

LOCAL LAW NO. 1 OF 2024 A LOCAL LAW ADOPTING THE DOG CONTROL LAW OF THE VILLAGE OF CAYUGA REGARDING DOG CONTROL REGULATIONS.

BE IT ENACTED, by the Village Board of Trustees of the Village of Cayuga, Cayuga County, State of New York, as follows:

**Article I. General Provisions**

**Section 1. Authorization**

The adoption of this Local Law is in accordance with Section 20 of New York’s Municipal Home Rule Law.

**Section 2. Title and Purpose**

This Local Law shall be known as Local Law No. 1 of 2024, to adopt the “Dog Control Law of the Village of Cayuga”, regarding dog control regulations.

**Section 3. Legislative Finding**

The Village of Cayuga Board of Trustees hereby identifies the need to adopt a revised dog control law to supersede Local Law No. 1-1975. The Village of Cayuga Board of Trustees hereby adopts this dog control law to advance and protect the public health, safety, and welfare of the Village by creating regulations for the control of canines in the Village.

**Section 4. Validity and Severability.**

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 5. Inconsistency.**

All other local laws and ordinances of the Village of Cayuga that are inconsistent with the provisions of this local law are hereby repealed provided, however, that such repeal shall only be to the extent of such inconsistency. In all other respects, this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

**Section 6. Effective Date**

This Local Law will take effect upon filing in the office of the New York State Secretary of State, in accordance with § 27 of the Municipal Home Rule Law.

**Article II. Amendments to the Code of the Village of Cayuga**

The text of Local Law No. 1 of 1975, “Local Law Number 1 of the Year 1975 for the Purpose of Controlling Dogs in the Village of Cayuga, New York”, shall be superseded entirely and replaced with the following. The following also supersedes any other provision of the Village of Cayuga Zoning Code that conflicts with these provisions:

***Section I: Title***

This law shall be known as the “Dog Control Law of the Village of Cayuga, New York.”

***Section II: Purpose***

The purpose of this article is to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of persons, property, domestic animals and deer from dog attack and damage within the Village of Cayuga, New York.

***Section III: Definitions.***

**AT LARGE**

Any dog shall be deemed at large when it is off the property of its owner and not under restraint of a competent person.

**DOG**

Any member of the species canine species.

**DOG CONTROL OFFICER**

Any individual appointed by the Village to assist in the enforcement of this law.

**OWNER**

Any person who owns, keeps, harbors, or has the care, custody or control of a dog. Dogs owned by minors shall be deemed to be in the custody and control of the minor's parents or other head of the household where the minor resides.

**RESTRAINT (LEASH LAW)**

A dog must be controlled by a leash having a maximum length of six feet while off the owner's premises. A dog is considered under restraint if it is controlled by a leash having a maximum length of six feet; within a vehicle being driven or parked on the street; within the property limit of its owner or keeper with a restraint or physical fencing; within the property limit of its owner or keeper with active invisible fencing; upon the premises of another with the consent of such other person and restrained or confined to a fenced area. A retractable leash may be used as a restraint provided that the retractable leash is set and locked at six feet when the dog is in the immediate vicinity of persons or is on a sidewalk area.

## **DANGEROUS DOGS**

Any dog that attacks any person or domestic animal as described in Agricultural and Markets Law of the State of New York New York Consolidated Laws, Agriculture and Markets Law - AGM § 123. Dangerous dogs. Both the dog and owner are also subject to

### ***Section IV: Licensing***

All dogs 4 months of age and older living in the Town of Aurelius, where the Village of Cayuga is situated, are required to be licensed by New York State at the Aurelius Town Clerk's office. Application must be submitted at the Office of the Aurelius Town Clerk or by mail. New York State requires proof of the current rabies vaccination. If the dog is spayed or neutered, documentation must be presented for the reduced fee. The license is renewable each year. A renewal notice will be sent to the owner from the Office of the Town Clerk. The Dog Identification Tag, issued with the license, is permanent. If the tag is lost, a replacement can be ordered through the Office of the Town Clerk.

All dogs are assigned, as licensed, a municipal identification number and tag. This ID tag must always be affixed to that dog's collar. Dogs must always be identified when off the owner's premises.

