

Local Law No. 1 of the year 1979
Amended by Local Law No. 1 of 1980
Amended by Local Law No. 1 of 1993

A local law entitled

Dog Control Law

Be it enacted by the Town Board of the Town of Brighton as follows:

This law is enacted to provide dog protection not provided by Article 7 of the Agriculture and Markets Law of the State of New York.

Section 1. Purpose

The purpose of this law is to promote the public health, safety and welfare of the community, including the protection and preservation of the property of the Town of Brighton and its inhabitants, and of the peace and good order therein by regulating and controlling activities of dogs within the Town of Brighton and to provide for its enforcement thereof.

Section 2. Prohibited Acts

Any owner of a dog or any other person who harbors a dog in the Town of Brighton shall be in violation of this law if such dog:

- a. engages in habitual loud howling or barking in such manner as to annoy any person other than the person owning or harboring such dog,
- b. being a female in heat is not securely confined by the owner or person harboring such dog,
- c. causes damage or destruction to property or otherwise commits a nuisance other than on the premises of the owner or person harboring such dog,
- d. is not in full compliance with Article 7 of the Agriculture and Markets Law of the State of New York.
- e. (Added by amendment Local Law No. 1 of the Year 1993) No dog shall be allowed or caused to run at large and not in control in the Town of Brighton, except on the premises of the person who owns, keeps, or harbors or otherwise has the care or custody of such dog, or except on the premises of another person with the knowledge and consent of such other person.

Section 3. Complaint

a. (Amended by Local Law No. 1 of the Year 1993) Any dog control officer, peace officer, or other authorized individual acting pursuant to special duties, in the employ of or under contract to the Town of Brighton having reasonable cause to believe that a person has violated this local law shall issue and serve upon such person an appearance ticket for such violation.

b. (Amended by Local Law No. 1 of the Year 1993) In addition to the penalties provided for in Section 4 of this local law, any person retrieving a dog from the pound must pay to the Town Clerk of the Town of Brighton the fee provided for in Section 118 of the Agriculture and Markets Law of the State of New York. All other provisions of Section 118 of said law are hereby adopted and made a part of this local law.

c. A violation of any order issued by a Town Justice under the provisions of this Section 3 shall be an offense punishable, upon conviction, as provided in Section 4 of this local law.

Section 4. Penalties

Upon conviction, a violation of this local law shall be deemed an offense punishable by a fine not to exceed twenty-five dollars (\$25.00) for the first offense, and fifty dollars (\$50.00) for each offense thereafter.

Section 5. Enforcement

Any person or persons who are or may be lawfully authorized by the Town Board of the Town of Brighton, shall, and all peace officers may, administer and

enforce the provisions of this law, and for such purposes shall have the authority to issue appearance tickets.

Section 6. Validity

If any section, paragraph, subdivision, clause, phrase or provision of this law shall be judged invalid or held unconstitutional, it shall not effect the validity of this law as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

Section 7. Effective Date

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

(Added by Amendment Local Law No. 1 of the Year 1980)

Section 8. Redemption Period

The SPCA or any Humane Society under contract with the Town of Brighton for dog control shall have the privilege of extending the redemption period to more than five (5) days to allow for the placement of special dogs under certain conditions with the number of added redemption days left to the discretion of the SPCA or Humane Society.

Section 9. Adoption Policy

The SPCA or Humane Society under contract with the Town of Brighton for dog control shall adopt and enforce their own adoption policy and set their own adoption fees with all adoption fees required immediately becoming the property of the SPCA or Humane Society under contract.

Section 10. Proof of Ownership

If any owner or harborer forfeits title to and dog seized in the Town of Brighton for any violation of Article 7 or a local dog control law at the expiration of the appropriate redemption period and if the person is proved to the satisfaction of a Town Justice that he is, in fact, the owner or harborer of any dog seized in violation of Article 7 or a local dog control law, that person or persons shall be held responsible for all impoundment fees, fines, penalties and damages incurred by said dog subsequent to the dog's seizure.