

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County \_\_\_\_\_  
City of SPRINGFIELD  
Town  
Village \_\_\_\_\_

FILED  
STATE RECORDS  
MAR 23 2010

Local Law No. 1 of the year 20 10

DEPARTMENT OF STATE

A local law REGARDING THE RESTRAINT OF DOGS AND THE RESPONSIBILITY  
(Insert Title)  
OF THE DOG OWNER IN THE TOWN OF SPRINGFIELD

Be it enacted by the SPRINGFIELD TOWN BOARD of the  
(Name of Legislative Body)

County \_\_\_\_\_  
City of SPRINGFIELD as follows:  
Town  
Village \_\_\_\_\_

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Town of Springfield  
Local Law #   /   of 2010

**A local law regarding the restraint of dogs and the responsibilities of the dog owner  
in the town of Springfield**

Section 1. This local law shall be known as Local Law #   /   for the year 2010 and will be entitled "A local law to restrain the running at large of dogs in the town of Springfield," pursuant to Article 7 of the Agricultural and Markets Law of the State of New York.

Section 2. It shall be unlawful for any owner to harbor a dog if said dog(s) are not properly licensed. All dogs over the age of four (4) months must be licensed with the Town Clerk.

Section 3. Every owner or caregiver of an animal shall provide food, water, shelter and space appropriate to the size, species and age of the animal.

Section 4. It shall be unlawful for any owner of, or any person harboring any dog in the Town of Springfield, to permit or allow such dog, whether or not tagged or licensed to:

- A. Run at large off the owner's property unless collared and leashed or accompanied by and under the immediate control of the owner or a responsible person able to control the animal.
- B. Engage in habitual loud howling or barking audible from a location beyond the owner or caretaker's premises, for five (5) minutes or more with less than one minute interruption, shall constitute habitual loud howling or barking in violation of this section.
- C. Cause damage or destruction of property or commit a nuisance upon the premises of a person other than the owner or person harboring such dog.
- D. Chase or otherwise harass any person in such a manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.
- E. Defecate on property other than that of the owner without owner immediately removing the same forthwith.

Section 5. A Dog Control Officer or other proper authority, designated by the Town Board as provided by Section 119 of the Agriculture and Markets Law, and other applicable laws and provisions, will act on any complaints, either verbal or written and will enforce the provisions of this local law. Said Dog Control Officer will also investigate and report to a Town Justice any dangerous dog as described in Section 121 of the Agriculture and Markets Law and see that the order or orders of the Town Justice in such case are carried out.

Section 6. Any person who observes a dog causing damage or destruction to property of a person other than its owner, or committing a nuisance upon the premises of a person other than its owner or in violation of any or all subdivision(s) of Section 1 and 2 may file a verbal or written complaint to the Town Dog Control Officer, and may also file a signed complaint, under oath, with a Town Justice in the Town of Springfield, specifying the objectionable conduct of the dog, the date thereof, the damage caused or other violation, and a description of the dog, the name and residence if known, of the owner or other person harboring said dog.

Section 7. Upon receipt by the Town Justice of any complaint against the conduct of any particular dog, the Town Justice may summon alleged owner or other person harboring said dog to appear in person 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 8. Any person who violates Sections 1 and/or 2 of this local law or any subdivisions(s) thereof, and knowingly permits the violation of any of these provisions, shall be deemed to have committed a Violation punishable by a fine of not less than \$25 or more than \$150 for the first offense; a fine of not less than \$50 or more than \$200 for the second offense, and a fine of not less than \$100 or more than \$250 and/or mandatory imprisonment not to exceed 15 days, at the discretion of the Town Justice, for the third offense. Any person found to be in violation of this section shall be responsible for the costs of such proceedings

Section 9. Any invalidity of any section or provision of this local law shall not invalidate any other section or provision thereof.

Dated March 8, 2010

Town Supervisor William L. Elsey

Town Clerk Jeanette M. Armstrong

Town of Springfield, Otsego County, New York 13468

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 10 of the (County)(City)(Town)(Village) of SPRINGFIELD was duly passed by the SPRINGFIELD TOWN BOARD on MARCH 8 2010, in accordance with the applicable provisions of law.  
(Name of Legislative body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Janette M. Armstrong  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: March 9, 2010

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF OTSEGO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]  
Signature

Town Attorney  
Title

~~County~~  
~~City~~ or Springfield  
Town  
~~Village~~

Date: MARCH 17, 2010