

Town of Grove Local Law
No. 1 of the year 2002
Dealing With Control of Dogs

Section 1. Purpose and Intent.

The Town of Grove, New York finds that the running at large and other uncontrolled behavior of dogs has caused physical harm to persons, damage to property and created nuisances within the town. The purpose of this law is to protect the health, safety, and well being of persons and property by imposing restrictions and regulations upon the keeping or running at large of dogs and the seizure thereof within the town

Section 2. Definitions.

Dogs - The term "dog" or "dogs" shall mean both male and female dogs except where context requires otherwise.

Owner - The term "owner" shall include any person who owns, keeps or 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 household where the minor resides.

At Large - "At large" means 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 for such presence has been obtained. No dog shall be deemed at large if it is: (a) accompanied by and under the control of the owner or other responsible person; (b) a police dog in use for police work; (c) accompanied by its owner or other responsible person and is actively engaged in hunting or training for hunting on unposted land or on posted land with the permission of the owner of the land

Leashed - The terms "leashed" or "restrained by leash" shall mean that a dog is equipped with a collar of sufficient strength to restrain the dog to which is attached a leash or chain of sufficient strength to restrain the dog, and which shall be secured or shall be held by a person having the ability to control and restrain the dog by means of the collar and leash.

Section 3. Regulations and restrictions.

It shall be unlawful for any owner of a dog to permit or allow such dog, in the Town of Grove, to:

- (a) be at large;

- (b) engage in habitual howling, barking, crying or whining or to conduct itself in such a manner so as to unreasonably and habitually annoy any person;
- (c) cause damage or destruction to property, or commit nuisance by defecating or urinating upon the premises of a person other than the owner of such dog;
- (d) chase or otherwise harass any person in such a manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury; or
- (e) habitually chase, run alongside of or bark at motor vehicles or bicycles.

Dogs confined in motor vehicles on public or private property shall be considered in compliance with this section.

Section 4. Dog Control Officer.

The Town Board shall from time to time appoint a dog control officer or officers, a peace officer or other agents of the Town of Grove, as needed pursuant to appropriate statutes of the State of New York. It shall be the duty of the dog control officer, peace officer or other agent to enforce the provisions of this local law as well as those of the Agriculture and Markets Law of the State of New York, with respect to dogs in the Town of Grove.

Section 5. Seizure of Dogs.

The Dog Control Officer or any peace officer of the Town of Grove shall seize any dog which is found at large within the Town of Grove in violation of this Local Law, as well as any dog or dogs otherwise required to be seized under and by virtue of the Agriculture and Markets Law of the State of New York

Section 6. Redemption of Seized Dogs.

- (a) Every dog seized pursuant to this Local Law or the provisions of the Agriculture and Markets Law of the State of New York shall be immediately taken by the dog control officer or other peace officer or agent of the Town of Grove to the shelter for dogs as established by the Town of Grove.
- (b) Every dog seized shall be properly fed and cared for at the expense of the Town of Grove until disposition thereof be made as herein provided. The redemption of a seized dog shall be in conformance with and pursuant to the provisions of the Agriculture and Markets Law of the State of New York, both as to the licensed and unlicensed dogs.
- (c) In the event that a dog so seized bears a license tag, the dog control officer, peace officer, or other agent shall ascertain the owner of the dog and shall

thereafter give immediate notice, in writing, to the owner of such dog or to an adult member of the owner's family stating that the dog has been seized and that the dog will be turned over for euthanasia or adoption unless redeemed within the period hereinafter provided.

- (d) The owner of a dog seized bearing a license tag shall redeem said dog within five (5) days after notice is given. The owner of a dog seized bearing no license tag may redeem said dog within five (5) days of the date of receipt of notice, if possible, or the date of seizure, whichever shall be greater.
- (e) The owner of any dog may redeem said dog within said applicable time periods by paying to the Town of Grove the sum of Ten (\$10) Dollars per day of each day of retention, including the day of seizure plus any penalty imposed under this Local Law for a violation of this Local Law.
- (f) If any dog so seized is not redeemed within the time period hereinafter set forth, the owner shall forfeit all title to said dog and the dog shall be turned over for euthanasia or adoption according with the provisions of the Agriculture and Markets Law of the State of New York.

Section 7. Town Justice to Have Jurisdiction.

- (a) The Town Justice of the Town of Grove shall have jurisdiction to hear all signed complaints filed as hereinafter provided, and all actions and proceedings hereunder, and of all prosecutions for the violation of this Local Law. Upon receipt by the Town Justice of any complaint against the conduct of any particular dog, the Town Justice shall summon the owner or other person harboring said dog to appear before him. If the summons is disregarded, the Town Justice may permit the filing of an Information and issue warrant for the arrest of such owner or other person harboring said dog.
- (b) The dog control officer, peace officer, or other agent of the Town of Grove, or any person who observes a dog causing damage or destruction to property of a person other than its owner or violating any section of this Local Law may file a signed complaint under oath, with the Town of Grove Justice specifying the objectionable conduct of the dog, the date and residence, if known, of the alleged owner or other person harboring said dog.

Section 8. Penalties.

A violation of this Local Law shall be deemed an offense against the within Local Law and shall be punishable by a fine not exceeding \$50.00 for the first violation, not exceeding \$100.00 for the second violation, and not exceeding \$250.00 for each subsequent violation. The provisions hereof are in addition to the regulations, restrictions, requirements and penalties as contained in the Agriculture and Markets Law

of the State of New York pertaining to dogs. Such fines will be subject to change by the Town Board as they deem necessary.

Section 9. Separability.

The invalidity of any work, phrase, clause, sentence, paragraph, provision or part of this Local Law shall not invalidate any other work, phrase, clause, sentence, paragraph, provision or part thereof.

Section 10. Repeal of Prior Laws.

Any and all existing ordinances, or other Local Laws pertaining to the control of dogs in the Town of Grove are hereby repealed in their entirety.

Section 11. When Effective.

The provisions of this Local Law shall take effect immediately upon filing in the office of the Secretary of State.