

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Hudson

Local Law No. 6 of the year 2024

A local law to amend the Hudson City Code Section 70 relating to the restraint of animals
(Insert Title)

Be it enacted by the Common Council of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Hudson as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**A LOCAL LAW TO AMEND THE HUDSON CITY CODE §70
RELATING TO THE RESTRAINT OF ANIMALS**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON AS
FOLLOWS:**

SECTION 1. TITLE This Local Law shall be known as Local Law No. 6 for the year 2024.

SECTION 2. LEGISLATIVE FINDINGS

The Common Council of the City of Hudson recognizes the importance of protecting the health and welfare of animals residing in the City. The Common Council finds that it is important to maintain the safety of animals that are leashed outside in extreme conditions, for inordinate amounts of time, and/or in conditions that are detrimental to the safety of the animal(s). The Common Council finds that it is important to ensure that animals left tied to an object outside for prolonged periods have sufficient food, water or shelter from inclement weather.

SECTION 3. LEGISLATIVE INTENT

The purpose of this Amendment is to provide parameters governing the length of time and circumstances under which animals may be restrained outdoors to impart fines and penalties upon those persons risking the health and welfare of animals that are restrained in unsafe conditions.

SECTION 4. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York).

SECTION 5. AMENDMENT. Chapter 70 of the Hudson City Code, §70-4 and 70-11 are hereby **AMENDED** by adding the following:

§ 70-4. Regulations and restrictions.

D. It shall be unlawful for any person to tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors or cause such dog to be restrained in a manner that:

- (1) Endangers such dog's health, safety or well-being;
- (2) Restricts such dog's access to suitable and sufficient food, fresh, potable water and dry ground;
- (3) Does not provide such dog with shelter appropriate to its breed, physical condition, and the climate as defined by § 353-b of the New York State Agriculture and Markets Law; or
- (4) Unreasonably limits the movement of such dog because it is too short for the dog to move around or for the dog to urinate or defecate in a separate area from the area where it must eat, drink or lie down.

(5) Allows Multiple dogs to be tethered or restrained in such a manner that they are able to come into contact with one another at any point in time while restrained.

E. Notwithstanding the provisions of Subsection D of this section, no person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any object with a device that:

- (1) Is a choke collar, pinch collar, or prong collar, or a similar collar that restrains the dog in such a manner that it impairs the flow of oxygen or blood to the dog, which may cause choking or causes substantial discomfort to the dog;
- (2) Is embedded, partially embedded or may become embedded in such dog's skin;
- (3) Has weights attached or contains links that are more than 1/4 inch thick;
- (4) Weighs more than 12.5% of the dog's total body weight, not to exceed 15 pounds for any dog;
- (5) Is less than 15 feet in length;
- (6) Because of its design or placement is likely to become entangled;
- (7) Is long enough to allow such dog to move outside of its owner's property;
- (8) Would allow the restrained dog to move over an object, including any fencing, pool, barrier, or edge that could result in the strangulation of or injury to such dog; or
- (9) Is fixed (i.e., does not swivel) on either end. Restraint devise must be spring loaded on both ends.

F. No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors for more than one continuous hour in any continuous twelve-hour period between the hours of 6:00 a.m. and 11:00 p.m.

G. No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors between the hours of 11:00 p.m. and 6:00 a.m.

H. No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors if the dog is:

- (1) Less than six months of age without on site outdoor supervision;
- (2) Sick or injured; or
- (3) A nursing mother whose offspring is present.

I. No person shall tether, leash, fasten, secure, restrain, chain, tie, pen or otherwise confine outdoors a dog when:

- (1) The temperature is below 32° F.;
- (2) The temperature is above 90° F.;
- (3) The National Weather Service has issued a heat or wind chill advisory, storm watch or warning; or
- (4) Conditions are not appropriate due to the breed, physical condition and climate, as established pursuant to New York State Agricultural and Markets Law § 353-b.

§ 70-11. Penalties for offenses.

E. Each Violation of §§ 70-4(D), 70-4(E), 70-4(H), and 70-4(I) shall constitute an unclassified misdemeanor, subject to a fine of \$250 and/or imprisonment up to five days for a first offense, a fine of \$500 and/or imprisonment up to 15 days for a second offense, and a fine of \$1,000 and/or imprisonment up to 30 days for all subsequent offenses. Individuals found guilty of a third or subsequent offense may be subject to a forfeiture of the animal, at the discretion of the court which so adjudicates their guilt.

SECTION 6. SEVERABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

SECTION 7. EFFECTIVE DATE. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 20²⁴ of the (County)(City)(Town)(Village) of Hudson was duly passed by the Common Council on August 20 20²⁴, and was (approved)~~(not approved)~~ ~~(repassed after disapproval)~~ by the Mayor *(Elective Chief Executive Officer*)* and was deemed duly adopted on September 9 20²⁴, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(repassed after disapproval)~~ by the _____ *(Elective Chief Executive Officer*)* on _____ 20____.

(Name of Legislative Body)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(repassed after disapproval)~~ by the _____ *(Elective Chief Executive Officer*)* on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

(Name of Legislative Body)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

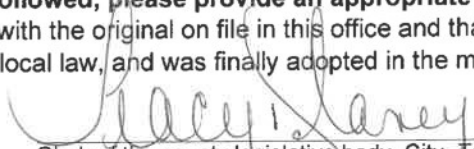
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 9-10-24

(Seal)

