

Town of Columbus

Town Ordinance #1, 1986

A Town Ordinance to control Nuisance dogs

Be it enacted by the Town Board of the Town of Columbus as follows:

Section 1. PURPOSE The purpose of this Ordinance is to promote the health, safety and general welfare of the community by insuring that all dogs harbored within the Town are controlled and supervised in such a way as to prevent damage to persons, property and wildlife.

Section 2. AUTHORITY Enactment of this Ordinance is pursuant to section 124 of the Agricultural and Markets Law of New York State.

Section 3. DEFINITIONS As used in this ordinance:

1. "Dog" means any member of the species *canis familiaris*.
2. "Harbor" means to provide food or shelter to any dog.
3. "Owner" means any person who harbors or keeps any dog.
4. "Nuisance" means to harm, annoy or be unpleasant, obnoxious

Section 4. PROHIBITED ACTS.

1. It shall be unlawful for any person to keep or maintain within the Town, any dog which continually barks, howls or otherwise causes disturbances to the public peace and quiet or which is permitted to destroy the property of others or to cause material damage thereto.
2. Any dog which is observed running at large in violation of this section may be seized either by the Dog Control Officer, appointed by the Town Board, or by any peace officer and may be restrained. Every effort will be made to find the dog's owner who shall have the right to redeem the dog upon payment of the required fee. In the absence of any redemption of the dog seized under this provision, such dog will be disposed of after five (5) days. Such seizure and disposal shall be governed by the provisions of the Agriculture and Markets Law of New York State. *Hunters utilizing dogs are deemed to be in control of said dogs.

Section 5. COMPLAINTS. All complaints regarding dogs, must be made in writing with a description of the dog and the owner's name, if known, and signed by the complainant.

Section 6. OWNER TO PROVIDE PROOF OF DOG PRESENCE. Should a written complaint arise, the Control Officer or peace officer, may request the owner of the dog to produce such dog or at a minimum, explain the whereabouts of the dog. If unable, it will be assumed the dog is running at large, and the owner shall be fined accordingly.

Section 7. OWNER TO PAY COST OF CARE AND FEED BY TOWN. For any dog that has been taken into custody by the Control Officer or peace officer that must be fed and housed, the owner will be charged the prevailing rate, per day*, for the keeping of such dog.

Present rate is \$5.00 (Five) per day. Subject to change.

Section 8. PENALTIES FOR OFFENSES.

Any violation of any provisions of the Ordinance shall be punishable by a fine not to exceed \$50.00 (Fifty).

Offenses and fines as follows:

1. First offense – Written warning and no fine.
2. Second offense - \$10.00 (Ten) fine.
3. Third offense - \$20.00 (Twenty) fine.
4. Fourth offense - \$50.00 (Fifty) fine.

Section 9. EFFECTIVE DATE. This ordinance shall take effect 10 (Ten) days after publication in the Town's Official Newspaper.