

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack will hold a public hearing on the 10th day of May, 2023, at 3:00 P.M., at the Village Hall, 3175 Montauk Highway, Sagaponack, New York, to consider the adoption of a local law as follows:

**LOCAL LAW NO. 5 OF 2023
A LOCAL LAW AMENDING VILLAGE CODE Chapter 52
"Dogs and other animals" to restrict dogs on
public beaches during certain times.**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SAGAPONACK AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to clarify and expand the dates between which dogs shall not be allowed on public beaches.

SECTION 2. AMENDMENT/ENACTMENT.

Village Code Chapter 52 is amended and enacted as follows:

§ 52-2 Dogs at large and in food establishments.

No person owning, harboring or having the control or custody of a dog shall permit such dog to:

A.

Run at large in the Village of Sagaponack, without being muzzled, elsewhere than on the premises of such person or on the premises of another person with the consent of such other

*new language is underlined.

person, unless such person is engaged in hunting wild birds or animals with the aid of such dog, during open seasons, or unless such person shall take such dog afield for training in hunting.

B.

Be at any time on any street, highway, park or public place in the Village of Sagaponack, without being muzzled, unless fully controlled by the owner or some other person by means of a rope, leash or other similar device.

C.

~~Any provision herein to the contrary, notwithstanding no person owning, harboring or having the control or custody of a dog shall permit the dog on the Atlantic Ocean beach between the crest of the dune and the water's edge between 9:00 a.m. and 5:00 p.m. between May 15 and September 15.~~

~~{Added 8-15-2016 by L.L. No. 6-2016}~~

§ 52-6 Dogs at large on public beaches.

Dogs and domestic animals are allowed on all Village-owned beach recreation facilities from October 1 through March 30, provided that said dog or domestic animal is under the immediate supervision and control of the owner or other responsible person and provided further that any animal waste is removed. No dog or domestic animal shall be allowed within 50 feet of any symbolic fencing or areas posted for protection of piping plovers and other endangered species at any time.

§ 52-~~6~~ 7 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON

Includes an individual, any combination of individuals or a corporation.

§ 52-~~7~~ 8 Penalties for offenses.

Any violation of this chapter shall constitute disorderly conduct, and the person violating the same shall be a disorderly person and shall be punishable and liable for a penalty not exceeding \$350 for each offense.

SECTION 3. SEQRA.

This is a Type II action under 6 NYCRR § 617.5(C)(26).

SECTION 4. SEVERABILITY.

Should any part or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

Attendance at this meeting may be in person or by zoom or telephone. Contact details are available from the Village Clerk's Office.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: March 15, 2023

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF SAGAPONACK
Rosemarie Cary Winchell, CMC
Village Clerk-Treasurer