
(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.

Town of Hammond

Local Law No. 1 of the year 2016

A Local Law to Amend Local No. 4 of the Year 2010, Dog Licensing and Control Law

(Insert title)

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

(Name of Legislative Body)

Section 1. The Town Board of the Town of Hammond, pursuant to the authority granted it under Article 7 of the Agriculture and Markets Law, Article 9 of the Town Law, and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts the following amendments to Local Law No. 4 of the Year 2010, Dog Licensing and Control Law.

Section 2. Section 4, Definitions, of the Dog Licensing and Control Law of the Town of Hammond is hereby amended by adding the following definition thereto

Dog Control Officer: A person appointed by the Town Board for the purpose of assisting, within the Town, with the control of dogs and the enforcement of this local law. The Dog Control Officer shall have the power to issue an appearance ticket pursuant to section 150.20 of the Criminal Procedure Law, to serve a summons, and to serve and execute any other order or process in the execution of the provisions of this local law.

Section 3. Section 15 of the Dog Licensing and Control Law of the Town of Hammond is hereby renumbered to 15.1, Violations, and amended to read as follows:

Section 15.1: Violations

Where a person has committed a violation of this Dog Licensing and Control Law, the Town Board, in consultation with the Dog Control Officer and the Town Attorney or counsel retained by the Town, may elect either to commence an action to recover a civil penalty or to prosecute an action against that person as a violation under the penal law.

Section 4. The Dog Licensing and Control Law of the Town of Hammond is hereby amended by adding Section 15.2, Civil Penalties, to read as follows:

Section 15.2: Civil Penalties

Where the Town elects to commence an action to recover a civil penalty, a violation of this law shall be punishable as follows:

- (a) For a first violation, a penalty of no less than \$25.00 nor more than \$100.00.

- (b) For a second offense within a one year period, a penalty of no less than \$50.00 nor more than \$150.00.
- (c) For a third or subsequent offense within a one year period, a penalty of no less than \$75.00 nor more than \$200.00.

The civil penalties provided by this section shall be recoverable in an action instituted in the name of this Town.

Section 5. The Dog Licensing and Control Law of the Town of Hammond is hereby amended by adding Section 15.3, Criminal Penalties, to read as follows:

Section 15.3: Criminal Penalties

Where the Town elects to prosecute an action pursuant to the penal law, a violation of this law shall be punishable as follows:

- (a) For a first violation, a fine of no less than \$25.00 nor more than \$100.00.
- (b) For a second offense within a one year period, a fine of no less than \$50.00 nor more than \$150.00.
- (c) For a third or subsequent offense within a one year period, a fine of no less than \$75.00 nor more than \$200.00, or imprisonment for not more than fifteen (15) days, or both.

(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 2016 of the Town of Hammond was duly passed by the Board of Trustees on September 14, 2016, in accordance with the applicable provisions of law.

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) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer*)
on _____ 20____, in accordance with the applicable provisions of law.

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) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____
(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 of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 20____, and was (approved)(not approved) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)

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.)

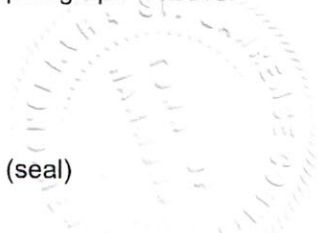
I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



(seal)

Pamela Barton

Pamela Barton
Clerk, of the Town Hammond

Date: 9/21/16

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

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

Joseph W. Russell

Joseph W. Russell, Town Attorney
Town of Hammond

Date: 9/19/16