

VILLAGE OF VICTORY

Local Law No. 2 -- 1991

A Local Law relating to the control of dogs

Section 1- Purpose

The purpose of this Local Law is to promote the health, safety, protection and general welfare of the people and property of the Village of Victory and the preservation of peace and good order by adopting and enforcing certain regulations and restrictions upon the keeping of dogs within the Village and to provide for the enforcement thereof.

Section 2- Definitions

DOG - The term dog or dogs shall mean any member of the species canis familiaris.

OWNER - The term owner shall mean any person who owns, keeps, harbors, or has the care, custody or control of a dog. Dogs woned by minors shall be deemed to be in the custody and control of the minor's parents or other head of household where the minor resides.

Section 3- Regulations and Restrictions

A. No owner of a dog shall permit such dog to run at large within the Village of Victory, elsewhere than upon the premises of the owner or premises for which permission for such presence has been obtained unless said dog is securely confined or restrained either within a building, kennel or wire or other suitable enclosure or securely fastened on a chain, wire or oter effective tether of such length and so arranged that the animal cannot reach or endanger any person or any adjacent premises or upon any public street, way or place, or, if the dog is being transported, that it is securely confined in a crate, or other container, or so restrained in a vehicle that it cannot escape therefrom.

B. No owner of a dog shall permit such dog to damage or destroy property of any kind or to deposit waste elsewhere than upon the premises of the owner or pemises for which permission for such depositing has been obtained.

C. No owner of a dog shall permit such dog to habitually chase or bark at motor vehicles, bicycles or pedestrians.

D. No person shall keep, allow or permit to be kept on the premises owned or occupied by such person, any dog which, by its contiual barking, howling or whining, or other frequent or long continued noises, shall unreasonably disturb the comfort or repose of othe persons.

Section 4- Seizure of dogs

The dog control officer or any peace officer shall seize any dog which is found at large within the Village of Victory in violation of this local law, as well as any dog or dogs otherwise required to be seized under and by virtue of Section 118 of the Agriculture and Markets Law of the State of New York.

Section 5- Enforcement

A. The Board of Trustees shall appoint one or more dog control officers to enforce the provisions of this local law and the provisions of the Agriculture and Markets Law of the State of New York, with respect to the dogs in the Village of Victory.

B. In lieu of or in addition to the appointment of a dog control officer, the Board of Trustees may contract for dog control officer services with any other municipality or with any incorporated humane society or similar incorporated dog protective association, or shall appoint, jointly with one or more other municipalities, one or more dog control officers having jurisdiction in each of the cooperating municipalities.

Section 6- Penalties

A violation of this local law shall be punishable by a fine not exceeding twenty-five dollars (\$25.00) for the first offense, not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for the second offense and not less than fifty dollars (\$50.00) for the third and subsequent offense. Each separate offense shall constitute a separate violation. Upon the willful failure of any person to pay the fine as provided herein, said person shall be sentenced to a period of imprisonment not to exceed fifteen (15) days.

Section 7- Exemptions

The provisions of this local law shall not apply to any "guide dog" or "hearing dog" as those terms are defined in the Agriculture and Markets Law of the State of New York.

Section 8- Liability of the Village

No liability shall be imposed upon the dog control officer of the Village of Victory nor upon the Village of Victory or any employees of the Village of Victory for the destruction or injury of any animal or animals pursuant to the provisions of this local law.

Section 9- Validity

The invalidity of any such sentence, clause, paragraph or provisions of this local law shall not invalidate any other sentence, clause, paragraph or provision or part thereof.

Section 10- Effective Date

This local law shall take effect upon the filing of the same in the Office of the Secretary of State.

VILLAGE OF VICTORY
NOTICE
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Village Board of Trustees of the Village of Victory, Saratoga County, New York at the Village Office in the Village of Victory on the 1st day of October , 1991 at 7:00 P.M., in the matter of a proposed local law entitled "A local law relating to the control of dogs."

In general this proposed local law would provide for regulations and restrictions upon the keeping of dogs within the Village of Victory and provide for the enforcement thereof.

NOTICE IS GIVEN FURTHER that at the public hearing above mentioned all interested persons will be heard. A copy of the proposed local law is available for inspection and distribution at the Office of the Village Clerk of the Village of Victory and may be distributed and read by any person interested therein.

Dated: August 6, 1991

JEAN NOLAN
VILLAGE CLERK
VILLAGE OF VICTORY

*sent
9/3/91*