

Chapter 81

ANIMALS

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

GENERAL REFERENCES

Noise — See Ch. 146.

ARTICLE I

Dogs**[Adopted 7-13-1987 by L.L. No. 2-1987]****§ 81-1. Definitions.**

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

OWNER — Any person designated as an owner on a dog license filed with a Town Clerk or other licensing municipality, or any person harboring or having the care, custody or charge of any dog, or any person who allows or permits a dog to remain habitually on or about any premises occupied by him. More than one person may qualify as an owner pursuant to this article.

RUNNING AT LARGE — Any dog roaming, wandering, walking or running off of the property of its owner.

§ 81-2. Restraint of dogs. [Amended 8-7-2000 by L.L. No. 2-2000]

No owner shall allow or permit any dog to run at large within the corporate limits of the Village of Barker unless effectively restricted or controlled by a person by means of a leash not exceeding eight feet in length.

§ 81-3. Designation of Dog Control Officer.

The Dog Control Officer of the Town of Somerset is hereby recognized as having jurisdiction and full authority to act as such in the Village of Barker and in accordance with the provisions of Article 7 of the Agriculture and Markets Law of the State of New York. It is recognized that any fines, fees, etc., shall belong to the Town of Somerset.

§ 81-4. Impoundment of dogs.

The seizure and impoundment of dogs by the Dog Control Officer is authorized in accordance with provisions of Article 7 of the Agriculture and Markets Law of the State of New York, and any regulations of the Town of Somerset.

§ 81-5. Penalties for offenses.

Any violation of the provisions of this article shall constitute an offense, and any person convicted of a violation of any provision of this article shall be guilty of an offense and shall be subject to the following: In addition to any impoundment fees or costs established by the Agriculture and Markets Law or the Town of Somerset, the person shall be subject to fine of not more than \$25 for a first offense; \$50 for a second offense within a period of one year; and \$100 and imprisonment for period of not more than 15 days for a third offense within a period of one year.

§ 81-6. (Reserved)**ARTICLE II****Farm Animals****[Adopted 9-13-2010 by L.L. No. 2-2010]****§ 81-7. Findings and purpose.**

The Village Board finds that harboring of farm animals and excessive number of domestic pets within the corporate boundaries of the Village of Barker would negatively affect the quality of life of Village residents and could subject Village residents to certain nuisances, unsanitary conditions and potential health issues, diminution of property values, public health, safety and the public's general welfare. Further, close proximity of properties in the Village does not provide sufficient space for the healthy atmosphere for the animals. This article enacted for the purpose of promoting the public health, safety and general welfare of the residents of the Village of Barker.

§ 81-8. Definitions.

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

DOMESTIC PET — Any animal that is not expressly included in the definition of "farm animal," that is domesticated and/or tamed, is kept for the purpose of companionship or amusement, and is cared for affectionately, including but not limited to dogs, cats, rabbits.

FARM ANIMAL — Any animal that is raised or kept on a farm, including but not limited to all livestock, poultry, and hoofed animals, but excluding cats and dogs, and pet rabbits.

HARBOR — Any housing of, providing living arrangements for, maintenance of, feeding of, keeping of, caring for of any animal for longer than 24 hours.

§ 81-9. Prohibition on farm animals.

No person shall harbor, or cause to be harbored, any farm animal within the corporate limits of the Village of Barker, except on a premises having an area in excess of 10 acres.

§ 81-10. Prohibition on domestic pets.

A. No person shall harbor, or cause to be harbored, domestic pets in excess of the numbers set forth below at any residence in the Village of Barker:

Pets	Number
Dogs	2
Cats	3
Rabbits	3

B. This provision shall not apply to litters less than three months old.



§ 81-11. Penalties for offenses.

A violation of the article shall constitute an offense punishable by a fine of not more than \$250 or imprisonment for not more than 15 days or both such fine and imprisonment.

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