

Intro. Res. No. 1276-2014

Laid on Table 3/18/2014

Introduced by Legislators D'Amaro, Hahn, Martinez, Spencer, Schneiderman, Muratore, Calarco and Stern

**RESOLUTION NO. 394 -2014, ADOPTING LOCAL LAW NO. 15 -2014, A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on March 18, 2014, a proposed local law entitled, "**A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 15 -2014, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO FURTHER STRENGTHEN THE COUNTY'S REGULATION ON THE OUTDOOR RESTRAINT OF PETS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Suffolk County continues to be a leader in the protection of animal health and welfare.

This Legislature further finds and determines that Local Law No. 41-2011, codified in Chapter 299 of the SUFFOLK COUNTY CODE, placed common sense regulations on the restraint of pets outdoors.

This Legislature finds that the provisions of Local Law No. 41-2011 needs to be strengthened to adequately protect animals.

This Legislature also finds that the County should set specific limits on the amount of time animals can be left outdoors while restrained, so as to further protect animals from environmental hazards and neglect.

This Legislature further finds that the County should also prohibit the use of restraint devices on dogs that are so tight they become embedded in the animal's skin, causing the animal great pain.

Therefore, the purpose of this local law is to amend Article VII of Chapter 299 of the SUFFOLK COUNTY CODE to limit the amount of time animals can be left restrained outside and prohibit the use of restraint devices that are embedded in an animal's skin.

**Section 2. Amendments.**

Chapter 299 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 299.  
ANIMALS**

\* \* \* \*

**Article VII. Outdoor Restraint of Pets**

\* \* \* \*

**§ 299-51. Prohibitions**

\* \* \* \*

B. Notwithstanding the provisions of Subsection A of this section, no person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any [stationary] object [for any amount of time] with a device that:

(1) Is a choke collar or pinch 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 [otherwise causes such dog to choke];

(2) Is embedded, partially embedded or may become embedded in such dog's skin;

~~[(2)]~~(3) Has weights attached or contains links that are more than 1/4 inch thick;

(4) Weighs more than 25% of the dogs total body weight, not to exceed 25 pounds for any dog;

(5) Is less than 10 feet in length;

~~[(3)]~~(6) Because of its design or placement is likely to become entangled;

~~[(4)]~~(7) Is long enough to allow such dog to move outside of its owner's property;  
or

~~[(5)]~~(8) Would allow the restrained dog to move over an object or edge that could result in the strangulation of or injury to such dog.

C. No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors for more than 2 hours in any 12 hour period.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to all actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: May 13, 2014

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: May 29, 2014

After a public hearing duly held on May 27, 2014  
Filed with the Secretary of State on June 6, 2014