

VILLAGE OF BRIDGEWATER

LOCAL LAW NO. I

OF THE YEAR 1976

A Local Law relating to the control of dogs in the Village of Bridgewater, Oneida County, New York.

Be and enacted by the BOARD OF TRUSTEES OF THE VILLAGE OF BRIDGEWATER, ONEIDA COUNTY, NEW YORK, as follows:

§ I: Title

This Local Law shall be known as the "Village of Bridgewater Dog Control Local Law No. I of 1976.

§ II: Definitions

DOGS. The term "dog" or "dogs" shall mean both male and female dogs, except where the context requires otherwise.

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

AT LARGE. The term "at large" shall mean an unleashed dog off the premises of the Owner.

LEASHED. The term "leashed" or "restrained by leash" shall mean that the dog is equipped with a collar or harness to which is attached a leash, both collar or harness and the leash to be of sufficient strength to restrain the dog, and which leash shall be held by a person having the ability to control and restrain the dog by means of the collar or harness and the leash.

VILLAGE OF BRIDGEWATER

LOCAL LAW NO. 1

OF THE YEAR 1978

A local law relating to the control of dogs in the Village of Bridgewater,

Ontario County, New York.

Be and enacted by the BOARD OF TRUSTEES OF THE VILLAGE OF

BRIDGEWATER, ONTARIO COUNTY, NEW YORK, as follows:

§ I: Title

This Local Law shall be known as the "Village of Bridgewater Dog

Control Local Law No. 1 of 1978."

§ II: Definitions

DOG. The term "dog" or "dogs" shall mean both male and female

dogs, except where the context requires otherwise.

OWNER. The term "owner" shall include any person who owns, keeps,

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 the household where the minor resides.

AT LARGE. The term "at large" shall mean an unleashed dog off the

premises of the owner.

LEASHED. The term "leashed" or "restrained by leash" shall mean

that the dog is equipped with a collar or harness to which is attached a leash,

both collar or harness and the leash to be of sufficient strength to restrain the dog

and which leash shall be held by a person having the ability to control and

restrain the dog by means of the collar or harness and the leash.

DOG WARDEN. The term "dog warden" shall mean a person or persons appointed by the Village of Bridgewater for the purpose of enforcing this Local Law and for the purpose of this Local Law, such a Dog Warden is deemed to be a peace officer.

§ III: Purpose and Intent.

The purpose and intent of this Local Law shall be to preserve the public peace and good order in the Village of Bridgewater and to contribute to the public welfare and preservation and protection of the property and the persons of the inhabitants of said Village by declaring and enforcing certain regulations and restrictions on activities of dogs and owners of dogs within the Village.

§ IV: All Dogs to be Leashed.

All dogs in the Village of Bridgewater are hereby required to be restrained by a leash while off the Owner's premises whether such dogs are or are not tagged or licensed.

§ V: Howling Dogs.

No person shall keep or harbor a dog which howls or barks habitually or continuously so as to unreasonably disturb the peace and quiet of other persons.

§ VI: Female Dogs.

Any female dog shall be confined to the premises of the Owner while such female dog is in season.

§ VII: Dangerous Dogs.

The Owner of any dog which is vicious or dangerous to persons shall

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§ VI: Female Dogs.

Any female dog shall be confined to the premises of the Owner while such female dog is in season.

§ VII: Dangerous Dogs.

The Owner of any dog which is vicious or dangerous to persons shall

at all times restrain and control such dog so as to prevent injury to persons lawfully conducting themselves and so as to prevent such dogs from putting any person in fear of immediate bodily harm, provided that such person is lawfully conducting himself at the time.

§ VIII: Property Damage.

The Owner of a dog shall not permit such dog, even though leashed, to do any of the following acts:

- (1) Enter public buildings, restaurants or stores.
- (2) Damage or deface property not belonging to the Owner of the dog.
- (3) Deposit waste or commit a nuisance on the private property of a person or party other than that of the owner of the dog, or on public sidewalks or crosswalks.

§ IX: Potentially Rabid Dogs.

