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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.

**Town of Hammond**

**Local Law No. \_\_\_ of the year 2016**

**A Local Law to Amend Local No. 4 of the Year 2010, Dog Licensing and Control Law**  
(Insert title)

**Be it enacted by the Town Board of the Town of Hammond as follows:**  
(Name of Legislative Body)

**Section 1.** The Town Board of the Town of Hammond, pursuant to the authority granted it under Article 7 of the Agriculture and Markets Law, Article 9 of the Town Law, and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts the following amendments to Local Law No. 4 of the Year 2010, Dog Licensing and Control Law.

**Section 2.** Section 4, Definitions, of the Dog Licensing and Control Law of the Town of Hammond is hereby amended by adding the following definition thereto

**Dog Control Officer:** A person appointed by the Town Board for the purpose of assisting, within the Town, with the control of dogs and the enforcement of this local law. The Dog Control Officer shall have the power to issue an appearance ticket pursuant to section 150.20 of the Criminal Procedure Law, to serve a summons, and to serve and execute any other order or process in the execution of the provisions of this local law.

**Section 3.** Section 15 of the Dog Licensing and Control Law of the Town of Hammond is hereby renumbered to 15.1, Violations, and amended to read as follows:

**Section 15.1: Violations**

Where a person has committed a violation of this Dog Licensing and Control Law, the Town Board, in consultation with the Dog Control Officer and the Town Attorney or counsel retained by the Town, may elect either to commence an action to recover a civil penalty or to prosecute an action against that person as a violation under the penal law.

**Section 4.** The Dog Licensing and Control Law of the Town of Hammond is hereby amended by adding Section 15.2, Civil Penalties, to read as follows:

**Section 15.2: Civil Penalties**

Where the Town elects to commence an action to recover a civil penalty, a violation of this law shall be punishable as follows:

- (a) For a first violation, a penalty of no less than \$25.00 nor more than \$100.00.

- (b) For a second offense within a one year period, a penalty of no less than \$50.00 nor more than \$150.00.
- (c) For a third or subsequent offense within a one year period, a penalty of no less than \$75.00 nor more than \$200.00.

The civil penalties provided by this section shall be recoverable in an action instituted in the name of this Town.

**Section 5.** The Dog Licensing and Control Law of the Town of Hammond is hereby amended by adding Section 15.3, Criminal Penalties, to read as follows:

**Section 15.3: Criminal Penalties**

Where the Town elects to prosecute an action pursuant to the penal law, a violation of this law shall be punishable as follows:

- (a) For a first violation, a fine of no less than \$25.00 nor more than \$100.00.
- (b) For a second offense within a one year period, a fine of no less than \$50.00 nor more than \$150.00.
- (c) For a third or subsequent offense within a one year period, a fine of no less than \$75.00 nor more than \$200.00, or imprisonment for not more than fifteen (15) days, or both.