

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 Middleport _____

Local Law No. 5 of the year 2024

A local law Related to the Control of Cats
(Insert Title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Middleport _____ 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. 5 of 2024 of the ~~(County)~~(City)(Town)(Village) of Middleport was duly passed by the Village Board on July 15 2024, in accordance with the applicable *(Name of Legislative Body)* 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 _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (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 _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (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 _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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 1 above.

Chise M. Van Buren
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 15, 2024

(Seal)

LOCAL LAW NO. 5 OF THE YEAR 2024

VILLAGE OF MIDDLEPORT

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Related to the Control of Cats

Be it enacted by the Board of Trustees of the Village of Middleport as follows:

Village code, Chapter 63 Animals shall be amended by adding the following Article III:

Article III Cats

§63-12 Licensing. (Reserved)

§63-13 Restricted acts. For purposes hereof, when any cat is in violation of the provisions of this section the owner shall be deemed to have permitted or suffered the cat to have committed such violation.

- (1) No cat shall be fed outdoors or in any area which provides unfettered indoor/outdoor access within the Village of Middleport, unless such feeding is within the immediate and constant presence of the owner.
- (2) It shall be unlawful for any person to feed, water or otherwise attract or create conditions in the Village of Middleport which allow cats, domesticated or feral, to accumulate on the property or otherwise endanger the health, safety and welfare of the other residents of the Village of Middleport.
- (3) No owner shall permit or suffer any cat to commit a nuisance in a public highway, public building, park, or on any private property except with the consent of the owner of the property thereof.
- (4) No person shall permit or allow a cat to enter upon another's property and scratch, claw or deface said property, damage lawns, flowers, bushes or shrubbery or to scatter trash or garbage placed out for collection.
- (5) No person shall permit the premises, structure or enclosure in which such cat is kept to be unclean or unsanitary.
- (6) No owner shall permit a cat to deposit excrement or urine on the property of another without the prior approval of the owner of such

property, unless such waste is immediately removed and properly disposed of.

- (7) No owner shall permit a cat to deposit urine or excrement on the property of the Village of Middleport, including but not limited to any sidewalk, street, park, playground, or parking lot, unless such waste is immediately removed and properly disposed of.
- (8) No owner shall permit a cat from causing a nuisance by howling in a habitual, consistent, or persistent manner that repeatedly disturbs the peace of the neighborhood.

§63-14 Enforcement. The Code Enforcement Officer, other individual designated by the Village Board, or any police officer may enforce the provisions of this Article.

§63-15 Penalties for offenses. A violation of this 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. Each day's continued violation shall constitute a separate offense.

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