

CODE OF BROADALBIN - DOG CONTROL

Dogs at large; penalties for offenses

A. Restrictions and prohibitions

1. The owner or person having custody of any dog in the Town of Broadalbin shall:
 - a. Control and restrain such dog by leash not exceeding six feet in length;
 - b. Not permit such dog to be at large except if the dog is on the premises of the owner or on the premises of another person with the knowledge and consent of such other person;
 - c. Not permit any dog in heat to be at large off the owner's premises, whether or not such dog is at large or restrained by a leash.
2. The fact that a dog is at large in the Town of Broadalbin elsewhere than on the premises of the owner or on the premises of another person with the knowledge and consent of such person shall be presumptive evidence that the dog has been permitted to be at large with the knowledge of the owner or person having custody of the dog.

B. Penalties for dogs at large. Any person convicted of a violation of this section shall be deemed to have committed a violation and, except as otherwise provided in section 119 of the Agriculture and Markets Law, shall be subject to a fine of not less than \$25 nor more than \$250 or to imprisonment for not more than 15 days, or both.

Nuisance dogs; penalties for offenses

A. Nuisances

1. The Owner or person having custody of any dog in the Town of Broadalbin shall not permit such dog to commit any nuisance within the Town or cause damage to the property of others.
2. The following acts are considered as public nuisances and are set forth herein for explanatory purposes only and are not to exclude other types of nuisances:
 - a) Howling, barking, crying, or whining for repeated intervals of at least 10 minutes with less than two minutes of interruption and which can be heard by any person, including a law enforcement or dog control officer located outside the dogs owner's or caretaker's premises.

- b) Habitually chasing and/or barking at automobiles, bicycles, moving vehicles or persons on foot.
- c) Jumping upon or knocking any person over.
- d) Being found upon the school yard of any school in the Town during the time of year when the school is open between 30 minutes prior to the beginning of the school day and 30 minutes after the end of the school day.
- e) Causing damage or defacing any property which shall include, but not be limited to, digging holes thereon and/or depositing eliminations thereon.
- f) Running together in a pack, meaning three or more dogs together.

B. Penalties

A violation of any provision of Subsection A of this section shall constitute an offense and shall be punishable upon conviction as follows, except as otherwise provided in section 119 of the Agricultural and Markets Law.

1. For the first offense, by a fine of not less than \$20 nor more than \$125 or by imprisonment for not more than five days.
2. For the second offense, by fine of not less than \$30, not more than \$175 or by imprisonment for not more than 10 days.
3. For a third or any subsequent offense, by a fine of not less than \$50 nor more than \$250 or by imprisonment of not more than 15 days.

Dangerous Dogs at Large

A. Prohibitions

- a) The owner or persons having custody of any dog in the Town of Broadalbin which is ferocious, vicious, habitually attacks, injures, or damages persons, domestic animals, pets or property shall not permit such dog to be at large.