

**TOWN OF MILTON
RESOLUTION 44-2023
APRIL 26, 2023
RESOLUTION ENACTING LOCAL LAW # 2-2023,
TO MODIFY TOWN CODE CHAPTER 63 ENTITLED "ANIMALS"**

MOVED BY: Councilman Frolish
SECOND BY: Councilman Isachsen

WHEREAS, the Town Board and Planning Board has been reviewing various Town zoning regulations and related laws; and

WHEREAS, it has been suggested by several residents and the Town Animal Control Officer that Town Code §63 regarding animals be modified in regards to dogs running at large in Town parks; and

WHEREAS, the Town Board of the Town of Milton was provided suggested changes to said Code, and believes it to be in the Town’s best interest as well as in the best interest of the Town residents to amend said Section; and

WHEREAS, the Town Board has caused to be drafted a local law replacing Sections 63-13 and 63-13.1 of the Town Code, and adding new Sections §§63-13.2, 63-13.3, 63-13.4, 64-13.5, and 63-13.6, which Local Law has been placed on the desks of each Board Member, considered and reviewed; and

WHEREAS, the Board had sent said changes out for the appropriate referrals, and caused to have advertised for, and did hold a Public Hearing on the proposed changes, where the public was invited to give comments and input.

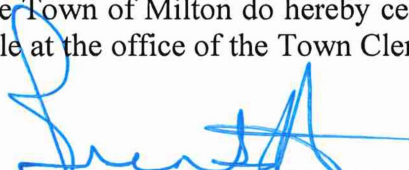
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Milton hereby approves the modification of current Town Code §63, and adopts Local Law #2-2023, replacing Sections 63-13 and 63-13.1 of the Town Code, and adding new Sections §§63-13.2, 63-13.3, 63-13.4, 64-13.5, and 63-13.6, a full copy of which Local Law is attached hereto, and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Milton and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

Now, Therefore Be It Resolved by the Town Board of the Town of Milton:

	Yes	No
Scott Ostrander, Supervisor	X	
Barbara Kerr	X	
John Frolish	X	
Frank Blaisdell	X	
Ryan Isachsen	X	
The resolution was duly adopted on April 26, 2023		

I, Brenda Howe, Town Clerk of the Town of Milton do hereby certify that the attached Resolution is a true and accurate copy of the original on file at the office of the Town Clerk of the Town of Milton, 503 Geysers Road, Ballston Spa, New York, 12020.



Brenda Howe, Town of Milton Town Clerk

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 MILTON

Local Law No. 2 of the year 2023

A local law Adopting changes to Town Code Chapter 63-13 and 63-13.1 and adding Sections 63-13.2;
(Insert Title)
63-13.3; 63-13.4; 63-13.5; 63-13.6

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of MILTON

as follows:

SEE ATTACHED

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

(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. 1 of 2023 of the (County)(City)(Town)(Village) of MILTON TOWN BOARD was duly passed by the (Name of Legislative Body) on APRIL 26 2023, in accordance with the applicable provisions of law.

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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 , 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 (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

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 (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ 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.

* 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 _____ above.

(Seal)

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

Date: April 27, 2023

§ 63-13. Dogs in Town Parks

§ 63-13.1. Prohibition of dogs running at large in Boice Family Park.

No dog or dogs shall be permitted to run at large at any time, and a dog or dogs must be leashed and accompanied by a competent person having control of such dog or dogs, in or on the premises known as the "Boice Family Park." This section shall not apply to Seeing Eye dogs during such time such dog or dogs are performing the functions for which they were trained, nor for dogs aiding or assisting disabled persons, nor to dogs actively engaged in police work.

§ 63-13.2. Prohibition of dogs running at large in Burgess-Kimball Memorial Park.

No dog or dogs shall be permitted to run at large at any time, and a dog or dogs must be leashed and accompanied by a competent person having control of such dog or dogs, in or on the premises known as the "Burgess-Kimball Memorial Park." No dog or dogs shall be permitted at any time in the playground area in the Burgess-Kimball Memorial Park. This section shall not apply to Seeing Eye dogs during such time such dog or dogs are performing the functions for which they were trained, nor for dogs aiding or assisting disabled persons, nor to dogs actively engaged in police work.

§ 63-13.3. Prohibition of dogs running at large in Cottrell-Harrington Park.

No dog or dogs shall be permitted to run at large at any time, and a dog or dogs must be leashed and accompanied by a competent person having control of such dog or dogs, in or on the premises known as the "Cottrell-Harrington Park." This section shall not apply to Seeing Eye dogs during such time such dog or dogs are performing the functions for which they were trained, nor for dogs aiding or assisting disabled persons, nor to dogs actively engaged in police work.

§ 63-13.4. Prohibition of dogs in Suzanne Lyall Memorial Park.

No dog or dogs shall be permitted at any time, in or on the premises known as the "Suzanne Lyall Town Park." This section shall not apply to Seeing Eye dogs during such time such dog or dogs are performing the functions for which they were trained, nor for dogs aiding or assisting disabled persons, nor to dogs actively engaged in police work.

§ 63-13.5. Prohibition of dogs running at large in William & Marlene Triebel Park.

No dog or dogs shall be permitted to run at large at any time, and a dog or dogs must be leashed and accompanied by a competent person having control of such dog or dogs, in or on the premises known as the "William & Marlene Triebel Park." This section shall not apply to Seeing Eye dogs during such time such dog or dogs are performing the functions for which they were trained, nor for dogs aiding or assisting disabled persons, nor to dogs actively engaged in police work.

§ 63-13.6. Prohibition of dogs running at large in Woods Hollow Nature Preserve.

No dog or dogs shall be permitted to run at large at any time, and a dog or dogs must be leashed and accompanied by a competent person having control of such dog or dogs, when within the Woods Hollow Nature Preserve. This section shall not apply to Seeing Eye dogs during such time such dog or dogs are performing the functions for which they were trained, nor for dogs aiding or assisting disabled persons, nor to dogs actively engaged in police work.