

Town of Champlain, New York
Local Law No. 1 of 2025

Section 1. Title.

"A local law regulating the outdoor restraint of dogs of the Code of the Town of Champlain."

Section 2. Authority.

This Local Law is enacted pursuant to the provisions of Article 7 of the Agriculture and Markets Law Section 122 and the Municipal Home Rule Law of the State of New York.

Section 3. Purpose.

By adoption of this local law, the Town of Champlain declares its intent to regulate and control the outdoor confinement of dogs restrained or kept on property located within the Town. The Town of Champlain has determined that the practice of tethering a dog outside for a prolonged period to a stationary object, including but not limited to a structure, pole, or tree is inhumane and presents a threat to the safety and well-being of the dog. Dogs tethered to a fixed point are also more likely to become aggressive and present a threat to human beings as well as other animals. Tethers, chains and other restraints can also injure dogs, as the restraint may tangle or catch on other objects.

The Town of Champlain is aware that animals tied to stationary objects outside for extended periods of time are also frequently the victims of other forms of neglect including insufficient food and/or water, or inadequate shelter. Furthermore, dogs confined for long periods of time often vocalize to signal their distress and thereby disrupt the peace and quiet of the community.

All dogs need the opportunity to exercise and engage in normal social behaviors. Indefinite long-term confinement of any dog by any means of restraint is generally considered to be inhumane and unacceptable.

Therefore, the Town of Champlain finds that it is in the best interest of its residents as well as their dogs to ensure the safety of all by regulating the manner in which a dog may be restrained or confined outdoors.

Section 4. Definitions.

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

- a. "Attend" means to be present, look after, and pay attention to the dog(s) while tethered by a reasonable and competent individual on the premises.
- b. "Agent" means a competent responsible person who acts on behalf of another person, in this case the owner of the dog.

Section 4. Definitions (continued).

- c. "Confinement" means to restrict and/or seclude a dog's movement. If a dog can enter and exit the enclosure as it pleases, it is not considered confined.
- d. "Harbor" means to provide food, water, shelter, care or to be responsible for any dog.
- e. "Owner" shall mean any person who harbors or keeps any dog. In the event any dog involved in this local law shall be owned by a person under eighteen years of age, the owner shall be deemed to be the parent or guardian of such person (or the head of the household in which said person resides). This shall also include any agent, representative or person responsible for the care and welfare of any dog.
- f. "Tether" shall mean to restrain a dog by attaching the dog to any stationary object or structure, including without limitation a house, tree, fence, post, garage, or shed, or mobile device, including, without limitation, a trolley or pulley, by any means, including without limitation a chain, rope, cord, leash, or running line. Tethering does not include the use of a leash to walk a dog.
- g. "Weather Alert" shall mean any National Weather Service warning for heat advisory, frigid weather, snow or ice storm, tornados, tropical storm, high winds, or thunderstorms.

Section 5. Tethering Prohibitions.

It shall be unlawful for any person, owner, agent or responsible person to tether, or confine a dog to any stationary object outdoors or cause such dog to be confined in a manner that:

- 1. Endangers such dog's health, safety and well-being;
- 2. Unreasonably limits the movement of such dog because it is too short for the dog to move around or for the dog to urinate or defecate in a separate area from the area in which it must eat, drink, or lie down.
- 3. Denies such dog the opportunity to exercise and engage in normal social interactions on a regular basis.
- 4. If there are multiple dogs, each must be tethered separately.
- 5. No dog shall be left tethered to a fixed point, attached to an overhead dog run, or trolley system or placed in a dog enclosure unattended on vacant or abandoned property.
- 6. A dog shall not be tethered in any of the following circumstances: under six months of age; a nursing female; a female in heat; any health condition that would be exacerbated by tethering, injury, in distress, or in the advanced stages of pregnancy.

Section 5. Tethering Prohibitions (continued).

7. A dog must have unencumbered access to shade, food, clean, fresh and potable water, shelter and dry ground without becoming entangled.
8. A dog may only be tethered if it is supervised. The owner or responsible person must "attend" to the dog. That means the dog owner or responsible person can't leave the property while the dog is tethered outside.
9. A dog may not be tethered outside during the night hours of 11:00 PM – 6:00 AM.

Section 6. Specifications for tethering restraints and enclosures.

