

Local Law Number 4 of 2016
Amending Local Law 1 of 2006 Dog Control Law to be renamed Animal Control Law

Be it enacted by the Village of Stamford as follows:

Section 1 – Purpose

This local law shall be know and cited as “The Animal Control Law” and sets forth certain regulations to govern the control animals within the Village and the protection of persons, property and domestic animals from attack and damage.

The Village of Stamford Board of Trustees finds that the control of animals of all kinds within the village limits is necessary to keep a nuisance free, healthy and safe environment for the village residents and all who visit the area.

Section 2 – Authority

This Local Law is enacted pursuant to the provisions of Section 124 of Article 7 of the NYS Agriculture and Markets Law. The enforcement of these laws shall fall on the responsibility of the Animal Control Officer appointed by the Village of Stamford Board of Trustees.

Section 3 – All Dog Breeds

It shall be unlawful for an owner of any dog to allow or permit such dog to:

- Run at large unless the dog is accompanied by its owner or a responsible person and under the full control of such owner or person. For the purpose of this Local law, any service dog/dogs and other dog/dogs in training accompanied by handlers shall be considered accompanied by its/their owner.
- Be permitted in any of the streets or public places of the Village of Stamford unless it is effectively restrained by a chain or leash not exceeding six (6) feet in length and is attended by a person of adequate strength to control its actions.
- A female dog, when in heat, should not be off the owners premises, unrestrained by a leash.
- Attack any person peaceably conducting himself in any place where such a person may lawfully be, or attack, chase or worry or kill any domestic animal, or any cat or dog, while such animal is in any place where it may lawfully be.
- Engage in habitual and loud howling, barking, crying, or whining or conduct as to unreasonably and habitually disturb the comfort or repose of any person other than the owner of such dog.
- Cause damage to property of any person other than the owner of such dog.
- Habitually chase, run alongside of or bark at motor vehicles, motorcycles or bicycles while upon private property without the consent or approval of the owner of said property.
- Chase, jump upon or otherwise harass any person in such a manner as to reasonably cause intimidation or fear or to put person in reasonable apprehension of bodily harm while off of the owner’s premises.
- Defecate on any sidewalk, street, park, public area or private property of another person or on property owned by the Village of Stamford. When walking your dog,

you are responsible to remove all feces from any property that is not personally owned by the dog owner.

- Proper outdoor shelters along with fresh water and food for all dogs must fall under the New York Agriculture and Markets Law Section 353-b.

All dogs, 6 months and older, must be licensed with the correct corresponding Town (Stamford or Harpersfield) Clerk. All dogs must also be registered on the lost and found registry with the Village Animal Control Officer.

Any dog found running loose through the village will be seized. An attempt to notify the owner will be made at the address shown on the most recent Village tax roll. The owner will have twenty-four (24) hours to claim the dog, at which time the Animal Control Officer will take the dog to the Heart of the Catskills or other similarly licensed facility. Any dog owner who is located during this search will be required to provide proof of ownership, dog licensing, and shot records upon request. The owner may also be subject to the enforcement action in accordance with this local law if the Animal Control Officer determines a violation has occurred.

Section 4 –Feral Cats

A feral cat is a cat that has been born into wildness or has not had human interaction for a significant period of time and is self-sufficient. Under New York Agriculture and Markets Law Section 353-a it is a crime to knowingly harm feral cats. However, any person who feeds or gives care to a stray or feral cat(s), becomes the legal owner of said cat(s) under the law and is therefore responsible to spay or neuter the cat(s).

Section 5 – Wild Animals

- A. No person shall own, have, keep or maintain any wild, exotic, or nondomestic animal or reptile, within the Village, except wild animals allowed by the New York State Department of Environmental Conservation or other State or Federal permitting body, and in accordance with applicable State or Federal regulations and permit conditions, shall be allowed subject to the provisions of this chapter. Any permit required by the State for the keeping of any wild animal must be obtained by the owner and shown to any Animal Control Officer upon demand.
- B. Any complaints or reports involving wild animals within the Village should be directed to the New York State Department of Environmental Conservation or other responsible permitting authority.
- C. For purposes of this section, the definitions of “wild,” “exotic” or “nondomestic” animals or reptiles shall be those employed by the New York State Department of Environmental Conservation in Article 11 of the Environmental Conservation Law.

Section 6 – Dead Animal Removal

The Animal Control Officer shall not be responsible for the removal of dead animals found on local and state highways. If a dead animal is found or observed on State Highway 23 (which includes Main St and Harper St.) and State Highway 10 (which includes Hobart Road and Lake St.), the New York State Department of Transportation (NYSDOT) should be contacted and shall be responsible for removal. If a dead animal is found or observed on a Village road, the Village's Highway Department should be contacted and shall be responsible for removal.

Section 7 – Animals Exposed to Rabies

Any owner or person having charge or being in the possession of any such animal within the Village of Stamford known to have been bitten by an animal exposed to rabies or any wild animal, shall immediately confine such animal so bitten securely, and notify the animal control officer and New York State Public Health.

Section 8 – Penalties

Any person convicted of a violation of this local law shall be liable to a penalty of fifty dollars (\$50.00) for the first violation, one hundred dollars (\$100.00) for the second violation within five (5) years, and one hundred and fifty dollars (\$150.00) for the third violation within five (5) years and for any subsequent violations within a five (5) year period, the fine shall increase by fifty dollars (\$50.00) for each violation. These violations will be upheld with in a local court of law.

Section 9 – Complaints about the Conduct of Animals

Complaint by an Individual: Any person claiming a violation of this law may make a signed, written complaint to the Village of Stamford Animal Control Officer. Such complaint shall specify the objectionable conduct of the animal, the date thereof, damage caused, description of the animal, the name and address of the owner or the person harboring such animal, and pictures if available.

Upon receipt of the written, signed complaint, the Animal Control Officer will investigate the complaint, and if the complaint is found to be credible, the animal control officer will notify the owner of the complaint and investigation results by registered letter. This will be a warning prior to the first violation. Failure to accept the letter does not void the notification.

If the problem is not rectified, the animal control officer will issue a violation notice with a ticket for appearance in front of the local justice court.

Complaint by a Public Officer: If the Animal Control Officer or State Officer or any other Village Officer has reported a violation of this law, a violation notice with a ticket for appearance in front of the local justice court will be issued without warning notice. The Animal Control Officer or Code Enforcement Officer as designated by the Village Board

may enforce the provisions of this law and the New York State Agriculture and Markets Law.

Section 10 – Liability

No employee of the Village of Stamford shall render himself personally liable for any damage that may accrue to a person's property as a result of any act required in the discharge of his duties under this Article.

Section 11 – Severability

This local law shall supersede all prior local laws, rules and regulations relative to the control of dogs or other animals within the Village of Stamford, and they shall be, upon effective date of this law, null and void.

Section 12 – Effective Date

This Local Law shall go into effect as soon as it is filed with the Secretary of State.