

## Chapter 47

### DOGS

[HISTORY: Adopted by the Town Board of the Town of Urbana: Art. I, 9-20-1979 as L.L. No. 2-1979; Art. II, 1-14-1980 as L.L. No. 1-1980. Sections 47-3 and 47-11 amended and § 47-4A added at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

#### ARTICLE I

##### Licenses

[Adopted 9-20-1979 as L.L. No. 2-1979]

##### § 47-1. Local additional fee.

Commencing on the effective date of this Article, the license fees for dogs, in addition to the charges fixed by § 110, Subdivisions 1 and 2 of the Agriculture and Markets Law, shall be as follows:

- A. Five dollars for a spayed or neutered dog.
- B. Five dollars for an unspayed or unneutered dog.

#### ARTICLE II

##### Dog Control

[Adopted 1-14-1980 as L.L. No. 1-1980]

##### § 47-2. Purpose.

The purpose of this Article shall be to preserve public peace and good order in the Town of Urbana and to promote the public health, safety and welfare of its people by enforcing regulations and restrictions on the activities of dogs that are consistent with the rights and privileges of dog owners and the rights and privileges of other citizens of the Town of Urbana.

##### § 47-3. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

AT LARGE — An unleashed dog off the premises of the owner.

DOG — Both male and female dogs.

DOG CONTROL OFFICER — A person or persons appointed by the town for the purpose of enforcing this Article.

LEASHED — Restrained by a leash, attached to a collar or harness of sufficient strength to restrain the dog and which shall be held by a person having the ability to control the dog.

MINOR — A person under 18 years of age.<sup>1</sup>

OWNER — Includes any person who keeps, harbors or has custody, care or control of a dog. Dogs owned by minors shall be deemed to be in custody and control of parents or other head of the household where the minor resides. Any person harboring a dog for a period of one week shall be deemed to be the “owner” of the dog for the purpose of enforcing this Article.

§ 47-4. Prohibited acts.

A. No dog shall be permitted off the owner’s premises unless said dog is restrained by an adequate collar and leash or unless accompanied by its owner or a responsible person able to control the animal. For the purpose of this Article, a dog or dogs hunting in company with a hunter or hunters shall be considered as accompanied by its owner.<sup>2</sup>

B. It shall be unlawful for any owner of a dog in the Town of Urbana to permit or allow such dog to:

(1) Engage in habitual loud howling, barking or whining or to conduct itself in such a manner as to habitually annoy any person other than the owner or harborer of the dog.<sup>3</sup>

(2) Cause damage or destruction to public or private property or defecate, urinate or otherwise commit a nuisance upon property other than that of the owner or harborer of the dog.

(3) Bite, chase, jump upon or otherwise harass any person in such a manner as to cause intimidation or to put such a person in reasonable apprehension of bodily harm or injury.

(4) Chase, leap on or otherwise harass bicycles or motor vehicles.

(5) Kill or injure any dog, cat or other household pet.

(6) Be unlicensed when six months of age or older.

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<sup>1</sup> Editor’s Note: Added at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>2</sup> Editor’s Note: Added at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>3</sup> Editor’s Note: Original Sec. 3(1) and (2), which dealt with running at large and leashing and which immediately preceded this subsection, were deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

(7) Not have a current and valid New York State identification tag on its collar while at large, whether or not restrained by an adequate leash.

§ 47-5. Female dogs; noncompliance.

A. All female dogs shall be confined to the premises of their owners while such are in season (heat) and may not be left outside unattended.

B. Any owner not adhering to this rule will be subject to having the dog seized by the Dog Control Officer and removed to a safe place of confinement.

§ 47-6. Adequate care; noncompliance.

A. All premises occupied or used by dogs shall be kept in a clean, sanitary condition. Failure to provide adequate food, water or space shall subject dogs to seizure and confinement. "Adequate" shall mean sufficient for age, size and number of dogs on the premises.

B. Upon conviction of the owner or harbinger, the dogs become the property of the Town of Urbana to be released to an authorized humane society, veterinarian or kennel for adoption or euthanasia.

§ 47-7. Records required upon seizure.

Upon taking custody of any animal, the Dog Control Officer shall make a record of the matter. The record shall include the date of pickup, breed, general description, sex, identification numbers, time of pickup, location of release and name and address of owner, if any.

§ 47-8. Notification of owner, impoundment fees; disposal of unredeemed dogs.

A. If a dog is not wearing an identification tag (license tag), it shall be held for a period of no less than five days. If a dog seized is wearing an identification number, the owner shall be promptly notified either in person or by certified mail. If the owner is notified in person, the dog shall be held for a period of no less than seven days; if notified by mail, no less than nine days.

B. The owner of the dog shall be responsible for any impoundment fee established by the town, plus any other expenses incurred by the municipality to humanely care for the dog.

C. If not redeemed, the owner shall forfeit all title to the dog and it shall be released to an authorized humane society or kennel to be adopted or euthanized.

§ 47-9. Complaints.

Any person who observes a dog in violation of any section of this Article may file a signed complaint, under oath, with a Justice of the Town of Urbana or with the

authorized Dog Control Officer or any peace officer, specifying the violation; the date of violation; the damage caused, including the place(s) the violation occurred; and the name and address of the dog owner, if known.

§ 47-10. Enforcement.

Any person or persons who are or may be lawfully authorized by the Town of Urbana shall and all peace officers may administer and enforce the provisions of this Article and for these purposes shall have the authority to issue summonses or appearance tickets and to seize dogs either on or off the owner's premises if the owner is witnessed to be in violation of this Article.

§ 47-11. Penalties for offenses.<sup>4</sup>

Any person who violates any provision of this Article shall, upon conviction thereof, be subject to the penalties set forth in § 119 of the Agriculture and Markets Law.

§ 47-12. Interference with officers.

No person shall hinder, resist or oppose the Dog Control Officer, peace officer or other person(s) authorized to administer or enforce the provisions of this Article in the performance of the officer's duties under this Article.

§ 47-13. Recourse of owners.

The owner or harbinger of any dog so destroyed under the provisions of this Article, whether destroyed by the Dog Control Officer or a peace officer or released to an authorized humane society or veterinarian, shall not be entitled to any compensation, and no action shall be maintainable thereafter to recover the value of such dog or any other type of damage.

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<sup>4</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.