

Chapter 53

ANIMALS

ARTICLE I

Keeping of Birds and Animals

- § 53-1. Title.
- § 53-2. Definitions.
- § 53-3. Running at large prohibited.
- § 53-4. Housing or stabling of domestic farm animals and poultry.
- § 53-5. Keeping of dangerous or obnoxious animals.
- § 53-6. Restrictions on keeping of domesticated pets.
- § 53-7. Penalties for offenses.
- § 53-8. Title.
- § 53-9. Definitions.

- § 53-10. Running at large prohibited.
- § 53-11. Restraint and leashing of dogs.
- § 53-12. Prohibited nuisances.
- § 53-13. Enforcement officer.
- § 53-14. Penalties for offenses.

ARTICLE III

Cats

- § 53-15. Purpose.
- § 53-16. Definitions.
- § 53-17. Prohibited acts.
- § 53-18. Enforcement.
- § 53-19. Penalties for offenses.
- § 53-20. Seizure of cats running at large.

[HISTORY: Adopted by the Board of Trustees of the Village of Camden as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Noisy animals — See Ch. 99.

ARTICLE I

Keeping of Birds and Animals

[Adopted 2-7-1977 as Ch. 53 of the 1977 Code]

§ 53-1. Title.

This article shall be known and may be cited as the "Birds and Animals Law of the Village of Camden, New York."

§ 53-2. Definitions.

As used in this article, unless the context or subject matter otherwise requires, the following words shall have the following meanings:

ANIMAL — Any living creature, domestic or wild.

DANGEROUS OR OBNOXIOUS ANIMAL — Any animal, domesticated or wild, which because of its nature, size or vicious propensities or other characteristics would constitute a danger to human life or property if not kept or maintained in a safe manner or in secure quarters.

DOMESTICATED PETS — Any living creature customarily kept in the home or place of residence, whether animals, birds, reptiles or fish, which are not vicious, dangerous or otherwise obnoxious, objectionable or offensive.

DOMESTIC FARM ANIMALS — Horses, mules, donkeys, cows, cattle, sheep, goats, pigs and swine and the like.

FARM — An agricultural operation of at least 10 acres where domesticated farm animals and crops are raised or cultivated.

HOUSING or STABLING — The keeping of an animal or animals within a building, structure or shelter normally provided for the same.

POULTRY — Chicken, turkeys, ducks, geese, guinea hens or any other domesticated fowl normally kept for food or egg production.

§ 53-3. Running at large prohibited.

No person shall permit or allow any domestic farm animals to run at large within the Village.

§ 53-4. Housing or stabling of domestic farm animals and poultry. [Amended 2-4-2003 by L.L. No. 4-2002]

No person shall house or stable any domestic farm animals or poultry within 150 feet of any residence other than the owner's. No poultry shall be kept on any premises within the Village except on a farm. No domestic farm animals shall be kept on any premises within the Village except on a farm.

§ 53-5. Keeping of dangerous or obnoxious animals.

No person shall keep any dangerous or obnoxious animals within the Village.

§ 53-6. Restrictions on keeping of domesticated pets.

- A. Dogs or cats. No person shall keep more than three dogs or cats in any residential district (or business district) within the Village except in a kennel or pet shop. It is intended that this is a total of three cats and dogs and not three of each. Notwithstanding the foregoing, the owner of a female dog or cat may keep upon his or her premises the litter of such dog or cat for a period not to exceed three months. Notwithstanding the foregoing, an owner of more than three cats and dogs at the time of adoption of this subsection may continue to keep more than three cats and dogs; provided, however, that as any cat or dog in excess of three dies or relocates outside of the property, it cannot be replaced if such replacement

would cause more than a total of three cats and dogs at such property. [Amended 2-4-2003 by L.L. No. 4-2002]

- B. Insanitary conditions. No person shall keep any domesticated pets except in a clean and sanitary manner.
- C. Noises. No person shall keep any domesticated pets which habitually bark, cry, howl or otherwise disturb the peace by making loud noises at any time of the day or night.¹ [Amended 12-17-1999 by L.L. No. 4-1999]

§ 53-7. Penalties for offenses. [Amended 12-7-1999 by L.L. No. 4-1999]

Each violation of this article shall constitute a violation pursuant to the Penal Law, and shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty.

ARTICLE II

Dog Control

[Adopted 2-7-1977 as Ch. 54 of the 1977 Code]

§ 53-8. Title.

This article shall be known as and may be cited as the "Dog Control Law of the Village of Camden, New York."

§ 53-9. Definitions.

As used in this article, unless the context or subject matter otherwise requires, the following words shall have the following meanings:

DOG — Includes any dog of either sex and of any age.

OWNER — Any person who is the owner of a dog or any person who keeps, feeds or harbors a dog or has in his/her care permits it to remain on or about any premises occupied by them. It is par that the "owner" need not be a resident of the Village of Camden, but for violation to incur, the dog must be in the Village of Camden. [Amended 3-25-2003 by L.L. No. 1-2003]

RUNNING AT LARGE — Roaming or running without restraint off the property of its owner by a dog, licensed or unlicensed.

§ 53-10. Running at large prohibited.

No person owning, keeping, harboring or having custody and control of a dog shall permit such dog to run at large in the Village of Camden except on the premises of another person with the knowledge, consent and approval of such other person.

¹ Editor's Note: See also § 99-2, Unreasonable noise prohibited.

