

# Local Law Filing

New York State Department of State  
162 Washington Avenue, Albany, New York 12231

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.

Village of Hammond

Local Law No. 2 of the year 2024

A local law Repealing Local Law Number 1 for the year 1977 and providing for Dog Control Law for the Village of Hammond

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

Village of Hammond as follows:

Local Law Number 1 for the year 1977 is hereby repealed, except that this repeal shall not affect the rights or responsibilities or prevent the prosecution or punishment of any person for any act done or committed in violation of said law hereby repealed prior to the effective date of this local law; and the following shall be enacted:

**Section 1:** Purpose: The Village Board of the Village of Hammond finds that the running at large and other uncontrolled behavior of licensed and unlicensed dogs has caused physical harm to persons, damage to property and has created nuisance within the Village. The purpose of this Local Law is to protect the health, safety and well being of persons and property by imposing restriction on the keeping and running at large of dogs within the Village.

**Section 2:** Authority: This Local Law is enacted pursuant to the provisions of Article 7 of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

**Section 3:** Title: The title of this law shall be Dog Control Law of the Village of Hammond.

**Section 4:** Definition of Terms: As used in this Local Law the following words shall have the following respective meanings:

- (a) "Dog" means male and female, licensed and unlicensed, members of the species *canis familiaris*.
- (b) "Owner" means person entitled to claim lawful custody and possession of a dog who is responsible for purchasing the license for such dog unless the dog is or has been lost, and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the term owner shall designate and cover any person or persons, firm, association, or corporation, who or which at anytime owns or has

custody or control of, harbors, or is otherwise responsible for any dog which is kept, brought or comes within the Village. Any person owning or harboring a dog for a period of one (1) week prior to filing any complaint charging a violation of this Local Law, shall be held in and deemed to be the owner of any dog found to be in violation of this chapter. Shall said person be under 18 years of age, the head of the household in which said minor resides shall be deemed to have custody and control of said dog and shall be responsible for any acts of the said dog in violation of this Local Law.

- (c) "Run at Large" means to be in a public place or on a private land without the knowledge, consent, and approval of the owner of such lands.
- (d) "Village" means the Village of Hammond.

**Section 5:** Restrictions: It shall be unlawful for any owner of any dog in the Village 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 the full control of such owner or person. For the purpose of the Local Law, a dog or dogs hunting in the company of a hunter or hunters shall be considered as accompanied by its owner.
- (b) Engage in habitual and loud howling, barking, crying or whining or conduct as to unreasonably and habitually disturb the comfort or repose of any person other than the owner of such dog.
- (c) Uproot, dig, or otherwise damage any vegetables, lawns, flowers, garden beds, or other property without the consent or approval of the owner.
- (d) Chase, jump upon or 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.
- (e) Habitually chase, run alongside of, or bark at motor vehicles, motorcycles or bicycles while on a public street, highway, or place, or upon private property without the consent or approval of the owner of such property.
- (f) Create a nuisance by defecating, urinating or digging on public property, or on private property without the consent or approval of the owner of such property.
- (g) If a female dog, when in heat, be off the owner's premises, unrestrained by a leash.

**Section 6:** Licensing of Dogs:

- (a) All dogs in the Village of Hammond must be licensed with the Town Clerk by the age of four (4) months and are required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license.
- (b) All dog licenses will be for a period of one year and will expire at the end of the month, one year from the date of issue.
- (c) Fees for Licensing of Dogs:  
The fee for a spayed or neutered dog will be \$7.50, (which includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control), and the fee for an un-spayed or un-neutered dog will be \$15.50, (which includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control). Such fees shall be reviewed by the Village Board periodically and may be changed by a Resolution of the Village Board, if deemed necessary.
- (d) Enumeration Fee: When the Village Board determines the need for a dog enumeration, a fee of \$5.00, will be assessed to all dogs found unlicensed or unexpired at the time the enumeration is conducted.
- (e) Purebred License: The Village of Hammond will **NOT** issue Purebred or Kennel Licenses. All dogs will be licensed individually as per fee system stated above.
- (f) Service Dogs: The Village of Hammond will require a license, exempt from licensing fees, for any guide dog, service dog, hearing dog or detection dog.
- (g) The Village of Hammond does not allow the licensing of dogs by a shelter. The shelter **MUST** send the adoptive dog owners to the Clerk of the Village, Town or City in which the dog will be harbored for licensing.
- (h) All dog licenses may be purchased by visiting the Town Office or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be **NO** refund of fees.
- (i) All fees will be used in funding the administration of the Dog Control Law of the Village and Town of Hammond.
- (j) Fees for Seizure of Dogs: The fee for seizure and impoundment of dogs in violation of this law or the Laws of New York State Department of Agriculture and Markets law are as follows: The same impoundment and euthanasia fees per animal that are charged to the Town for such service.

**Section 7:** Procedure for Seizure of Dogs:

- (a) The Dog Control Officer or any peace officer shall seize:
- \* Any unlicensed dog whether on or off the owner's premises;
  - \* Any dog not wearing a tag, and after June 15, 1985, not identified, and which is not on the owner's premises; and
  - \* Any dog found in violation of paragraphs (a)-(g) of Section 5 of this Local Law.

Such seized dog shall be kept and disposed of in accordance with the provisions of Article 7 of Agriculture and Markets Law, and see that the order of the ~~Village~~ Justice of the ~~Village~~ of Hammond in such case is carried out. <sup>Town</sup> ~~Town~~

- (b) The Dog Control Officer or Peace Officer observing a violation of this Law in his or her presence shall issue and serve an appearance ticket for such violation. Said Law should be considered a petty offense and not a misdemeanor.
- (c) Any person who observes a dog in violation of this Local Law may file a complaint under oath with the Town Justice of the Town of Hammond specifying the nature of the violation, the date thereof, a description of the dog and the name and residence, if known, of the owner of such dog. Such complaint may serve as a basis for enforcing the provisions of this Local Law.

**Section 8:** Penalties: Any person convicted of a violation of this Local Law shall be liable for a civil penalty of One Hundred Dollars (\$100.00) for a first violation; One Hundred Fifty Dollars (\$150.00) for a second violation; and Two Hundred Fifty Dollars (\$250.00) for each subsequent violation, or imprisonment for not more than 15 days, or both.

**Section 9:** Separability: Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section 10:** Repealer: This Local Law shall supersede all prior Local Laws, Ordinances, Rules and Regulations relative to the control of dogs within the Village of Hammond, and they shall be upon the effectiveness of this Local Law, null and void.

**Section 11:** Effective Date: This Local Law shall be effective upon filing with the New York Secretary of State in accordance with Municipal Home Rule Law.

*(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. 2 of 2024 of the Village of Hammond was duly passed by the Village Board on January 3, 2024, 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 disapproved)(repassed after disapproval) by the \_\_\_\_\_ and \_\_\_\_\_ (Name of Legislative Body) (Elective Chief Executive Officer\*) was deemed duly adopted 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 disapproved)(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 disapproved)(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.

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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 chairman 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 of 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.

*(Seal)*

Jill M. Sullivan   
Clerk of the County legislative body, City, Town or Village  
Clerk or officer designated by local legislative body.  
Jill Sullivan, Clerk  
Date:  January 3 , 2024

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

STATE OF NEW YORK     )  
  ).ss  
COUNTY OF ST. LAWRENCE)

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.

Henry J. Leader, Esq.   
Village Attorney  
Village of  Hammond   
Date:  January , 2024