### ***Section V: Unlicensed Dogs***

An unlicensed dog is considered a violation and punishable under the guidelines set forth in Agriculture & Markets (AGM) CHAPTER 69, ARTICLE 7 SECTION 118 titled "Violations".

### ***Section VI: Responsibility of Owner***

The owner of any animal shall not allow such animal to become a public nuisance and is responsible as herein provided.

No doghouse or shelter shall be constructed, kept or maintained:

- A) In the front or side yard of any dwelling.
- B) On the premises of any two-family dwelling or multiple dwelling or apartment house except with the permission of an owner of the premises who uses such premises as His/her actual residence and domicile.

No resident of a single-family dwelling shall keep more than three dogs in or on such premises.

No resident of any two-family dwelling, multiple dwelling, townhouse or apartment house shall keep more than two dogs in or on such premises.

All premises occupied by animals shall be kept in a clean, sanitary condition and in a manner that maintains and promotes their health, safety and general well-being. Agriculture and Markets

Law § 353-b requires that any person who owns or has custody or control of a dog that is left outdoors provide them with appropriate shelter.

Adequate food, water, shelter and space must be provided for each and every animal, taking into account the age, size and number of such animals on the premises. Nothing contained herein shall be construed to limit, abrogate or otherwise affect the powers of the Village or any other governmental authority or authorized agency from enforcing the provisions of Article 26 of the New York Agriculture and Markets Law.

***Section VII: Canine Restraints and Restrictions***

No owner of any animal shall allow it to run at large in any of the streets or public places within the Village, or upon the premises of any other person other than the owner or keeper, unless the owner or occupant of such premises grants permission, and no animal shall be permitted in any public place or street within the Village unless it is effectively restrained by a leash or tether and unless it is attended by a person of adequate age and discretion to properly control its action.

No owner, or any other person having custody or control of an animal, shall permit such animal to cause damage or destruction to public or private property, or defecate or otherwise commit a nuisance on public or private property, other than on the property of the person owning or having custody or control of such animal. Any person owning or having custody or control of any animal which defecates, soils, defiles, defecates on or commits any nuisance on any common thoroughfare, sidewalk, passageway, play area, park or any place where people congregate or walk, or upon any private property, shall immediately remove all feces or other waste deposited by such animal in a sanitary manner. This provision shall not apply for a service animal for people with disabilities in performance of its trained duties.

No owner shall harbor an animal which habitually howls or barks so as to disturb the peace and quiet of other residents.

***Section VIII: Dog Control Officer***

The position of Dog Control Officer, or their duly authorized representative, is hereby created who shall be appointed by the mayor with the approval of the Village Board of Trustees.

Every Dog Control Officer shall have the power to issue an appearance ticket pursuant to section 150.20 of the State of New York criminal procedure law, to serve a summons and to serve and execute any other order or process in the execution of the provisions of this article. In addition, any dog control officer or any peace officer, when acting pursuant to his special duties, or police officer, who is authorized by a municipality to assist in the enforcement of this article may serve any process, including an appearance ticket, a uniform appearance ticket and a uniform appearance ticket and simplified information, related to any proceeding, whether criminal or civil

in nature undertaken in accord with the provisions of this article or any local law or ordinance promulgated pursuant thereto.

Any Dog Control Officer or peace officer, acting pursuant to his special duties, or police officer in the employ of or under contract to a municipality shall seize:

- A) Any dog which is not identified and which is not on the owner's premises;
- B) Any licensed dog which is not in the control of its owner or custodian or not on the premises of the dog's owner or custodian, if there is probable cause to believe the dog is dangerous; and
- C) Any dog which poses an immediate threat to public safety.

***Section IX: Penalties***

A violation of this local law shall be deemed an offense against the local law and may be punishable by a monetary fine. Fines may be up to \$100.00 and will be imposed at the discretion of the applicable court. Each separate occurrence may constitute a separate additional violation and penalty. The penalties herein mentioned are in addition to the penalties, restrictions, and regulations contained in Article seven of the New York State Agriculture and Markets Law as now exists or may be later amended.

***Section X: Validity Saving Clause***

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