

(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.

~~CITY~~
City
~~TOWN~~
Town
~~VILLAGE~~
Village

of PLATTSBURGH

Local Law No. 6 of the year 1992

AMENDING SECTIONS 161-1, 161-6, and 161-9 OF THE CODE OF THE CITY

A local law OF PLATTSBURGH, TO PROSCRIBE CERTAIN CONDUCT, AND TO INCREASE PENALTIES
(Insert Title) AND IMPOUNDMENT FEES.

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

~~COUNTY~~
County
City
Town
Village

of PLATTSBURGH as follows:

1. Chapter 161, Article I, Section 161-1 of the Code of the City of Plattsburgh is amended to add the following provision:
G. Bite or otherwise cause physical injury to a person.

2. Chapter 161, Article I, Section 161-6 of the Code of the City of Plattsburgh is amended in its entirety to read as follows:

161-6. Penalties for offenses

Any person who violates this Article or knowingly permits the violation of this Article or any of the provisions thereof, shall be deemed to have committed an offense against this Article, and any person convicted of any such violation shall be liable to the following penalties:

.1 For a violation of Sections 161-1 A, B, C, D, E, F, a penalty of fifty dollars (\$50) for the first offense; a penalty of one hundred dollars (\$100) for the second offense involving any dog owned by that person that is committed within two years of the first offense; a penalty of two hundred fifty dollars (\$250) for the third offense involving any dog owned by that person that is committed within three years of the first offense.

.2 For a violation of Section 161-1 G a penalty of two hundred fifty dollars (\$250) for the first offense; a penalty of five hundred dollars (\$500) for the second offense involving any dog owned by that person that is committed within two years of the first offense; a penalty of one thousand dollars (\$1,000) for the third offense involving any dog owned by that person that is committed within three years of the first offense.

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

.3 Nothing in this Article shall be construed as prohibiting or limiting the right of the City of Plattsburgh or any person to bring a dangerous dog proceeding under the Agriculture and Markets Law.

.4 In addition to the foregoing penalties, upon conviction for a violation of this Law, the City of Plattsburgh shall be entitled to recover from the person convicted, reasonable attorneys' fees, as determined by the court, for time spent in prosecuting a violation of this Law.

3. Chapter 161, Article I, Section 161-9 of the Code of the City of Plattsburgh is amended in its entirety to read as follows:

An owner reclaiming an impounded dog shall pay a fee of twenty-five dollars (\$25) for the first impoundment of any dog owned by that person and fifty dollars (\$50) for each subsequent impoundment of any dog owned by that person, and in addition thereto pay the charges of the animal shelter for the impoundment of the dog. The fees imposed by this Section shall be in addition to the penalties imposed by Section 161-6.

(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. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, 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. 6 of 1992 of the ~~(County)(City)(Town)(Village)~~ of PLATTSBURGH was duly passed by the COMMON COUNCIL on OCTOBER 1 1992, and was (approved)(~~not disapproved~~)(~~repassed after disapproval~~) by the MAYOR and was deemed duly adopted on OCTOBER 2 1992, 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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. 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 _____ 19__, 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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__, 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 chairman 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.

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of 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 _____ 19__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19__, 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 cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

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

I 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 indicated in paragraph 2, above.



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

(Seal)

Date: October 2, 1992

(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 CLINTON

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 John E. Clute

Title Corporation Counsel

~~County~~
City of Plattsburgh
~~Town~~
~~Village~~

Date: October 2, 1992