

TOWN OF WESTFORD
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LOCAL LAW NO.2 OF 2022

TOWN BOARD, TOWN OF WESTFORD PROPOSED LOCAL LAW No. 2

REGULATING DOG CONTROL WITHIN THE TOWN OF WESTFORD

Section 1: Intent:

It is the legislative intent of the Town of WESTFORD to provide guidelines for the ownership, control of and behavior of dogs within the town.

Section 2. Authority:

This Local Law is being adopted, pursuant to the provisions of Section 118 of the New York State Agriculture and Markets Law.

Section 3. Definitions:

- (a) "TOWN" Shall mean the Town of Westford New York.
- (b) "RUN AT LARGE" Shall mean to be on public or private land without the knowledge, consent or approval of the owner/manager of such lands.
- (c) "OWNERSHIP" Shall mean the owner or person in control of the dog at the time of violation. If the owner or person in control is under 18 years of age, the head of the household in which the said minor resides is deemed to have custody and control of said dog and shall be responsible for any acts of said dog to be in violation of this law.
- (d) "CREATE A NUISANCE" Shall mean actions, damage, defecating, urinating or digging on public or private property without the consent of the owner/manager of that property.
- (e) "SEIZURE" Any dog owner found in violation of any provision of this law may have their dog seized pursuant to Section 118 of the New York State Agriculture and Markets Law.
- (f) "FILING COMPLAINT" Any person who observes a dog acting in violation of this law may file a complaint under oath to the Town Justice or Westford Dog Control Officer. The complaint should provide as much information, description of the act and dog as to help determine the ownership of said dog. Such complaint shall serve as a basis for enforcing the provisions of the Westford Dog Control Local Law No. 2 of 2022.

(2)

Section 4: Violations:

4.1 It shall be unlawful for any owner of any dog in the Town of Westford to permit or allow such dog to:

(A) Run at large unless the dog is accompanied by its owner or a responsible person and under full control of that person. Otherwise, the dog shall be confined or restrained at all times. For the purposes of this law, a dog or dogs hunting in the company of a licensed hunter shall be considered as accompanied by its owner.

(B) Engages in habitual and loud howling, barking, crying, whining, digging or other conduct as to unreasonably disturb the comfort or repose of any person.

(C) Chase, jump up on, at or otherwise harass any person in such manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm.

(D) Habitually chases, runs alongside a motor vehicle, bicycle or person walking on a public highway or place.

(E) Creates a nuisance by defecating, urination or digging on public or private property, without the expressed consent or approval of the property's owner/manager.

Section 5: Penalties:

Any person convicted of a violation of the Town of Westford Local Law No.2 of 2022 law shall be liable for a civil penalty of **twenty-five dollars (\$25.00)** for the first violation, or, **fifty dollars (\$50.00)** for any subsequent violation.

Pursuant to New York State Agriculture and Markets Law, section 119, all monies collected for a violation of Article 7 and this law remain the property of the Town of Westford.

Section 6: Prosecution:

Any Police Officer of the State and the Town of Westford Dog Control Officer is authorized to prosecute violations of this Local Law in the Town of Westford Local Court.

Section 6: Separability:

Each provision of Local Law No.2 2022 shall be deemed independent of all other provisions herein. If any provision is deemed or declared invalid, all other provisions shall remain valid and enforceable.

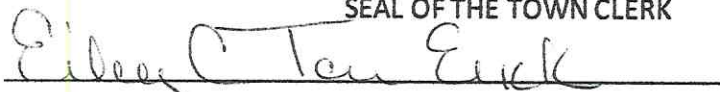
Section 7: Repealed:

This Local Law No. 2 2022 shall supersede all prior Local Laws, Ordinances, Rules and Regulations relative to the control of dogs within the Town of Westford and they shall be upon the effective date of this law.

Section 8: Effective Date:

Westford Local Law No.2 2022 shall take effect immediately upon filing with the Secretary of State.

SEAL OF THE TOWN CLERK



Eileen Ten Eyck Westford Town Clerk



Email: townofwestfordsupervisor@gmail.com