

VILLAGE OF CHESTNUT RIDGE

LOCAL LAW NO. 23 OF THE YEAR 1987

A local law TO BE KNOWN AS THE DOG CONTROL LAW OF THE VILLAGE OF CHESTNUT RIDGE

Be it enacted by the Board of Trustees of the Village of Chestnut Ridge as follows:

Section 1. Legislative Intent

It is the intention of the Village Board of the Village of Chestnut Ridge by the adoption of this law to preserve the public peace and good order within the limits of the Village of Chestnut Ridge and to promote the public health, safety and welfare of its people by enforcing regulations and restrictions on the activities of dogs which are consistent with the rights and privileges of dog owners and rights and privileges of other citizens of the Village of Chestnut Ridge.

Section 2. Definitions

For the purpose of this law, the following terms shall have the following meanings:

AT LARGE – Any dog that is unleashed and on property open to the public or is on private property not owned or leased by the owner of the dog, unless permission has been obtained from the owner or lessee. No dog shall be deemed to be at large if it is a guide dog actually leading a blind person, or is a police work dog in use of police work, or it is accompanied by its owner or other responsible person and is actively engaged in obedience, or similar, training on unposted land or on posted land with the permission of the owner of the land.

DOG – Any member of this species *Canis familiaris*.

CODE ENFORCEMENT OFFICERS: Any individuals duly appointed by the Village of Chestnut Ridge to enforce the Codes and local laws of the Village.

HARBOR – To provide food or shelter for any dog.

OWNER – Any person who keeps, harbors or has custody, care or control of a dog. Dogs owned by minors shall be deemed to be in the custody and control of parents or other head of the household where the minor resides. Any person harboring a dog for a period of one (1) week shall be deemed to be owner of the dog for the purpose of enforcing this law.

PERSON – Any individual, corporation, partnership, association or other organized group of persons, municipality or other legal entity.

Section 3. Prohibited Acts

It shall be unlawful for any owner of a dog within the boundaries of the Village of Chestnut Ridge to permit or allow such dog to engage in the following enumerated acts:

A. Running at large.

It shall be unlawful for any owner of a dog within the limits of the Village of Chestnut Ridge to permit such dog, whether licensed or not, to be at large elsewhere than on the premises of the owner or on the premises of another person without the knowledge and consent of such other person, unless such dog is on a leash.

B. Nuisance

- (1) It shall be unlawful for any owner of a dog in the Village of Chestnut Ridge to permit or allow such dog to engage in habitual loud howling, barking or whining, outside of their personal dwellings, so as to create a public nuisance or create an unreasonable noise disturbance across the real property boundaries of the owner.*
- (2) Permitting the depositing of fecal matter by ones dog upon the lands of others. It shall be unlawful to permit deposits of fecal matter by a dog to remain upon premises other than those owned or leased by the owner of such a dog. Failure to remove said fecal matter within five (5) minutes of its deposit upon public lands, or the private lands of another, shall be presumptive evidence of an intent to violate this provision of the law.
- (3) It shall be unlawful for any owner or other person in control of a dog in the Village of Chestnut Ridge to permit or allow such dog to remain out-of-doors between the hours of 11 P.M. and 6 A.M. or any portion of such time, unless such dog is accompanied by the owner or person in control thereof.*(Amended by Local Law No. 1 of 1995)

C. Additional Prohibitions.

- (1) Interference with enforcement officer. It shall be unlawful for any person or persons to hinder, molest or interfere with any duly appointed officer or agent of the Village in the performance of any of the provisions of this chapter.
- (2) Violation of Law. It shall be unlawful for any person to violate any provisions of this Law whether or not he has any knowledge of or intends any violation of said law.

Section 9. Home Rule Law; Severability

This law has been enacted pursuant to the home rule law of the State of New York. If any provisions of this law shall be adjudged by any court of competent

jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate any other provisions hereof, but shall be confined on its operation to the provision directly involved in the proceeding in which such adjudication shall have been rendered.

Section 10. Penalties for Offenses

Any person committing a violation of any Paragraph, subdivision, section or provision of this local law shall, upon conviction, be punished by a fine not exceeding twenty-five dollars (\$25.00) for the first offense, one hundred dollars (\$100.00) for the second offense and two hundred dollars (\$200.00) for the third and subsequent offenses in any 12 month period.*(Amended by Local Law No. 1 of 1995)

Section 11. Effective Date

This law shall take effect thirty (30) days after enactment.

ADOPTED: September 21, 1987, LL# 23 of 1987

AMENDED: September 21, 1989, LL# 9 of 1989

June 21, 1991, LL# 2 of 1991

July 16, 1992, LL# 4 of 1992

June 15, 1995, LL# 1 of 1995