

DOGS AND OTHER ANIMALS

Chapter 30

DOGS AND OTHER ANIMALS

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[HISTORY: Adopted by the Board of Trustees of the Village of Chatham: Art. I, 2-1-72 as L.L. No. 1-1972; Art. II, 7-13-78 as L.L. No. 3-1978; Art. III, at time of adoption of Code (see Ch. 1,

General Provisions, Art. I). Sections 30-2, 30-7 and 30-12 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

ARTICLE I

Horses

[Adopted 2-1-72 as L.L. No. 1-1972]

§ 30-1. Riding or leading on sidewalks or private property.

No person shall ride or lead a horse or pony upon any sidewalk or public footpath in the Village of Chatham, and no person shall ride or lead any horse or pony upon any private property within the village without the consent of the owner or occupant thereof.

§ 30-2. Penalties for offenses.¹

Any person who shall violate any provision of this Article shall be subject to a fine of not more than two hundred fifty dollars (\$250.) or imprisonment for not more than fifteen (15) days, or both, for each such violation.

ARTICLE II

Dogs

[Adopted 7-13-78 as L.L. No. 3-1978]

§ 30-3. General restrictions.

It shall be unlawful for any owner of or any person harboring any dog in the Village of Chatham to permit or allow such dog to:

- A. Run at large, unless said dog is restrained by an adequate collar and leash or unless accompanied by its owner or a responsible person able to control the animal. For the purposes of this Article, a dog or dogs hunting in company with a hunter or hunters shall be considered as accompanied by its owner.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- B. Engage in habitual loud howling or barking or 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 to reasonably cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.
- E. Habitually chase or bark at motor vehicles.

§ 30-4. Female dogs in heat.

It shall be unlawful for the owner or person harboring any female dog 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.

§ 30-5. Filing of information.

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 the provisions of this Article may file an information with the Village Justice of the Village of Chatham specifying the objectionable conduct of the dog, the date thereof, the damage caused, a description of the dog and the name and residence, if known, of the owner or other person harboring said dog.

§ 30-6. Enforcement.

Notwithstanding the provisions of § 30-5 of this Article, the provisions of this Article may also be enforced by the local police authorities of the Village of Chatham and/or the Dog Warden, if any, of the Village of Chatham.

§ 30-7. Penalties for offenses.²

Any person who violates this Article or knowingly permits the violation of this Article or any of the provisions thereof shall be punishable as set forth in § 119 of the Agriculture and Markets Law.

ARTICLE III**Pit Bulls**

[Adopted at time of adoption of Code³]

§ 30-8. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

PIT BULL DOG:

- A. The bull terrier breed of dog.
- B. The Staffordshire bull terrier breed of dog.
- C. The American pit bull terrier breed of dog.
- D. The American Staffordshire terrier breed of dog.
- E. Dogs of mixed breed or of other breeds than above listed, which breed or mixed breed is known as "pit bulls," "pit bull dogs" or "pit bull terriers."
- F. Any dog which has the appearance and characteristics of being predominantly of the breeds of bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier or any other breed commonly known as "pit bulls," "pit bull dogs" or "pit bull terriers," or a combination of any of these breeds.

§ 30-9. Keeping of pit bulls prohibited; exceptions.

It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the Village of Chatham any pit bull dog, provided that pit bull dogs residing in the village on the date of

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

³ Editor's Note: See Ch. 1, General Provisions, Art. I.

passage of this Article may be kept within the village, subject to the standards and requirements herein set forth.

§ 30-10. Standards and requirements for harboring.

Pit bull dogs residing in the Village of Chatham at the time of passage of this Article may be kept by their owners within the village, subject to the following standards:

- A. **Registration.** Pit bull dogs residing in the village at the time of passage of this Article must be registered with the village by the owners within ten (10) days of passage of this Article.
- B. **Leash and muzzle.** No person shall permit a pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
- C. **Confinement.** All pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top, not easily cut or damaged, attached to the sides. All structures used to confine pit bull dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All structures erected to house pit bull dogs must comply with all zoning and building regulations of the village. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
- D. **Confinement indoors.** No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no

such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

- E. Signs. All owners, keepers or harborers of pit bull dogs within the village shall, within ten (10) days of the effective date of this Article, display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog - Pit Bull." In addition, a similar sign is required to be posted on the kennel or pen of such animal.
- F. Identification photographs. All owners, keepers or harborers of registered pit bull dogs must, within ten (10) days of the effective date of this Article, provide to the Village Clerk two (2) color photographs [two (2) different poses] of the animal, clearly showing the color and approximate size of the animal.
- G. Reporting requirements. All owners, keepers or harborers of pit bull dogs must, within ten (10) days of the incident, report the following information in writing to the Village Clerk as required hereinafter:
- (1) The removal from the village or death of a pit bull dog.
 - (2) The birth of offspring of a pit bull dog.
 - (3) The new address of a pit bull dog owner should the owner move within the corporate village limits.
- H. Sale or transfer of ownership prohibited. No person shall sell, barter or in any other way dispose of a pit bull dog registered with the village to any person within the village unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such dog, provided that the registered owner of a pit bull dog may sell or otherwise dispose of a pit bull dog or the offspring of such dog to persons who do not reside within the village.
- I. Animals born of pit bull dogs. All offspring born of pit bull dogs registered with the village must be removed from the village within six (6) weeks of the birth of such animal.

§ 30-11. Presumptive evidence.

There shall be irrebuttable presumption that any dog registered with the village as a pit bull dog or any of those breeds prohibited by this Article is in fact a dog subject to the requirements of this Article.

§ 30-12. Penalties for offenses.¹

It shall be unlawful for the owner, keeper or harbinger of a pit bull dog registered with the Village of Chatham to fail to comply with the requirements and conditions set forth in this Article. Any dog found to be the subject of a violation of this Article shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal, resulting in the immediate removal of the animal from the village, and shall be punishable as a misdemeanor.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.