

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

LOCAL LAW NO. 1 OF THE YEAR 2009

A LOCAL LAW AMENDING THE REGULATIONS REGARDING  
THE CONTROL OF ANIMALS ESTABLISHED BY LOCAL LAW 5 OF 1996  
AND ADOPTING REGULATIONS REGARDING THE CONTROL OF ANIMALS  
IN THE VILLAGE OF WEST HAMPTON DUNES AS FOLLOWS:

Section 1.0 Enactment, Effective Date,  
Purpose and Definitions.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Findings.

1.5 Purpose and Intent of Local Law.

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2.1 Amendment to the Control of Animals in the Village of West Hampton Dunes

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Section 1.0 Title, Enactment, Effective Date,  
Purpose, and Definitions.

1.1. Title

This Local Law shall be entitled “Local Law No. 1 of 2009 of the Incorporated Village of West Hampton Dunes, a Local Law Amending Local Law 5 of 1996 and Adopting Regulations regarding the Control of Animals in the Village of West Hampton Dunes.”

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law of 2009, a Local Law of the Village of West Hampton Dunes.

1.3. Effective Date.

This local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

1.4 Findings.

The Board of Trustees of the Village of West Hampton Dunes determines and finds that it is in the best interests of the Village, its residents, property owners and guests, and of the preservation of good order and public safety in the Village of West Hampton Dunes to amend the Village Animal Control Regulations, Local Law 5 of 1996, to adopt regulations regarding the control of animals in the Village of West Hampton Dunes.

1.5. Purpose and Intent of Local Law.

The purpose and intent of this Local Law is amend Local Law 5 of 1996 and to adopt a new section of the animal control regulations of the Village of West Hampton Dunes which requires the use of leashes to control animals on a seasonal basis.

2.0 General Provisions;

2.1 Amendment to Local Law 5 of 1996

The animal control regulations of the Village of West Hampton Dunes, which were created by Local Law 5 of 1996, are hereby amended to include a new section 2.2A as follows:

“DOGS AND OTHER ANIMALS

ARTICLE I

Enactment, Effective Date and Purpose

1-1 Enactment

1-2 Effective Date

1-3 Purpose

ARTICLE II

Definitions and regulations

2.1. Noisy animals

2-2. Vicious and unruly animals

2.2A Requirement for the use of Leashes

2-3. Dog and Animal Waste of Cleaning.

2-4. Penalties for offenses

ARTICLE I

1.1 Enactment

Pursuant to §10 of the Home Rule Law, §2-250 of the Village Law of the State of New York, the Village of West Hampton Dunes County of Suffolk and State of New York, hereby enacts as Local Law No. 5 of 1996, this local law entitled; “Local Law No. 5 of 1996, of the Incorporated Village of West Hampton Dunes, Creating Regulations for the Control of Dogs and Other Animals.”

1.2 Effective Date

The local law shall become effective on the filing of the local law with the Secretary of State of the State of New York which shall be within five days of the date hereof, and after any required publication of this law, as may be required pursuant to the Village Law of the State of New York.

1.3 Purpose

This Local Law No. 5 of 1996, establishing a local law for the purpose of creating

regulations for the control of dogs and other animals in the village of West Hampton Dunes and for the following purposes:

- A. To promote in the public interest the orderly enforcement of laws and regulations in the Village for the control of dogs and other animals.
- B. To provide for the safety and well-being of the residents of the Village and the visitors to the Village, and to provide for safe conditions in the Village.
- C. To establish a building department and regulation and procedures thereof for the Village of West Hampton Dunes.

## ARTICLE II

### Definitions and Regulations

#### 2.1 Noisy Animals.

It shall be unlawful to harbor any dog or other animal which continually or intermittently howls, cries or makes other noises disturbing to the peace and quiet of the neighborhood during either the daytime or the nighttime in or on any land, building, structure or water within the jurisdiction of the Village of West Hampton Dunes.

#### 2.2 Vicious and unruly animals;

It shall be unlawful to harbor any vicious or unruly dog or other animal, unless muzzled, tied, leashed or otherwise securely confined, in or on any land, building, structure or water within the jurisdiction of the Village of West Hampton Dunes.

#### 2.2A Control of Dogs

- A. No person in the Village of West Hampton Dunes who possesses or harbors a dog

(male or female) shall permit or allow such dog to run loose or at large in any street, sidewalk, lane or public place in the Village of West Hampton Dunes or upon any private property without the consent of the owner or person in possession of said property.

**B.** During the period beginning at 12:01 a.m. of the Friday prior to Memorial Day through 11:59 p.m. of Labor Day of each year, on every Friday, Saturday and Sunday, and on each National Holiday occurring during that period, from the hours of 10:00 a.m. through 4:00 p.m., No dog shall be permitted at any time to be on any street, sidewalk, lane or public or private place in the Village of West Hampton Dunes unless the dog is effectively restrained by a chain or leash or similar means in the immediate custody and control of the owner or custodian of the dog by a chain or leash not exceeding ten feet in length.

### 2.3 Dog and Animal Waste and cleanliness

The owner of each dog and animal pet in the Village or the person responsible for of in the control or possession of every such dog or animal in the Village shall be responsible for the removal and proper disposal of the waste of that animal in the Village both on the property of the owner or individual described herein.

### 2.4 Penalties for offenses.

Each violation of any separate provision of this law shall constitute a separate offense hereunder, and any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

3.0. Severability.

In the event that any section or portion of this Local Law shall be deemed to be unenforceable or of no effect, the remainder of the Local Law shall survive and remain in full force and effect.