

**NOTICE OF ADOPTION OF
ORDINANCE**

Please take notice that the Town Board of the Town of Guilderland at a regular meeting held at the Guilderland Town Hall, Willow St., Guilderland, N. Y., on Sept. 10, 1968 enacted an ordinance set forth as follows:

AN ORDINANCE TO RESTRAIN THE RUNNING AT LARGE OF DOGS IN THE TOWN OF GUILDERLAND, NEW YORK, AND GENERALLY REGULATING DOG OWNERS' RESPONSIBILITIES.

BE IT RESOLVED and ordained by the Town Board of the Town of Guilderland, Albany County, New York, as follows:

SECTION 1. It shall be unlawful for any owner of or any person harboring any dog in the Town of Guilderland to permit or allow such dog to:

(a) run at large unless said dog is restrained by a leash or unless accompanied by its owner or a responsible person able to control the animal,

(b) engage in habitual loud howling or barking or to conduct itself in such manner so as to habitually annoy any person other than the owner or person harboring such dog,

(c) cause damage or destruction to property, or commit a nuisance upon the premises of a person other than the owner or person harboring such a dog,

(d) chase or otherwise harass any person in such a manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury,

(e) habitually chase or bark at motor vehicles; provided, however, that the provisions of subsections (a) and (d) hereof shall not apply in the case of a dog kept, maintained or harbored in any area of the town of Guilderland zoned for agricultural use under the provisions of any ordinance or local law of the Town of Guilderland heretofore or hereafter enacted including any amendments thereto. For the purpose of this ordinance, a dog or dogs hunting in company with a hunter or hunters shall be considered as accompanied by its owner.

SECTION 2. It shall be unlawful for a person harboring a female dog in any area of the Town of Guilderland other than an area zoned for agricultural purposes pursuant to the provisions of any ordinance or local law or amendment thereto heretofore or hereafter enacted to permit such dog to run at large when in heat and such dog shall be confined to the premises of such person during such period.

SECTION 3. A dog warden, to be designated by the Town Board as provided by §119 of the Agri-

culture and Markets Law, may enforce the provisions of this ordinance and may also investigate and report to a Justice of the Peace of the Town of Guilderland any dangerous dog as described in §116 of the Agriculture and Markets Law, and see that the order or orders of the Justice of the Peace in such case are carried out.

SECTION 4. Any person who observes a dog causing damage or destruction to property of a person other than its owner, or committing a nuisance upon the premises of a person other than its owner or otherwise violating any of the provisions of this ordinance may file a signed complaint, under oath, with a Justice of the Peace of the Town of Guilderland specifying the objectionable conduct of the dog, the date thereof, the damage caused, a description of the dog and name and residence, if known, of the owner or other person harboring said dog.

SECTION 5. Upon receipt by the Justice of the Peace of any complaint against the conduct of any particular dog, the Justice of the Peace may summon the alleged owner or other person harboring said dog to appear in person before him; if the summons is disregarded, the Justice may permit the filing of an information and issue a warrant for the arrest of such person.

SECTION 6. Any person who violates this ordinance or knowingly permits the violation of this ordinance or of any of the provisions thereof shall be deemed to have committed an offense against this ordinance and any person convicted of any such violation after investigation and hearing shall be punishable by a penalty of not more than \$25.00 for each violation.

SECTION 7. The ordinance heretofore adopted on September 2, 1958, by the Town Board of the Town of Guilderland entitled: "ORDINANCE OF THE TOWN OF GUILDERLAND, COUNTY OF ALBANY AND STATE OF NEW YORK, FOR REGULATING THE KEEPING OF DOGS AND AUTHORIZING THE IMPOUNDING AND SALE OF THE SAME, FOR THE COST OF KEEPING, PROCEEDINGS AND PENALTIES WITHIN THE TOWN OF GUILDERLAND UNDER THE AUTHORITY OF SUBDIVISION 9 OF SECTION 130 OF THE TOWN LAW," is hereby repealed.

SECTION 8. This ordinance shall take effect ten days after its publication and posting as provided for by §133 of the Town Law.

Dated: September 13, 1968.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND

MILDRED WISE,
(Sept. 13) Town Clerk.