

ORDINANCE #9

TOWN OF SCHROON

AN ORDINANCE REGULATING THE MOVEMENT OF DOGS WITHIN THE TOWN OF SCHROON

SECTION 1. Definitions. As used in this ordinance the following terms mean:

(a) A dog shall be confined to the premises of its owner, keeper or harborer, except when on a leash of not greater than six feet, or when under the control of a responsible person.

(b) The term "control" in this ordinance shall mean that if a dog is within sight and hearing, and will respond instantly to call or order; or that the dog is in a conveyance for travel, such as an automobile or train, or is confined to a travel crate or carrying case.

(c) A responsible person shall be considered, for the purpose of this ordinance, to be one who is old enough to understand the laws, and the rights of both property owners and dogs, and who can demonstrate actual control over the dog.

(d) A dog shall be considered to be under control when being trained, or when being given exercise upon a vacant lot, or in open fields, provided it is not violating the laws of trespass, and will respond to command.

(e) It shall be considered to be out of control when it enters private property and will not return instantly upon command. It shall also be considered to be out of control if it enters private property and there relieves itself, when such relief would tend to soil or injure that private property.

(f) The term "confine" shall, for the purpose of this ordinance, mean that the dog shall be physically restrained to the property of its owner, keeper, or harborer, by means of a rope or chain, a wire run, or a fenced in yard or run.

(g) For the purposes of this ordinance, a dog or dogs hunting in company with a hunter or hunters shall be considered as accompanied by and controlled by its owner.

SECTION 2. It shall be unlawful for any person owning, boarding, harboring or otherwise keeping or having in his custody a dog, to permit such dog to run at large within the Town of Schroon elsewhere than upon the premises of the owner or custodian unless said dog shall be on a leash or accompanied by a competent person having control of such dog, or unless it be upon the premises of another person with the knowledge and assent of such person.

SECTION 3. If any dog has bitten a person at any time, the owner thereof or person harboring or having custody of the same shall keep such dog properly muzzled at all times thereafter.

SECTION 4. An owner of a dog or person harboring or having custody of the same shall not permit such dog to become a public nuisance. A dog shall be considered a public nuisance if it shall prolongedly or persistently bark or howl between the hours of 10:00 P.M. and 7:00 A.M. for two or more consecutive days or cause personal injury or cause damage to or impairment of the property of the persons other than the owner or harborer.

SECTION 5. This ordinance shall not apply to seeing-eye dogs during such time as such dogs are performing the functions for which they are trained.

SECTION 6. A dog warden, to be designated by the Town Board as provided by Section 119 of the Agriculture and Markets Law, may enforce the provisions of this ordinance and may also investigate and report to a Town Justice of the Town of Schroon any dangerous dog as described in Section 116 of the Agriculture and Markets Law, and see that the order or orders of the Town Justice in such case are carried out.

SECTION 7. Any person who is annoyed by a dog in violation of this ordinance may file a signed complaint, under oath, with a Town Justice of the Town of Schroon 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 other person harboring said dog.

SECTION 8. Upon receipt by the Town Justice of the complaint against the conduct of any particular dog, the Town Justice may summon the alleged owner or other person harboring said dog to appear before him; if the summons is disregarded, the Justice may permit the filing of any information and issue a warrant for the arrest of such person.

SECTION 9. The validity of any section, provisions, or portion of this ordinance shall not invalidate any other section, provision, or remaining portion thereof.

SECTION 10. Any person convicted for violating any provision of this ordinance shall be guilty of an offense and shall be liable to a fine not to exceed Twenty-five (\$25.00) Dollars and/or imprisonment for not to exceed 25 days, for each offense.

SECTION 11. This ordinance shall take effect ten days after its publication and posting as provided for by Town Law.

DATED: July 12, 1974
BY ORDER OF THE TOWN BOARD OF THE TOWN OF SCHROON
Francis Bohrmann Town Clerk