1. A dog shall not be tethered to a fixed point, running line, pulley or trolley system or any other system by means of a choke - chain, or pinch collar. Dogs shall be tethered to such system by means of a harness or collar made of nylon, leather or other durable non-metallic material and must be fitted so as to not cause injury to the animal or embed itself in the animal's neck.
2. The length of a stationary tether shall not be less than 10 feet or five times the length of the dog's body as measured from the tip of the nose to the base of the tail, whichever length is greater; shall connect at both ends with a swivel and be affixed in such a manner that it will prevent the dog from becoming entangled or injured, shall weigh less than 1/10 of the dog's weight; free from tangles; and shall restrain the dog from reaching hazards that pose a strangulation risk, and/or harm to other animals.
3. Dog enclosures, dog runs, fences, pens and other outdoor enclosures, must be the following restrictions:
 - a. Any dog confined within a dog enclosure must have an adequate space for exercise based on the dimension of at least 100 square feet per dog, however in the case of dogs 15 lbs. or smaller, an enclosure may be less than 100 square feet per dog provided that it is deemed adequate for exercise and safety by the enforcing officer. The following are excepted from this requirement:
 - (I) All veterinary facilities
 - (II) Duly incorporated SPCA's and Humane Societies
 - (III) Municipal animal shelters.
 - (IV) Commercial professional boarding facilities that temporarily house dogs for a fee.
 - b. Dog enclosures shall be constructed of chain link or other secure fencing materials with all four sides enclosed. The enclosure shall be sufficient height to prevent the dog from escaping from such enclosure.

Section 7. Dog Enclosure & Tethering Prohibitions.

1. A dog may not be tethered or confined to a dog enclosure during a weather alert or when outside weather conditions, including but not limited to extreme heat, cold, wind, rain, snow or hail, pose an adverse risk to the health or safety of a dog based on breed, age or physical condition.

A "Weather Alert" with a heat advisory or frigid weather conditions may be dangerous for certain breeds of dogs; temperatures above 85 degrees and temperatures below 32 degrees, are respectively too hot and too cold for many dogs to be outside for long periods of time. Dependent of the breed of dog and its tolerance to heat or cold, tethering shall be limited to 15-minutes.

2. A tethered dog, or dog confined to an enclosure, must have access to adequate food and must have continuous access to clean, fresh potable water and continuous access to shelter at all times, and, in addition, as set forth in Section 353 of the NYS Agriculture and Markets Law.
3. A tethered dog, or dog confined to an enclosure must 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 § 353-b of New York State Agriculture and Markets Law, the shelter shall:
 - a. 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; and have a solid floor.
 - b. Contain clean bedding or straw/shavings, and must be insulated. If straw/shavings is used, it must be replaced at least once a month so that the dog can burrow into it for warmth.
 - c. 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.
 - d. Be in an area that is kept free of standing water, ice and waste.
4. In addition to the above requirements, all tethered dogs, or those confined to an enclosure must be free from cruel conditions or inhumane conditions at any time. For purposes of this section, "cruel conditions or inhumane conditions" shall include the following:
 - a. Exposing a dog to taunting, prodding, provoking, hitting, harassing, threatening or otherwise harming a tethered dog.
 - b. Exposing a dog to dangerous conditions, such as exposure to animal waste, garbage, noxious odors or objects that could injure or kill a dog. This includes potential attacks by other animals.

Section 8. Exceptions.

1. A dog tethered in compliance with the requirements of a campground area shall be exempt from these regulations.
2. Tethering of a dog for less than fifteen (15) minutes in a public location shall be exempt from this local law.

Section 9. Enforcement; Penalties for Offenses:

1. This article shall be enforced by the local dog control or animal control officer, the Clinton County Sheriff's Department, and may also be enforced by any constable, police officer, or any agent or officer of any duly incorporated society for the prevention of cruelty to animals with jurisdiction within the Town of Champlain.
2. A violation of any provisions of this law shall, be subject to a civil penalty enforceable and collectable by the Town as follows:
 - a. First offense two hundred fifty dollars (\$250), and/or an educational component at the judge's discretion.
 - b. Second offense five hundred dollars (\$500), and/or an educational component at the judge's discretion.
 - c. Third offense and one thousand dollars (\$1,000) and/or imprisonment for no more than (15) days, or both, surrender of the dog, if ordered by the court, and costs of investigation and prosecution.
 - d. All penalties shall be collected by and in the name of the Town of Champlain.
 - e. In addition to the civil penalties, the dog (s) may be seized under court order and all fees will be the responsibility of the owner (s).
3. Any person may file a complaint with an enforcement officer that a violation of this local law has taken place. The enforcement officer shall promptly record and investigate any such complaint and obtain the necessary supporting depositions. The enforcement officer shall submit the civil complaint and supporting depositions to a court of competent jurisdiction.

Section 10. Obstruction of Governmental Administration.

No person shall hinder, resist, or oppose the enforcement officer or peace officer when acting pursuant to their duties under this local law or any other persons authorized to administer and enforce the provisions of this law in the performance of their duties. Any person hindering, resisting or opposing these officers shall be prosecuted.

Section 11. Severability.

In the event that any portion of this local law is found to be invalid, such findings will not have any effect on the remaining portions of this local law, the application thereof, and all other provisions shall remain in full force and legal effect.

Section 12. When effective.

This article shall be effective immediately from the date of filing with the New York State Secretary of State.

Section 13. Effect on other laws.

This article will have no effect in a Village located within the Town of Champlain that has enacted its own stricter ordinance, resolution, or law regulating the tethering or confinement of dogs within its jurisdiction.