The Dog Warden or any peace officer is hereby authorized to seize or direct the confinement of any dog which is reported to have attacked or injured a human being. Any such dog shall be confined for such length of time as may be necessary for the purpose of determining whether such dog is affected by rabies and if so affected, it may be destroyed.

The Owner of such a dog shall, upon demand, deliver the possession of such dog to the Dog Warden or any officer authorized to seize the same and shall, upon demand, pay to the Village the cost of confinement and treatment of the dog.

§ X: Seizure of Untagged Dogs.

Any peace officer or the Dog Warden of the Village shall seize any

at all times restrain and control such dog so as to prevent injury to persons lawfully conducting themselves and so as to prevent such dogs from putting any person in fear of immediate bodily harm, provided that such person is lawfully conducting himself at the time.

§ VIII: Property Damage.

The Owner of a dog shall not permit such dog, even though licensed, to do any of the following acts:

- (1) Enter public buildings, restaurants or stores.
- (2) Damage or deface property not belonging to the Owner of the

dog.

- (3) Deposit waste or commit a nuisance on the private property

of a person or party other than that of the owner of the dog, or on public sidewalks or crosswalks.

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of such dog to the Dog Warden or any officer authorized to seize the same and

shall, upon demand, pay to the Village the cost of confinement and treatment of

the dog.

§ X: Seizure of Untagged Dogs.

Any peace officer or the Dog Warden of the Village shall seize any

dog found at large not wearing the license tag required by Article 7 of the Agriculture and Markets Law of the State of New York .

§ XI: Notification to Owners of Dogs .

Upon the receipt of a written complaint stating that a Dog has been permitted to be at large upon the complainant's property , or upon public property , or that a dog has been in violation of Sections 5, 6, 7 or 8 of this Local Law , any peace officer or Dog Warden of the Village of Bridgewater shall deliver written notification of said complaint to the dog owner , setting forth the violation or violations committed . The Village Clerk shall maintain a file containing copies of all such notices , including the date of service thereof .

§ XII: Seizure of Dogs .

(a) Any peace officer or Dog Warden of the Village of Bridgewater shall seize any dog which is found at large and is in violation of Sections 6, 7, or 8 of this Local Law at the time when so found at large .

(b) Upon the receipt of a written verified complaint stating that a dog has been permitted to be at large upon the complainant's property or resident's property , or that a dog has been permitted to be at large on public property , or has been in violation of Sections 5, 6, 7 or 8 of this Local Law , the peace officer or Dog Warden shall proceed pursuant to Sections 18 and/or 20 of this Local Law .

(c) After receipt of a written verified complaint and conducting a hearing in connection therewith the Village Justice of the Village of Bridgewater , if there be one , or in the event that said office does not exist or in the further event the Village Justice is not available , the Town Justice of the Town of

Bridgewater, may direct any dog owner who is in violation of Section 4 through 6
hereto, to dispose of the offending dog outside of the Village or, if the dog is not
in custody of the Village to deliver the same to the dog warden for humane
destruction.

(d) The Owner of any dog seized under this Section shall upon demand
pay to the Village the cost of confinement of the dog and may redeem the dog upon
such payment. The costs of confinement and destruction are set forth in Schedule
A attached hereto and made a part hereof as though fully set forth herein.

§ XIII. Village Justice to have jurisdiction.

The Village Justice of the Village of Bridgewater, if there be one,
shall have jurisdiction and if there be no such Village Justice, the Town Justice
of the Town of Bridgewater shall have jurisdiction to hear all complaints under this
Local Law, and of all actions and proceedings hereunder, and of all prosecutions
for the violation of this Local Law.

§ XIV. Enforcement.

It shall be the duty of the Dog Warden to enforce the provisions of
this Local Law and to seize all dogs found in violation of this Local Law
or which are ordered seized by the Village Justice if there be one and if there
not be one, the Town Justice.

