

**VILLAGE OF GRANVILLE****Dog Control Law****Local Law No.: 4-2008****LOCAL LAW ESTABLISHING CONTROLS, RESTRICTIONS, LEASHING AND CONFINEMENT OF DOGS WITHING THE VILLAGE OF GRANVILLE.**

**BE IN ENACTED** by the Village Board of the Village of Granville, State of New York, as follows:

**I. SHORT TITLE**

This Local Law shall be known and may be cited as the "Local Law Establishing Controls, Restrictions, Leashing and Confinement of Dogs within The Village of Granville."

**II. LEGISLATIVE INTENT AND FINDINGS OF FACT****A. Background:**

The Village of Granville, Washington County, New York, is concerned about land use, development trends, and the running at large, uncontrolled behavior and licensing of dogs in the Village of Granville limits and the standards necessary to promote the health, safety, and general welfare of the inhabitants of the Village of Granville. The Village Board is also concerned with preserving the Village of Granville's Comprehensive Plan and the integrity of the Comprehensive Plan and its basic purpose, comprehensive aspects and intentions. It is therefore necessary for the Village Board of the Village of Granville to regulate the leashing, licensing, behavior and running at large of dogs in the Village of Granville limits to promote the health, safety, and general welfare of the inhabitants of the Village of Granville.

**B. Legislative Finding of Fact:**

The Village Board does hereby find that appropriate and salutary measures must be taken to protect the public interest by preserving the integrity of said Comprehensive Plan. The Village Board also finds that this Local Law preserves the Village of Granville's Comprehensive Plan and the adoption of this Local Law has been determined to be the appropriate and salutary measure for the protection of the public interest by preserving the integrity of said Comprehensive Plan and the health, safety and general welfare of the inhabitants of the Village of Granville.

**C. Legislative Intent:**

Pursuant to authority duly vested in it, it is the intention of the Village Board to protect the public interest and to preserve its intended objectives and ensure implementation by hereby adopting reasonable dog control regulations of dogs withing the

Village of Granville, and thereby to protect the public interest and welfare.

**III. DEFINITIONS AND TERMS**

As used in this Local Law, the following words shall be defined as follows:

**A. Agriculture and Markets Law:** The Agriculture and Markets Law of the State of New York in effect as the effective date of this Local Law, as may be amended by this local law and as amended thereafter.

**B. Confined:** That such animal is securely confined or restrained and kept on the owner's premises, either within a building, kennel or other suitable enclosure or securely fastened on a chain, wire, or other effective tether of such length and so arranged that the animal cannot reach or endanger any person not on the owner's premises or any adjacent premises or any public street, way or place; or, of the animal is being transported by the owner, that it cannot be expected to escape therefrom.

**C. Dog:** Dog shall mean a male and female, licensed and unlicensed, members of the species *Canis familiaris*.

**D. Animal Control Officer:** Any person authorized by the Village Board of the Village of Granville from time to time to enforce the provisions of this local law or the provisions of the Agriculture and Markets Law of the State of New York.

**E. Harbor:** To provide food or shelter to any dog.

**F. Owner:** The party purchasing the dog's license, unless the dog is unlicensed, then the owner for the purpose of this law shall be anyone who has provided shelter or water or food to the dog for seven (7) days or more without another known owner's permission. No minor shall be deemed to own a dog and in the event a minor purchases a license or provides shelter or water or food to a dog for seven (7) days or more without another known owner's permission, the legal guardian or parent of said minor shall be deemed to be the dog's owner for the purpose of this local law.

**G. Public Property:** Any Real Property owned by the Village of Granville.

**H. Recreational Areas:** Any Real Property owned by the Village of Granville and used for recreational activities which include parks, playgrounds, and ball fields.

**I. Run at large:** When a dog is on private real property without the consent of the owner of the private real property.

**J. School Premises:** Any Real Property within the Village of Granville owned by the Granville Central School District.



K. **Village:** The incorporated limits of the Village of Granville.

IV

**RESTRICTIONS FOR DOGS**

A. **Leash Requirement:**

At all times when a dog is outside of it's owner's residence or motor vehicle, the dog shall be confined to the owner's property or shall be on a leash not to exceed eight (8') feet in length.

