

VILLAGE OF ASHAROKEN
LOCAL LAW NO. # 3 -2016 (Proposed)

A LOCAL LAW AMENDING CHAPTER 57 OF THE CODE
OF THE VILLAGE OF ASHAROKEN ENTITLED “DOGS AND OTHER ANIMALS”

BE IT ENACTED by the Board of Trustees of the Village of Asharoken as follows:

Section One. Legislative Intent.

The Board of Trustees finds that the failure to remove and properly dispose dog feces from private and public streets and other places creates a public nuisance and endangers the public health, safety and general welfare of the Village of Asharoken and that it is in the best interests of the Village to amend Chapter 57 of the Code of the Village of Asharoken entitled DOGS AND OTHER ANIMALS” for this purpose.

Section Two. Article II of Chapter 57 is amended as follows:

1. §57-7, entitled “Penalties for offenses.” is renumbered as § 57-8.
2. A new § 57-7 is adopted to provide as follows:

§ 57-7 – Committing a nuisance prohibited.

Any person owning, harboring, walking or in custody of a dog that defecates on a private road or street, a public road or street, public property or private property without the permission of the property owner, shall remove all feces immediately after it is deposited by the dog by placing such feces in a plastic bag which shall be sealed and deposited in a publicly owned covered receptacle for the disposal of refuse or a covered receptacle owned by the person owning, harboring, walking or in custody of the dog.

Section Three. Severability.

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Four. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.