

(Use this form to file a local law with the Secretary of State.)

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.

~~County~~
~~City~~ of Florence
~~Town~~
~~Village~~

Local Law No. 1 of the year 20⁰⁶

A local law (Insert Title) to establish rules and regulations related to the
notification of rabies in the County and to confine dogs
during the tieme such notice is pending.

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

~~County~~
~~City~~ of Florence
~~Town~~
~~Village~~ as follows:

1. Statement of Authority. The Town Board of the Town of Florence pursuant to the authority granted it under the Agriculture and Markets Law of the State of New York, Article 4 of the Town Law of the State of New York, Article 21 of the Public Health Law of the State of New York and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York hereby adopts as follows:

2. Statement of Purpose and Findings. The Town Board of the Town of Florence is cognizant of the Public Health Law provisions regarding notification of rabies in the County and the need to confine dogs during the time such notice is pending. It is the purpose of this local law to establish rules and regulations related to the same and to provide for penalties in the event of violation of provisions of this law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

3. Enactment. The Town Board of the Town of Florence hereby enacts as follows:

1. Rabies Notification.

Pursuant to Article 21 of the Public Health Law, the Town shall assist the Department of Health in providing notifications of the existence of rabies within the township when so notified pursuant to Section 21-40 of the Public Health Law of the State of New York.

2. Publication.

Upon notification, the Town shall cause to be published in the newspaper generally circulated within the Town a notice of the presence of rabies and shall cause the same to be posted on the Town Clerk's sign board and at least two other public locations within the Town of Florence.

3. Prohibitions on Dogs at Large.

Until such time as the rabies notification is lifted for the Town of Florence, it shall be unlawful for any person owning, boarding or otherwise keeping or having in their custody a dog within the Town to permit such dog to be at large other than on the owner's own premises except that it may be on the premises of another person with the knowledge and consent of that person provided, however, that subject to conditions prescribed from time to time by the Commissioner of Health of the State New York, a dog which has been actively immunized against rabies may be permitted to be at large.

4. Violation and Penalties.

Any person owning or harboring a dog and who shall permit such dog to be at large in violation of the provisions of this local law shall be guilty of a violation and subject to a fine of not less than twenty five dollars (\$25.00) nor more than fifty dollars (\$50.00) and/or imprisonment for a period not to exceed fifteen (15) days for a first offense, and a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for a second such offense within a two (2) year period and/or fifteen (15) days

in jail for a second offense within a two (2) year period, and a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) and/or fifteen (15) days in jail for a third or subsequent offense within a two (2) year period.

5. Additional Remedies.

In addition to any other remedies under this law, the Town, through a duly appointed dog warden or through any peace officer, shall have the power to seize and confine or kill any dog found at large in violation of this law. Any such person confining or killing a dog under the provisions of this section shall immediately report those facts to the local Health Officer. Such person shall not be held liable for damage for killing a dog found in violation of a provision of this section providing that the facts relating thereto have been reported to the Health Officer as required.

6. Fees.

In the event that any Peace Officer or duly appointed Dog Warden shall seize a dog under the provisions of this law, that they shall be entitled to a fee of four dollars (\$4.00) if each dog seized and confined and for each dog killed within the provision of this law. The expenses incurred in carrying out these provisions are chargeable to the owner of the animal.

7. Compulsory Vaccination for Rabies.

It is compulsory that all dogs within the Town be vaccinated with the anti-rabies vaccine if dog is six (6) months of age or older. Any owner of a dog willfully failing or refusing to submit its dog for vaccination shall be guilty of a violation of this law and subject to the fines set #4 Violations and Penalties.

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

(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. 1 of 2006 of the ~~(County)~~(City)~~(Town)~~(Village) of Florence ~~Town Board~~ was duly passed by the Town Board on May 8 2006, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 approved)(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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed on _____ 20____ in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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 chairperson 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.

~~(City local law concerning Charter Revision proposed by petition.)~~

hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____
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____,
came operative.

(County local law concerning adoption of Charter.)

hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____
the County of _____ State of New York, having been submitted to the electors
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 cit-
ies of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit
voting at said general election, became operative.

~~any other authorized form of final adoption has been followed, please provide an appropriate certification.)~~

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 in-
dicated in paragraph _____, above.

Shawn M. McManara

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: May 25, 2006

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

STATE OF NEW YORK
COUNTY OF Oswego

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.

[Signature]

Signature

Town Attorney

Title

~~City~~
~~Town~~ of Florence
~~Village~~

Date: May 25, 2006