

# Proposed Local Law Number 3 Of 2021

## County of Ulster

### **A Local Law Amending Local Law No. 7 of 2014, A Local Law Respecting the Outdoor Restraint of Companion Animals**

**BE IT ENACTED**, by the Legislature of the County of Ulster, as follows:

#### **SECTION 1. LEGISLATIVE INTENT**

Pursuant to Local Law No. 7 of 2014, adopted November 18, 2014, the Ulster County Legislature established a Local Law to protect the health and safety of companion animals while restrained outdoors by implementing certain restrictions and establishing penalties for the violation thereof. The Ulster County Legislature deems it appropriate to make further revisions to the existing law to expand upon the acceptable conditions and provision of care of companion animals while being kept outdoors in Ulster County.

#### **SECTION 2. Section 1 of Local Law No. 7 of 2014 is hereby amended to read as follows:**

The Ulster County Legislature has determined that the practice of fastening **or confining** a dog outdoors for a prolonged period ~~to a stationary object, such as a structure, a pole, or a tree~~ can be inhumane and may present a threat to the safety of the dog, other animals and human beings. The Legislature has further determined that it is in the best interest of the residents of Ulster County, as well as their pets, to ensure the safety of all by regulating the amount of time, as well as the manner in which, a dog may be restrained **or confined** outdoors.

#### **SECTION 3. Section 3 of Local Law No. 7 of 2014 is hereby amended to read as follows:**

c) ~~The A~~ dog, **whether tethered or confined in a yard, outdoor kennel, or a wireless dog fence**, must have access to shade, food, water, shelter and dry ground.

d) ~~The A~~ dog must not be tethered outdoors during a weather alert event, **or when the temperature rises to 85 degrees or falls to 35 degrees. Wind Chill and humidity should be factored in when calculating temperature.**

e) ~~The A~~ tethered dog **is must be** at least 6 months old.

f) ~~The A~~ tethered dog **is must be** apparently free of any health condition that would be exacerbated by tethering.

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h) A tethered **or confined** dog shall have access to appropriate shelter that will allow the dog to remain dry and to be protected from the elements. In addition to complying with the requirements of Section 353-b of New York State Agriculture and Markets Law, the shelter shall: be fully enclosed on all sides except one, which side shall have an opening that will allow the dog easy entry to and exit from the shelter; have a slanted, waterproof roof; have a solid floor. The shelter shall contain clean bedding **or straw. If straw is used, it must be replaced at least once a month so that the dog can burrow into it for warmth. The shelter and** shall be small enough to retain the dog's body heat, and large enough to allow the dog to stand, lie down with limbs outstretched, and turn around comfortably. The area around the shelter shall be kept free of standing water, ice and waste.

i) A dog ~~may~~ **shall not** be tethered **or confined** outside for **longer than two (2) consecutive hours or a total time outside in excess of ten (10) hours** ~~a maximum of 12 hours in any 24 hour period.~~

j) In addition to the above requirements, tethered dogs **and dog confined outside** must be free of cruel conditions or inhumane tethering at any time. For purposes of this section, "cruel conditions or inhumane tethering" shall include the following:

(i) Exposure to animal waste, garbage, noxious odors or objects that could injure or kill a dog.

(ii) Exposure to taunting, prodding, provoking, hitting, harassing, threatening or otherwise harming a tethered or confined dog.

(iii) Exposing a dog to dangerous conditions, including potential attacks by other animals.

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**SECTION 4. SEPARABILITY.**

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 in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

**SECTION 5. EFFECTIVE DATE.**

This local law shall take effect upon filing with the Secretary of State.