

# 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  Town  Village  
(Select one.)

of Roslyn Harbor

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**

JUN 21 2016

Local Law No. 3 of the year 20 16

MISCELLANEOUS  
& STATE RECORDS

A local law to amend Chapter 92, "Dogs," of the Code of the Village of Roslyn  
(Insert Title)  
Harbor.

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Roslyn Harbor

as follows:

**INCORPORATED VILLAGE OF ROSLYN HARBOR  
LOCAL LAW 3-2016  
AMENDMENT TO CHAPTER 92  
"DOGS"**

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Roslyn Harbor as follows:

**SECTION I.** § 92, "*Dogs*", is hereby amended, in part, to read as follows:

**Dogs § 92-1 Findings and purpose.**

It appearing that dogs in the Incorporated Village of Roslyn Harbor have, in some instances, been allowed to cause annoyance, damage and harm to the person and properties of others and have created nuisances within the Village, and it appearing further that dogs properly cared for serve a useful purpose, the Board of Trustees of the Incorporated Village of Roslyn Harbor enacts the following article to preserve the relationship between a dog and his master and, at the same time, to protect the health, safety, property and well-being of persons and property from annoyance and damage caused by dogs by imposing restrictions on persons owning or possessing dogs within the Village.

**§ 92-2 Definitions.**

Unless otherwise expressly provided, for the purpose of this article, the following words shall have the meanings herein indicated:

**AGRICULTURE AND MARKETS LAW**

The Agriculture and Markets Law of the State of New York in effect as of the effective date of this article and as amended thereafter.

**BOARDING** - Keeping of a dog, which is not registered to the property owner or tenant, except that a property owner or tenant may occasionally keep on a temporary basis, the dog or dogs of a family member or friend, provided notice is given to the Village and permission is granted by the Village for this boarding.

...

**§ 92-8 Boarding.**

Boarding of a dog or dogs shall be prohibited in all residential districts.

**§ 92-9 Impoundment.**

...

**§ 92-10 Doghouses or structures accommodating pets.**

A. No more than one doghouse or structure accommodating a dog shall be permitted per lot. No doghouse or similar accessory structure shall accommodate more than four dogs of the equivalent size or larger than an adult dog. The temporary raising of a litter shall be permitted.

B. No doghouse or similar accessory buildings accommodating a dog, or dog run shall exceed 25 square feet of floor area, exceed six feet in height, or be closer than 30 feet to any property line.

**§ 92-11 Appearance ticket; report of violation.**

A. The dog warden, peace officer or Building Official observing a violation of any section of this article shall issue and serve an appearance ticket for such violation. The appearance ticket shall be in the form prescribed and in accordance with the provisions of the Agriculture and Markets Law and the Criminal Procedure Law.

B. Any person observing a violation of any section of this article may personally appear at the office of the Village Clerk and report such a violation. Said person may also sign and swear to the appropriate accusatory instrument as required by law and thereby commence prosecution of the alleged violator.

**§ 92-12 Penalties for offenses.**

Any person who shall violate § 92-3 of this article shall be guilty of a violation punishable by a mandatory fine of \$50. Any person who shall violate any other provision of this article shall be guilty of a violation punishable as provided in Chapter 1, Article I of this Code. In addition, any dog found to be dangerous to the health, safety or welfare of persons or property may, in the discretion of the court, be ordered destroyed.

**SECTION III.** The local law shall take effect upon the filing with the Department of State.

(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. 3 of 20 16 of the ~~(County)(City)(Town)~~ (Village) of Roslyn Harbor was duly passed by the Board of Trustees on June 9, 20 16, 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 \_\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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 \_\_\_\_\_, 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.)~~

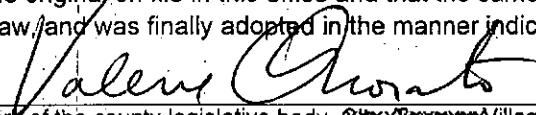
~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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.

  
Clerk of the ~~RRNY~~ legislative body, ~~City of~~ ~~xxxxxx~~ Village Clerk  
officer designated by local legislative body, Valerie Onorato

Date: 6/9/16

(Seal)