

(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 LYNDONVILLE, NEW YORK  
~~TOWN~~  
Village

Local Law No. 3 of the year 19 88

A local law REGULATING AND RESTRAINING THE RUNNING AT LARGE OF DOGS WITHIN THE VILLAGE  
(Insert title)

OF LYNDONVILLE

Be it enacted by the Board of Trustees of the

County of Lyndonville, New York, as follows:  
~~City~~ of Lyndonville  
~~Town~~  
Village

SECTION 1.

The purpose of this Local Law shall be to promote the health, safety, morals and general welfare of the Village of Lyndonville, including the protection and preservation of the property of the Village and its inhabitants and of the peace and good order by adopting and enforcing certain regulations and restrictions on the privileges of the owners of dogs and the rights and privileges of the residents of the Village of Lyndonville and by imposing restrictions upon the keeping and running at large of dogs within the Village of Lyndonville.

SECTION 2.

This Local Law is enacted pursuant to the provisions of Section 124 of Article 7 of the Agriculture and Markets Law.

SECTION 3.

No person owning, keeping, harboring or having the care, custody and/or control of any dog, shall permit such dog to be at large in the Village of Lyndonville, New York, unless under leash not exceeding eight (8) feet in length, other than when on the premises of the person owning, keeping, harboring, having the custody and/or control of such dog, or upon the premises of another with the knowledge, consent and approval of the owner of such premises.

SECTION 4.

No person shall own, keep, harbor or permit to be kept on the premises of such person, any dog which by its continual barking, howling or whining or other frequent or long continued noises shall disturb the comfort or repose of any person.

SECTION 5.

No person owning, keeping, harboring or having the care, custody and/or control of any dog shall suffer, permit or allow such dog to urinate or defecate on any park, churchyard or premises or schoolyard or premises, or any public or private premises other than that of the owner of the dog.

(If additional space is needed, please attach sheets of the same size as this and number each)

SECTION 6.

Any dog owned by a child under the age of sixteen (16) years shall be deemed for the purposes of this ordinance to be in the custody and/or control of the head of the household in which the child resides.

SECTION 7.

This Local Law shall be enforced by any dog control officer, peace officer, when acting pursuant to his special duties, or police officer in the employ of or under contract to the Village of Lyndonville.

SECTION 8.

- (a) Any dog found in violation of the provisions of this Local Law may be seized pursuant to the provisions of Section 118 of the Agriculture and Markets Law.
- (b) Every dog seized shall be properly cared for, sheltered, fed and watered for the redemption periods set forth in Section 118 of the Agriculture and Markets Law.
- (c) Seized dogs may be redeemed by producing proof of licensing and identification pursuant to the provisions of Article 7 of the Agriculture and Markets Law and by paying the impoundment fees set forth in Section 118 of said Article.
- (d) If the owner of any unredeemed dog is known, such owner shall be required to pay the impoundment fees set forth in subdivision (c) of this section whether or not such owner chooses to redeem his or her dog.
- (e) Any dog unredeemed at the expiration of the appropriate redemption period, shall be made available for adoption or euthanized pursuant to the provisions of Section 118 of the Agriculture and Markets Law.

SECTION 9.

Any person convicted of a violation of this ordinance shall be liable to a civil penalty not exceeding \$25.00 for a first violation, not exceeding \$50.00 for a second violation within the preceeding one (1) year and not exceeding \$100.00 for each subsequent violation within the preceeding one (1) year.

SECTION 10.

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.

SECTION 11.

This Local Law shall supersede all prior Local Laws, ordinances, rules and regulations relative to the control of dogs within the Village of Lyndonville, and they shall be, upon the effective date of this Local Law, null and void.

SECTION 12.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

(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. 3 of 1988 of the ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ of Lyndonville was duly passed by the Board of Trustees (Name of Legislative Body) Village on October 10 1988 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 \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) City of \_\_\_\_\_ not disapproved Town of \_\_\_\_\_ and was approved by the \_\_\_\_\_ Elective Chief Executive Officer \* Village of \_\_\_\_\_ repassed after disapproval on \_\_\_\_\_ 19 \_\_\_\_\_ and was approved \_\_\_\_\_ 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 \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) City of \_\_\_\_\_ not disapproved Town of \_\_\_\_\_ and was approved by the \_\_\_\_\_ Elective Chief Executive Officer \* Village of \_\_\_\_\_ repassed after disapproval on \_\_\_\_\_ 19 \_\_\_\_\_ and was approved \_\_\_\_\_ 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 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 \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) City of \_\_\_\_\_ not disapproved Town of \_\_\_\_\_ and was approved by the \_\_\_\_\_ Elective Chief Executive Officer \* Village of \_\_\_\_\_ repassed after disapproval \_\_\_\_\_ 19 \_\_\_\_\_ and was approved \_\_\_\_\_ 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 ..... of 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.

*Shirley W. Deane*  
Clerk of the County Legislature, City of Town of Village Clerk  
Office designated by the Legislature

Date: October 10, 1988

(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 .....OLEANS.....

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  
..... Village Attorney.....  
Title

Date: October 10, 1988  
COUNTY of Lyndonville, New York  
CITY of  
TOWN of  
Village