B. **Disturbance of the peace:**

At no time shall a dog be allowed to engage in:

- i. Habitual loud howling, barking, crying or whining or conduct itself in such a manner so as to unreasonably and habitually disturb the comfort or repose of any person other than the owner of said dog. Howling, barking, crying or whining or any other conduct of a dog which disturbs the repose of any person other than the owner of said dog or dogs for a period of fifteen (15) consecutive minutes shall be considered a Disturbance of the peace for the purpose of this local law.
- ii. Uprooting, digging, or otherwise damaging any vegetables, lawns, flowers, garden beds, or other property not belonging to the dog's owner.
- iii. Chasing, jumping upon or at or otherwise harassing any person in such a manner as to reasonably cause intimidation or fear of or to put such person in reasonable apprehension of bodily harm or injure while on public property, or while on private property other than property of the owner of said dog.
- iv. Habitually chasing, running alongside of or barking at motor vehicles, motorcycles, bicycles, runners, or pedestrians while on a public street or highway, on private property other than property of the owner of said dog.
- v. Permitting the premises, structures or enclosures in an owner keeps their dog unclean or unsanitary.

V.

**ANIMAL CONTROL AND CLEAN UP**

Dogs shall be allowed on all Village sidewalks. Such dogs are to be under control at all times so as not to pose a threat to others use and enjoyment of the public streets and parks. Such dogs are not to damage any property and any defecation left by any owner's dog on any sidewalk, street, park, parking lot or property not owned by the dog's owner, is to be removed immediately by the owner or person in charge of such dog and disposed of in a sanitary manner.

**VI.**

**PENALTIES**

**A. Violation:**

A conviction under this local law shall constitute a violation.

**B. Penalties:**

A finding of guilt or a plea of guilty to violation of any section of this local law will result in a fine of not less than Fifty (\$50.00) Dollars and not more than Two Hundred (\$200.00) Dollars.

**VII.**

**ENFORCEMENT PROCEDURES**

**A. Complaint:**

A complaint, under oath alleging a violation of this local law will be filed with the Village Justice Court upon:

- i. A Village Police Officer or Village Animal Control Officer observing or witnessing a violation of any section of this local law; or
- ii. By any person observing or witnessing a violation of any section of this local law who wishes to file a complaint; and
- iii. All complaints must contain the date, time, and location of the violation including a description of the dog, name and address of owner, if known and description of the act or acts which are in violation of local law.

**B. Appearance Ticket:**

Once a complaint has been filed with the Village Justice Court, the Village Animal Control Officer of Village Police Office will serve the owner of the dog with a copy of the Complaint and an Appearance Ticket directing the owner to appear before the Village Justice on a regular court night.

**VIII.**

**VALIDITY**

The invalidity of any work, section, clause, paragraph, sentence, part or provision of this Local Law shall not effect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

**IX.**

**EFFECT ON OTHER LAWS**

This local law shall supersede and replace Local Law No.: 3 of 1977 of the Village of Granville Dog Control Law and all ordinances and laws or parts of ordinances and laws in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect during the effective period.

**X.**

**HOME RULE**

This Local Law is adopted pursuant to the authority granted to the Village as set forth in Section 10 of the Municipal Home Rule Law and Statutes of Local Government.

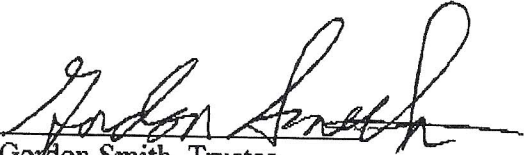
**XI.**


**EFFECTIVE DATE**

This local law shall take effect immediately upon the filing of this local law with the New York Secretary of State.

**Be it Enacted**, this 1<sup>st</sup> day of December, 2008 by the Village Board of Trustees of the Village of Granville, Washington County, New York.

  
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Jay Niles, Mayor

  
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Gordon Smith, Trustee

  
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Frank Caruso, Trustee

  
\_\_\_\_\_  
Dean Hyatt, Trustee

  
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Brian LaRose, Trustee