§ XV. Any Village of Bridgewater property owner, resident or any

individual who observes or has knowledge of a dog causing damage or destruction
to public property, or to property of the deponent, or violating Sections 5, 6, 7,
8 or 9 (with the exception of the damaging or defacing of private property not
owned or under the control of the deponent) may file a signed complaint, under
oath, with the Village Clerk of the Village of Bridgewater, specifying the objectionable

conduct of the dog, the date thereof, the damage caused, a description of the dog and, if known, the name and residence of the Owner or person harboring said dog.

§ XVI: Upon receipt by the Village Clerk of any complaint against the conduct of any particular dog, the Village Clerk shall cause a Notice of the complained of violation to be served upon the Owner of the complained of dog.

§ XVII: Any person who observes or has knowledge of a dog causing damage or destruction as enumerated in Section 15 hereinabove, may file a signed complaint, under oath, with the Village Justice of the Village of Bridgewater, if there be one and if not with the Town Justice of the Town of Bridgewater, specifying the objectionable conduct of the dog, the date thereof, the damage caused, a description of the dog and name and residence, if known, of the Owner or person harboring said dog.

§ XVIII: Upon the receipt by the Village Justice or Town Justice as the case may be of any complaint against the conduct of any particular dog, the Village Justice or Town Justice as the case may be may summon the alleged Owner or person harboring said dog to appear in person before him; if the summons is disregarded, the appropriate Justice may permit the filing of the information and issue a Warrant for the arrest of such person.

§ XIX: Severability.

The sections, paragraphs, sentences, clauses and phrases of this Local Law are severable and if any such portion shall be declared invalid, the remainder of the Local Law shall not be affected thereby and shall remain in force and effect.

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§ XVIII: Any person who observes or has knowledge of a dog causing damage or destruction as enumerated in Section 15 hereinaabove, may file a signed complaint, under oath, with the Village Justice of the Village of Bridgewater, if there be one and if not with the Town Justice of the Town of Bridgewater, specifying the

objectionable conduct of the dog, the date thereof, the damage caused, a description of the dog and name and residence, if known, of the Owner or person harboring said dog.

§ XIX: Upon the receipt by the Village Justice or Town Justice as the case may be of any complaint against the conduct of any particular dog, the Village Justice or Town Justice as the case may be may summon the alleged Owner or person harboring said dog to appear in person before him; if the summons is disregarded, the appropriate Justice may permit the filing of the information and issue a Warrant for the arrest of such person.

§ XX: Severability.

The sections, paragraphs, sentences, clauses and phrases of this Local Law are severable and if any such portion shall be declared invalid, the remainder of the Local Law shall not be affected thereby and shall remain in force

and effect.

§ XX: Penalties.

Any person who knowingly permits the violation of this Local Law shall be deemed to have committed an offense against the Local Law and shall be subject to the fine of not more than Twenty-Five Dollars (\$25.00) and/or imprisonment for a period not exceeding thirty (30) days. Each separate offense shall constitute a separate additional violation. A second or subsequent offense shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) and/or imprisonment for a period not exceeding Thirty (30) Days.

§ XXI: Effective Date.

This Local Law shall take effect upon filing thereof with the Secretary of State and Village Clerk.

§ XXII: This Local Law shall supersede any other Ordinances of the Village of Bridgewater inconsistent herewith.

Penalties. XXXI

Any person who knowingly permits the violation of this local law shall be deemed to have committed an offense against the local law and shall be subject to the fine of not more than Twenty-Five Dollars (\$25.00) and/or imprisonment for a period not exceeding thirty (30) days. Each separate offense shall constitute a separate additional violation. A second or subsequent offense shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) and/or imprisonment for a period not exceeding thirty (30) days.

Effective Date. XXXII

This local law shall take effect upon filing thereof with the

Secretary of State and Village Clerk.

This local law shall supersede any other Ordinances of the Village XXXIII

of Bridgewater incorporated herewith.

SCHEDULE A

Fees - Small dog	\$ 1.00 per day
Medium dogs	\$ 1.50 per day
Large Dog	\$ 2.00 per day
Destruction and burial of dogs	\$ 5.00