

Local Law Filing Instructions

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Howard, Steuben County, New York
Town
Village

Local Law No. 1 of the year 19 96.

A local lawRegulating and Restraining the Running at Large of Animals
(Insert Title) in the Town of Howard

Be it enacted by the Town Boardof the
(Name of Legislative Body)

County
City of Howard, Steuben County, New York
Town as follows:
Village

SECTION 1. PURPOSE:

The running at large of animals within the Town of Howard results in damage and destruction to property and poses a threat to the safety and welfare of the residents of the Town. It is the purpose of this local law to restrain and regulate the running at large of animals and to require owners of same to keep said animals in proper enclosures so as to prevent such animals from entering upon public or private property.

SECTION 2. NAME:

This Local Law shall be known as "A Local Law Regulating and Restraining the Running at Large of Animals in the Town of Howard."

SECTION 3. DEFINITIONS:

1.) "Animals" shall mean horses, cows, cattle, calves, swine, sheep, goats, donkeys, roosters, chickens, poultry and domestic rabbits, but shall not include dogs and cats kept as household pets.

2.) "Running at Large" shall mean elsewhere than on the premises of the owner, and (a) unrestrained by an adequate restraining device, such as a collar or leash, or (b) unaccompanied by its owner or by some other responsible person who is able to control such animal.

3.) "Enforcement Officer" shall mean the Animal Control Officer of the Town of Howard.

SECTION 4. FENCED AREA:

Every owner of an animal as herein defined shall keep and cause to be kept such animal in an enclosed area, and to maintain proper fencing for such purpose so as to prevent such animal from running at large. Such owners shall be responsible for the erection and maintenance of properly fenced areas for such purpose.

SECTION 5. PENALTIES:

Any person or persons committing the offense of allowing animals to run at large as herein defined, shall be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding Fifty Dollars, (\$50.00), or by imprisonment not exceeding fifteen (15) days, or by both fine and imprisonment for the first offense; for the second or subsequent offense, by a fine not exceeding Two Hundred Fifty Dollars, (\$250.00), or by imprisonment not exceeding fifteen (15) days. Each day a violation of the provisions of this Local Law continues shall be deemed a separate offense.

SECTION 6. ENFORCEMENT:

The Animal Control Officer of the Town of Howard is hereby authorized to enforce the provisions of this Local Law, and to issue such summons or appearance tickets as may be necessary and proper.

SECTION 7. VALIDITY:

If any section, paragraph or provision of this Local Law shall be declared invalid, such invalidity shall apply only to such section, paragraph or provision, and shall not affect the remaining portion of this Local Law.

SECTION 8. EFFECTIVE DATE:

This Local Law shall take effect immediately upon the filing thereof with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1996 of the ~~(County)(City)(Town)(Village)~~ of Howard was duly passed by Town Board on July 10 1996 in accordance with the applicable provisions of (Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 19____, and was (approved)(not disapproved)(repassed or disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 19____, and was (approved)(not disapproved)(repassed or disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 19____, and was (approved)(not disapproved)(repassed or disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____ in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ____ 1 ____, above.

Soreen A. Karr

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: 8/2/96

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Steuben

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

John K. McCarthy

Signature John K. McCarthy

Title Attorney

County
City of Howard
Town
Village

Date: 7/31/96