

SECTION 1. TITLE

This Law shall be known as Local Law No. 5 of the Year 2008 entitled "Amendment of the Dogs Law for the Town of Alden".

SECTION 2. PURPOSE

The purpose of this local law is to place a limit on the number of dogs kept, maintained or harbored in residential housing units.

SECTION 3. AMENDMENT OF CODE

The Code of the Town of Alden is amended by this Local Law No. 5 of the Year 2008 as follows:

1. Chapter 9 of the Code of the Town of Alden as originally adopted on September 28, 1979 as Local Law 3-1979, and amended on: January 19, 1981 by Local Law 1-1981; May 16, 1988 by Local Law 1-1988; September 7, 1993 by Local Law 1-1993, January 5, 1998; November 6, 2000 by Local Law 5-2000; September 17, 2007 by Local Law 1-2007 is hereby amended as follows:

A New Section 9-3.1 is added to read:

§ 9-3.1. Limit on number of dogs outside of Rural-Agricultural Zoning Districts.

In all zoning districts in the Town of Alden, except the Rural-Agricultural (R-A) District, no more than two (2) dogs, over the age of six (6) months, shall be kept, maintained or harbored in any residential housing unit. Persons owning or having custody and control of licensed dogs in excess of that number, as of the effective date of this Section, shall not be held in violation of this Article, but shall not replace such dogs upon their death or loss until in compliance with the maximum limits therein. Persons owning or having custody and control of unlicensed dogs in excess of that number, as of the effective date of this Section, shall be held in violation of this Article.

Section 9-11 is amended to add a new Section C. as follows:

C. Section 9-3.1, Limit on number of dogs, shall take effect on January 1, 2009.

SECTION 4. SEVERABILITY

If any section, subsection phrase, sentence or other portion of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. EFFECTIVE DATE

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