictions on those who keep or harbor such dogs.

SECTION 2. SHORT TITLE. The title of this local law shall be "Dog Control Law of the Town of Guilford".

SECTION 3. DEFINITIONS.

- [a] "Dog" shall mean female or male, licensed or unlicensed.
- [b] "Owner" shall mean any person who owns or harbors a dog.
- [c] "Harboring a dog" shall mean having a dog in ones custody or control for a period of one week or more prior to the filing of a complaint charging a violation of this local law.
- [d] "Town" shall mean and designate the area within the limits of the Town of Guilford.

SECTION 4. RESTRICTIONS. It shall be unlawful for any owner of any dog in the Town of Guilford to permit or allow such dog to:

- [a] Engage in habitual loud howling, barking, crying or whining or conduct itself in such a manner as to unreasonably disturb the comfort or repose of any person other than the owner of the dog.
- [b] Uproot, dig or otherwise damage any vegetables, lawns, flowers, garden beds, or cause any waste or damage to property not belonging to the owner of the dog.

[c] When off the property of the owner or harborer shall chase, jump upon or at or otherwise harass any person in such a manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm or injury.

[d] When off the property of the owner or harborer shall bite or cause physical harm to any person.

SECTION 5. COMPLAINT.

[a] Any person who observes a dog in violation of this law may file a complaint under oath with the Town Justice, or his lawful substitute as provided by law, specifying the nature of the violation, the date thereof, a description of the dog and the name and residence, if known, of the owner or harborer of the dog.

[b] Upon receipt by the Town Justice of any such complaint, he shall summons the alleged owner to appear in person before him for a hearing, at which both the complainant and owner or harborer shall have an opportunity to be represented by counsel and to present evidence. If, after such hearing, the Town Justice decides that further action is warranted, he may order:

[1] The owner or harborer to restrain such dog by collar and leash at all times whether on or off the owner's property.

[2] The owner to confine such dog to the premises of the owner.

[3] Such other remedy authorized by law as may be warranted by the circumstances of the case.

[c] A violation of any order issued by a Town Justice under the provisions of this section shall be an offense punishable, upon conviction thereof, as provided in Section 6 of this local law.

SECTION 6. PENALTIES. Upon conviction, a violation of this local law shall be deemed an offense and punishable by a fine not exceeding Twenty-Five Dollars (\$25.00) for the first offense and Fifty Dollars (\$50.00) for each offense thereafter.

SECTION 7. SEPARABILITY. Each separate provision of this local law shall be deemed independent of all other provisions hereof, and if any provision hereof shall be deemed or declared invalid, all other provisions hereof shall nevertheless remain valid and enforceable.

SECTION 8. REPEALER. This local law shall supersede all prior local laws, ordinances, rules and regulations relative to the control of dogs within the Town of Guilford, and they shall be, upon the effective date of this local law, null, void and of no further effect.

SECTION 9. EFFECTIVE DATE. This local law shall take effect immediately upon its filing in the Office of the Secretary of State in accordance with the provisions of Section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 19 80.
~~County~~
of the ~~City~~ City of Guilford was duly passed by the Guilford Town Board
~~Town~~ Town ~~Village~~ (Name of Legislative Body)
on April 16 19 80 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____.
County _____
of the ~~City~~ City of _____ was duly passed by the _____
~~Town~~ Town ~~Village~~ (Name of Legislative Body)
on _____ 19 _____ not disapproved
and was approved by the _____
repassed after disapproval Elective Chief Executive Officer *
and was deemed duly adopted on _____ 19 _____, 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 19 _____.
County _____
of the ~~City~~ City of _____ was duly passed by the _____
~~Town~~ Town ~~Village~~ (Name of Legislative Body)
on _____ 19 _____ not disapproved
and was approved by the _____
repassed after disapproval Elective Chief Executive Officer *
on _____ 19 _____. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on _____ 19 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____.
County _____
of the ~~City~~ City of _____ was duly passed by the _____ on _____
~~Town~~ Town ~~Village~~ (Name of Legislative Body)
on _____ 19 _____ not disapproved
and was approved by the _____ on _____
repassed after disapproval Elective Chief Executive Officer *
_____ 19 _____. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19 _____, 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 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 election held on 19 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 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, 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 of 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.



Clerk of the County legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Ruth L. Hatton, Guilford Town Clerk

Date: April 16, 1980

(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 CHENANGO

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 William A. Denman

Town Attorney

Title

Date: April 16, 1980

~~County~~
~~City~~ of Guilford, New York
~~Town~~
~~Village~~