

(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.

~~County~~

~~City~~ of

.....BROOKFIELD.....

Town

~~Village~~

Local Law No. ....4..... of the year 1992....

A local law ....Providing for the Control of Dogs in the Town of Brookfield.....

(Insert Title)

(Amending Local Law No. 2 of the Year 1990)

Be it enacted by the .....Town Board.....of the

(Name of Legislative Body)

~~County~~

~~City~~ of

.....BROOKFIELD.....

Town

..... as follows:

~~Village~~

(See Attached)

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

## Section I. Restrictions and Regulations

It shall be unlawful for any owner of or any person harboring any dog in the Town of Brookfield, Madison County, New York to permit or allow such dog, whether or not tagged or licensed to:

A. Run at large unless said dog is retained by an adequate collar and leash or unless accompanied by its owner or a responsible person able to control the animal. For the purposes of this chapter, a dog or dogs hunting in company with a hunter or hunters shall be considered as accompanied by its owner.

B. Engage in habitual loud howling or barking or to conduct itself in such manner so 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 a 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.

E. Habitually chase or bark at motor vehicles.

## Section 2. Confinement of female dogs in heat.

It shall be unlawful for the owner or person harboring any female dog to permit such dog to run at large when in heat, and such dog shall be confined to the premises of such person during such period.

## Section 3. Enforcement of regulations and orders.

A dog control officer or other proper authority designated by the Town Board, as provided by §114 of the Agriculture and Markets Law and other applicable laws and provisions, may enforce the provisions of this chapter and may also investigate and report to a Town Justice any dangerous dog as described in §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. Complaints

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 provision of Section 1 or Section 2 may file a signed complaint, under oath, with a Town Justice of the Town of Brookfield specifying the objectionable conduct of the dog, the date thereof, the damage caused or other violation, a description of the dog and name and residence, if known, of the owner or other person harboring said dog.

## Section 5. Summons.

Upon receipt by the Town Justice or any complaint against the conduct of any particular dog, 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. Penalties for offenses

An offense against any provision of this chapter shall be prosecuted either:

A. As a violation pursuant to the Penal Law of the State of New York, punishable by a fine of not more than One Hundred Dollars (\$100); provided, however, that if the person committing such offense shall have committed an offense against this chapter within the preceding five (5) years, the fine may be not more than One Hundred and Fifty Dollars (\$150), and if such person shall have committed two (2) or more such offenses within the preceding five (5) years, the fine may be not more than Two Hundred Dollars (\$200), and such person shall also be punishable by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; or

B. In an action to recover a civil penalty of not more than One Hundred Dollars (\$100); provided, however, that if the person committing such offense shall have committed an offense against this chapter within the preceding five (5) years, the civil penalty may be not more than One Hundred and Fifty Dollars (\$150), and if such person shall have committed two (2) or more such offenses within the preceding five (5) years, the civil penalty may be not more than Two Hundred Dollars (\$200).

## Section 7. Seizure and redemption of dogs.

The seizure and redemption of dogs in violation of this chapter shall be as provided in §118 of the Agriculture and Markets Law of the State of New York.

## Section 8. Effective date

This Local Law shall become effective immediately upon its being filed in the New York Secretary of State's Office.