

DOGS AND OTHER ANIMALS

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[HISTORY: Adopted by the Board of Trustees of the Village of Kensington 11-20-1968 as Ch. 7 of the Code of Ordinances (1968). Amendments noted where applicable.]

GENERAL REFERENCES

Noise — See Ch. 97.

§ 72-1. Leashing of dogs required.

No person who owns, possesses or harbors a dog (male or female) shall permit or allow such dog to run loose or at large in any street, sidewalk, lane or public place in the Village of

Kensington. No dog shall be permitted at any time to be on such street, sidewalk, lane or public place unless effectively restrained in the immediate custody and control of the owner or custodian of the dog by a chain or leash not exceeding six feet in length.

§ 72-2. Duty of owner; presumption.

The registered owner of a licensed dog and the owner of an unlicensed dog shall have the duty of taking such precautions as may be required to carry out the provisions of § 72-1. Proof that a dog has run loose or at large or unleashed on more than one occasion shall be presumptive evidence that such owner has permitted or allowed such dog to run loose or at large or unleashed within the meaning of § 72-1.

**§ 72-3. Seizure and impoundment of dogs at large.
[Amended 9-16-1981 by L.L. No. 3-1981]**

Any dog found on any street, sidewalk, lane or public place at large and not under effective restraint by chain or leash as aforesaid or that does not bear the license tag required by the Agriculture and Markets Law may be seized by any duly appointed dog warden, peace officer or duly authorized officer or representative of the village or the Town of North Hempstead Animal Warden. Any dog seized by the Animal Warden of the Town of North Hempstead shall be confined and impounded in a pound maintained by the Town of North Hempstead and may thereafter be redeemed pursuant to the redemption procedures of the Town of North Hempstead, including, but not limited to, any fees included therein. Any dog seized by an officer or representative of the village or an independent contractor shall be confined and impounded in a pound maintained by the village or maintained by any other person, corporation or association. Any dog so found at large not under effective restraint as aforesaid, that cannot be safely seized, may be destroyed by such dog warden, peace officer or duly authorized officer.

§ 72-4. Issuance of appearance tickets. [Added 9-16-1981 by L.L. No. 3-1981]

Appearance tickets for the violation of the provisions of this chapter may be issued or served by any person authorized to issue or serve such appearance tickets in the Village of Kensington or by the Animal Warden of the Town of North Hempstead.

§ 72-5. Redemption of seized dogs. [Amended 9-16-1981 by L.L. No. 3-1981]

Any dog found at large and not under restraint and impounded in a location other than the Town of North Hempstead Animal Shelter shall be confined for a period of seven days, or for a period of 12 days if the dog bears a license tag. Any dog so impounded may be redeemed by the owner thereof within the period of time so specified upon payment to the Village Clerk of the Village of Kensington of the sum of \$5 if the dog is licensed and the sum of \$10 if the dog is unlicensed, as the cost of seizure, and paying to the person, corporation, municipality or association operating such pound such other charge as it may make for caring for such dog.

§ 72-6. Disposition of unredeemed dogs.

Any dog so impounded and not redeemed within the applicable period of time after such impounding specified in § 72-5 shall be destroyed or offered for sale or sold by the keeper of said pound. The net proceeds of any such sale shall be retained by the person, corporation, municipality or association operating such pound. The carcass of any dog so destroyed shall be disposed of by the keeper of said pound in a safe and sanitary manner.

§ 72-7. Orderly maintenance of dogs.

Any dog or dogs maintained, owned, possessed, controlled, harbored or kept by any person on any premises owned or occupied in whole or in part by him within the corporate limits

of said village shall be cared for, maintained and handled in a manner which shall be sanitary and to prevent noises, barking, fighting, howling, yelping or whining at any time in order not to disturb the peace, comfort and quiet of the neighborhood.

§ 72-8. Sanitary disposal of feces. [Amended 4-18-1979 by L.L. No. 2-1979]

A person who owns, has charge of, possesses, maintains, keeps or controls a dog, cat or other animal shall not permit the animal to soil, defile, defecate on or commit any nuisance on the sidewalk of any public place or any place where people congregate and shall effectively restrain such animal from entering upon private property without the permission of the owner of said private property. The term "sidewalk" shall mean the area between the curblines and the property line of the abutting property owner. The restriction in this section shall not apply to the street lying between the curblines, which shall be used to curb such animal under the following conditions: The person who so curbs such animal shall immediately remove all feces deposited by such animal and deposit same in a container or bag and thereafter dispose of it in a sanitary manner. In no event shall any feces be deposited in sewers or drains, whether storm or sanitary.

§ 72-9. Penalties for offenses. [Amended 4-18-1979 by L.L. No. 2-1979; 10-21-2009 by L.L. No. 6-2009]

Any person violating the provisions of either § 72-1 or 72-7 or 72-8, or any part of said sections, shall be subject to and shall forfeit and pay a penalty of up to \$25 for the first offense, up to \$50 for the second offense and up to \$75 for a third or subsequent offense. Any person violating the provisions of § 72-12, or any part of said section, shall be subject to and shall forfeit and pay a penalty of up to \$250 for the first offense, up to \$500 for the second offense and up to \$750 for a third or subsequent offense.

§ 72-10. Issuance of summonses; evidence.

Any dog warden, deputy dog warden or peace officer duly authorized to act within the Town of North Hempstead and any police officer of the Police Department of the Village of Kensington is hereby authorized to issue summonses and to present information to any court of competent jurisdiction for violations of this chapter.

§ 72-11. Harboring dogs and other animals. [Added 8-13-1969; amended 5-17-1989 by L.L. No. 5-1989]

The breeding of dogs or other animals, the keeping or harboring in any dwelling or on any premises of more than two adult dogs or two adult cats and the keeping in the village of chickens, roosters, ducks, pigeons, guinea fowl, pigs, swine, horses, donkeys, cows or cattle are hereby prohibited. For the purposes of this section, any dog or cat over the age of six months shall be considered adult.

§ 72-12. Outdoor feeding of animals. [Added 10-21-2009 by L.L. No. 6-2009]

- A. The outdoor feeding of any animal is prohibited on public or private property within the Village. All feeding shall take place within a fully enclosed portion of a house.
- B. Nothing contained herein shall prohibit a bird feeder suspended at least six feet above the ground.