

DOG CONTROL ORDINANCE

Section 1 – TITLE

This Article shall be known as and cited as the “Dog Control Ordinance” of the Town of Romulus

Section 2 – DEFINITIONS

When used in this Article, unless otherwise expressly stated:

(A) “Owner shall be construed for the purpose of this Article, any person of the household wherein a dog is harbored or kept within the limits of the Town of Romulus, whether such dog is in all other respects treated as the property of a child or another adult person residing at a household elsewhere.

(B) “Dog” includes any dog of either sex and of any a unless otherwise indicated herein.

(C) “Dog Control Officer” means the person appointed this Town Board of the Town of Romulus to assist in the enforcement of this ordinance.

(D) “Run at Large” means that a dog shall be deemed to be at large is elsewhere than on the premises of the owner or another who has knowledge and assents thereto not under the control of the owner or his agent.

Section 3 – PURPOSE

The purpose of this ordinance shall be to preserve the public peace and good order in the Town of Romulus, and to contribute to the public welfare, safety and good order of its people by establishing certain regulation and restrictions on the activities of dogs that are consistent with the rights and privileges of other residents of the Town.

Section 4 - RESTRICTIONS

(A) No dogs shall be permitted to run at large within the Town of Romulus.

(B) Any unsprayed female dog in season shall be securely confined.

(C) No dogs shall be permitted upon the public streets or upon any public property within the Town of Romulus unless it shall be accompanied by an adult or by minor who is able to restrain or control said dog.

Section 5 – PROHIBITION OF NUISANCE BY DOG

No person being the owner or agent of the owner of the dog shall permit such dog to commit any nuisance within the Town of Romulus or cause damage to the person or property of others. The following are declared public nuisances, and are set forth herein for explanatory purpose only, and are not to be considered as excluding other types of nuisances.

- (A) Engaging in a loud howling or habitual barking or so conducting itself in such a manner so as to disturb the public peace.
- (B) Chasing moving vehicles to include bicycles, motorcycles, automobiles or any other vehicle or device used by persons for travel.
- (C) Chasing jumping upon or otherwise harassing any such a manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury when not on the property of the person owning or harboring such.
- (D) Running together in a pack or in any way forming a pack of dogs. For the purpose of this Ordinance, the word “pack” is hereby defined to mean three (3) or more dogs.
- (E) Causing damage to property of others.

Section 6 – DANGEROUS DOGS

Any dog which shall attack any person or domestic animal within the meaning of Article 7 of the Agricultural and Market Laws of the State of New York shall be dealt with in accordance with Article 7 of the Agriculture and Market Laws.

Section 7 – FILING OF COMPLAINTS

Any person who observes a dog in violation of any acts prohibited by this Ordinance, may file a signed complaint with the authorized Dog Control Offices, specifying the objectionable conduct of the dog, the date thereof, the damage caused or the acts constituting violation of this law, and including the place or places where such conduct occurred and the name and residence, if known, of the owner or other person harboring such dog.

Section 8 – VIOLATIONS

- (A) For violation of Section 4 or Section 5, the Dog Control Officer, may seize and take into custody said dog, and, upon identification of the dog, serve or deliver a court appearance ticket upon the owner of said dog, specifying the time, place and nature of said violation. In the event that the Dog Control Officer shall

be unable, for any reason shall fail, to seize and take into custody said dog, the Dog Control Officer shall, nevertheless, upon identification of the dog, serve or deliver a court appearance ticket as above described upon such owner.

(B) If such dog has been seized and taken into custody of the Dog Control Officer, a fee of Ten Dollars (\$10.00) will be charged and an additional Three Dollars (\$3.00) will be charged for each day during which said dog shall be boarded by the Dog Control Officer.

Section 9 – DOG CONTROL OFFICER

(A) The Town Board of the Town of Romulus shall appoint the Dog Control Officer, who shall have the duty of enforcing this Ordinance.

(B) Every dog seized by the Dog Control Officer shall be maintained, redeemed, sold or destroyed in accordance with Article 7 of the Agriculture and Markets Law.

Section 10 – PENALTIES

Violations of Section 4 or 5 of this Ordinance shall be deemed an offense and a violation thereof shall be punished by a fine of not less than Twenty-Five Dollars (\$25.00) or more than Fifty Dollars (\$50.00) or by imprisonment of not exceeding thirty (30) days or by both such fine and imprisonment, and a subsequent failure to pay the fines as set forth in Section 8 shall be deemed an offense and such violation thereof shall be punishable by a fine of not less than Fifty Dollars (\$50.00) or more than One Hundred Dollars (\$100.00) or by imprisonment of not exceeding thirty (30) days or by both such fine and imprisonment.

Section 11 – FEES

Pursuant to Section 110, Subdivision 4, of the New York State Agriculture and Markets Law, and annual dog license fee of Two Dollars and Fifty Cents (\$2.50) will be added to the fees established by the New York State Agriculture and Markets Law for each dog license issues in the Town of Romulus.

Section 12 – VALIDITY

The invalidity of any clause, sentence, paragraph or provision of this Ordinance shall not invalidate any other clause, sentence, paragraph or provision or part hereof.

Section 13 – REPEALER

Upon this local law taking effect, the Dog Control Ordinance of the Town of Romulus adopted November 20, 1996, is superseded and therefore repealed.

Section 14 – EFFECTIVITY

This local law shall take effect immediately upon passage by the Town Board of Romulus.