

TOWN OF HARRISON
VILLAGE OF HARRISON
ATTORNEY'S OFFICE

MEMORANDUM

TO: Ronald Belmont, Supervisor
Members of the Town Board

FROM: Frank P. Allegretti, Town Attorney



DATE: June 10, 2016

RE: **Public Notice - Proposed Local Law No. __ of 2016
Amending Chapter 91 of the Town/Village of Harrison
Code entitled "Animals" by adding Article IV,
"Prohibition on Sales of Commercially Bred Dogs and Cats"**

Attached herewith is a Public Notice for a proposed Local Law regarding the above referenced matter.

If acceptable, please schedule this matter for a Public Hearing for the July 21, 2016 Town Board meeting.

If you have any questions or comments, please contact me.

FPA:ap
Attachment

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2016 JUN 10 PM 3:11
TOWN CLERK
HARRISON, N.Y.

PUBLIC NOTICE

Proposed Local Law No. ___ of 2016

**To Amend Chapter 91 entitled “Animals” of the
Code of Town of Harrison by adding
Article IV, entitled
“Prohibition on Sales of Commercially Bred Dogs and Cats”**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Harrison, at its meeting to be held at 7:30 P.M., on Thursday, July 21, 2016, at the Municipal Building, 1 Heineman Place, Harrison, New York, will hold a Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, to amend Chapter 91 entitled “Animals,” by adding Article IV, entitled “Prohibition on Sales of Commercially Bred Dogs and Cats” in the Town Code of the Town of Harrison as follows: (new material is underlined).

Article IV. Prohibition on Sales of Commercially Bred Dogs and Cats

Section 91.22 Prohibition on Sales of Commercially Bred Dogs and Cats

A. It shall be unlawful for any person to sell any live dog or cat in any pet store, retain business or other commercial establishment located in the Town of Harrison, unless the dog or cat was obtained from an animal shelter or a humane society located in the County of Westchester, a nonprofit rescue and humane organization registered with the New York State Department of Agriculture, or with respect to a dog, such dog has American Kennel Club documentation of its pedigree and is registered with the American Kennel Club.

B. For purposes of this Section, a rescue and humane organization is defined as a New York State nonprofit corporation that is exempt from taxation under Internal Revenue Code Section 501(c)(3), participates in early age spay/neuter of animals, complies with State and local

laws regarding the humane treatment of animals, and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs and/or cats.

Section 91.23 Penalties for Offenses

A violation of this Article may be prosecuted as a misdemeanor. A violation of this Article also may be enforced by means of an administrative citation and penalty in the amount of \$250 for a conviction of a first offense, \$500 for a conviction of a second offense and \$1,000 for a conviction of a third or subsequent offense, or imprisonment for a period not exceeding 15 days, or both.

Section 91.24 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.

This Law shall take effect immediately upon filing with the Secretary of the State of New York.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

BY ORDER OF THE TOWN/VILLAGE BOARD OF THE TOWN/VILLAGE OF HARRISON.

Jacqueline Greer
Town Clerk

Dated: Harrison New York
June 10, 2016