

Chapter 3 | Animals

3.1. Judicial Jurisdiction

- A. Any Village Justice of the Village of Brockport shall have jurisdiction to hear all actions and proceedings hereunder and of all prosecutions for the violation of this chapter.
- B. The Village reserves the right to pick up unwanted dogs as space is available in the kennel or to discontinue the service by resolution of the Village Board of Trustees, if necessary.
- C. The Village of Brockport reserves the right to pick up those unwanted cats as space is available and to discontinue the service by resolution of the Village Board of Trustees if necessary.

3.2. Keeping of Farm Animals

No person shall keep or permit to be kept farm animals excluding chickens by permit, on their premises within the limits of the Village of Brockport.

3.3. Dogs

- A. The purpose of this article shall be to preserve the public peace and good order in the Village of Brockport and to contribute to the public welfare and good order of its people by enforcing certain regulation and restrictions on the activities of dogs that are consistent with the rights and privileges of the other citizens in the Village of Brockport.
- B. The following regulations apply to the owning of dogs in the Village of Brockport:
 - 1. Any person who witnesses an attack or threatened attack, or in the case of a minor, an adult acting on behalf of such minor, may make a complaint of an attack or threatened attack upon a person, companion animal, farm animal, or a domestic animal as defined under New York State Agriculture and Markets law. Complaints can be made to Village Police. Officers shall immediately inform complainants of their right to commence a proceeding as provided in § 123.2 under Article 7 of New York State Agriculture and Markets law.
 - 2. It shall be unlawful to keep or suffer to be kept on the premises occupied by the owner or harbinger of any dog which engages in habitual howling, barking or whining or conducts itself in such a manner as to unreasonably disturb the comfort and repose of any reasonable person or normal sensitivities outside the owner's premises.
 - 3. It shall be unlawful to keep or suffer to be kept any dog which kills any other dog, cat or domesticated animal without just cause.
 - 4. It shall be unlawful for the owner of a dog to permit such dog to be at large in the Village of Brockport, Monroe County, New York, unless under leash not exceeding eight feet in length, other than when on the premises of the person owning, keeping, harboring or having custody and control of such dog or upon the premise of another with the knowledge, consent and approval of the owner of such premises or when hunting in the company and under the control of a hunter or hunters.

5. All premises, structures or enclosures in which a dog is kept shall be clean and sanitary.
6. It shall be unlawful to own or harbor a dog unless licensed as provided by Article 7 of the Agriculture and Markets Law. Licenses shall not be required for dogs under the age of four months which are not at large. [Amended 6-20-2005 by L.L. No. 2-2005].
7. It shall be unlawful for any person to own, possess, or harbor a dangerous dog, as defined in this section and in accordance with the New York State Agriculture and Markets law. [Added 6-20-2005 by L.L. No. 2-2005].

C. Complaints and Enforcement

1. All complaints concerning alleged violations of this article shall be communicated to the designated animal control officer of the Village of Brockport
2. The designated animal control officer, having reasonable cause to believe that a person has violated this article, shall issue and serve upon such person an appearance ticket for such violation. The appearance ticket shall be in the form prescribed by the Village Board by resolution in accordance with provisions of § 124 of the Agriculture and Markets Law and this article. An answer to such appearance ticket may be made within 5 days of the violation, by registered or certified mail, return receipt requested, in lieu of a personal appearance on the return date at the time and court specified in the appearance ticket, in accordance with the provisions of § 124 of the Agriculture and Market Law and this chapter.
3. It shall be the duty of the designated animal control officer to enforce the provisions of this article and to seize all dogs found at large in violation of the article or which are ordered seized by a Village Justice.

D. Notification and Redemption Procedures, Fees and Penalties

For any dog seized pursuant to the regulations in this article, the following notification and redemption procedures shall be followed:

1. Unidentified dogs, whether or not licensed, shall be held for a period of 5 days from the day seized, during which time the owner may redeem the dog.
2. For identified dogs, whether or not licensed, the owner shall be notified personally or by certified mail, return receipt requested, of the facts of seizure and the redemption procedures. If notification is made personally, the dog shall be held for 7 days after the day of notice; if notification is made by mail, the dog shall be held for a period of 9 days, during which period the owner may redeem the dog.
3. In either of the above cases, the owner must produce proof of licensing and pay seizure and impoundment fees in order to redeem the dog. The seizure and impoundment fees shall be as set from time to time by the Village Board of Trustees.
4. If not so redeemed, the owner shall forfeit all title to the dog, and the dog shall be sold or destroyed by the designated animal control officer. In the case of sale, the purchaser must pay all accrued charges to the Village Clerk and obtain a license for such dog. The designated animal control officer who destroys a dog shall immediately dispose of the carcass and take a written report of such destruction and disposition to the Village Clerk, who shall keep a record thereof.

5. The Village Board of Trustees , pursuant to § 118 of the Agriculture and Markets Law and the regulations established in this chapter, will from time to time set forth fees to be charged to the owner of a dog seized and kept at the Town of Sweden kennel, such fees to be paid to the Village Clerk before the dog may be redeemed.
6. Nothing contained in this section is intended to eliminate, reduce, diminish or replace the provisions set forth in § 123 of the Agriculture and Markets Law with respect to fines, civil penalties or imprisonment with respect to dangerous dog violations.

E. Authorization

The designated animal control officer is hereby authorized to pick up unwanted dogs that are owned by residents who are financially unable to take proper care of their pets, including the cost of rabies vaccination and licensing, when such owner requests the Village to dispose of these animals, in accordance with the following rules:

1. The owner must execute a form relinquishing all claim of ownership to the dog and agreeing to its disposition according to law and absolving the Village and the designated animal control officer of any liability.

No fee will be charged for the first call, and any number of dogs may be taken. Any dog or dogs remaining on the premises must be properly licensed. For second or successive calls, owners will be required to pay the cost of euthanasia charged to the Village.