§ 53-11. Restraint and leashing of dogs.

The owner, harborer, keeper or person having custody and control of a dog in the Village of Camden shall control and restrain said dog, and shall be of such physical ability to be able to control and restrain said dog, with an adequate collar and leash not exceeding six feet in length, except when such dog is on the premises of said person or on the premises of another person with the knowledge, consent and approval of such other person.

§ 53-12. Prohibited nuisances.

No person owning, harboring, keeping or having the custody and control of a dog shall suffer, permit or allow such dog to urinate, defecate or to commit any other nuisance in any park, in any public building, in any store or parking lot or upon any public sidewalk or on any private property.²

§ 53-13. Enforcement officer.

- A. Any Village police officer or other person designated pursuant to Agriculture and Markets Law § 114 may act as Dog Control Officer and shall enforce the provisions of this article and may also investigate and report to a Village Justice any dangerous dog as described in § 121 of the Agriculture and Markets Law and shall carry out the order or orders of the Village Justice in those cases provided for in § 118 of the Agriculture and Markets Law and may enforce and carry out the duties outlines generally in Article 7 of said Agriculture and Markets Law. [Amended 12-7-1999 by L.L. No. 4-1999]
- B. The Dog Control Officer shall also have the authority to issue an appearance ticket pursuant to the Criminal Procedure Law for any violation of this article.
 - (1) An answer to such appearance ticket may be made by registered or certified mail, return receipt requested, within five days of the violation as provided in Subsection B(2) and (3) below in lieu of personal appearance at Justice Court on the return date at the time specified in said appearance ticket.
 - (2) If a person charged with the violation admits to the violation as charged in the appearance ticket, he may complete the form attached to the appearance ticket and forward such form and appearance ticket. The Village Justice to whom the ticket has been referred shall inform the violator as to the amount of the penalty for the violation charged. A check or money order must then be submitted.
 - (3) If the person charged with the violation denies part or all of the violation as charged in the appearance ticket, he may complete the form likewise prescribed for that purpose and forward such form and appearance ticket, together with security in the amount of \$15, to the office specified on such appearance ticket. Upon receipt, such answer shall be entered, and the person charged shall be notified by return mail of the date, time and place of such return date, and the security shall be returned upon

² Editor's Note: Former § 54.5B, regarding habitually barking dogs, which immediately followed this subsection, was deleted 12-7-1999 by L.L. No. 4-1999. See now § 53-6C, regarding noise restrictions on domesticated pets, and § 99-2, Unreasonable noise prohibited.

appearance thereat. If a person shall fail to appear at a return date when such is provided for pursuant to this section, the security posted to secure such appearance shall be forfeited and a summons or a warrant of arrest may be issued pursuant to the Criminal Procedure Law.

§ 53-14. Penalties for offenses. [Amended 12-7-1999 by L.L. No. 4-1999; 3-25-2003 by L.L. No. 1-2003]

A. Penalties enumerated.

- (1) First offense: a mandatory civil penalty of not less than \$25 nor more than \$50.
- (2) Second offense within a five-year period: a mandatory civil penalty of not less than \$50 nor more than \$100.
- (3) Third offense within a five-year period: a mandatory civil penalty of not less than \$100 nor more than \$200.

B. These civil penalties do not include redemption or other fees incurred by the seizure and confinement of said animals.

ARTICLE III

Cats

[Adopted 3-25-2003 by L.L. No. 1-2003]

§ 53-15. Purpose.

The purpose of this article is to control and set forth rules and regulations as regard cats in the Village of Camden.

§ 53-16. Definitions.

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

OWNER — Any person who is the owner of a cat or any person who keeps, feeds or harbors a cat or has in his/her care or permits it to remain on or about any premises occupied by him/her. The "owner" need not be a resident of the Village of Camden, but for violation to occur, the cat must be in the Village of Camden.

§ 53-17. Prohibited acts.

It shall be unlawful for any owner of or any person harboring any cat to permit or allow such cat while in the Village of Camden to:

- A. Be vicious or to spray or to defecate in such a way as to cause annoyance to any person other than the owner or person harboring such cat.**
- B. Cause damage or destruction to property or commit a nuisance upon the premises of a person other than the owner or person harboring such cat.**

- C. To be unvaccinated for rabies if over four months old.

§ 53-18. Enforcement.

The Animal Control Officer, any peace officer or any person or agency so designated by the Village Board is authorized by resolution of the Village Board of Trustees of the Village of Camden to enforce the provisions of this article, including service of a summons or an appearance ticket and the service and execution of any other court process.

§ 53-19. Penalties for offenses.

Penalties for violations shall be as follows:

- A. First offense: a mandatory civil penalty of not less than \$25 nor more than \$50.
- B. Second offense within a five-year period: a mandatory civil penalty of not less than \$50 nor more than \$100.
- C. Third offense within a five-year period: a mandatory civil penalty of not less than \$100 nor more than \$200.

§ 53-20. Seizure of cats running at large.

- A. Any cat running at large, other than on the owner's property, within the limits of the Village may be subject to seizure and impounding by any individual or agency authorized to enforce this article or the provisions of Article 7, § 118, of the Agriculture and Markets Law.
- B. Enforcement provisions. Any police officer of the Village, the Animal Control Officer or any other person or agency designated by the Village is authorized by law to seize and impound any cat in violation of any section of this article and issue appearance tickets.