

TOWN OF CONSTANTIA
MINUTES –PUBLIC HEARING – May 17, 2022
7:00 pm Constantia Town Hall

Present: Frank Tomaino - Supervisor
Ronald Chapman, Richard Colesante, John Metzger, Thomas Moran – Council Members
Clare Haynes – Town Clerk
Warren Bader - Town Attorney
Dustin Clark, David Powers – Barton & Loguidice

CALL TO ORDER:

At 7:00 pm Mr. Tomaino called the public hearing to order with the pledge of allegiance.

PURPOSE:

The purpose of this public hearing is to hear any and all comments on proposed Local Law A-2022, A Local Law to Prohibit Dogs in the Town of Constantia David C. Webb Memorial Park at Taft Bay.

The following proposed local law was read into the minutes by Attorney Bader:

**“TOWN OF CONSTANTIA
LOCAL LAW NO. A OF 2022”**

**A LOCAL LAW TO PROHIBIT DOGS IN THE TOWN OF CONSTANTIA DAVID C. WEBB
MEMORIAL PARK AT TAFT BAY**

Be it enacted by the Town of Constantia Town Board, as follows:

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. PURPOSE AND INTENT.

The purpose of this Local Law is to promote a clean environment in the Town of Constantia David C. Webb Memorial Park at Taft Bay. Further, this Local Law is intended to promote public safety for all visitors to the David C. Webb Memorial Park at Taft Bay.

SECTION 3. DOGS PROHIBITED IN THE DAVID C. WEBB MEMORIAL PARK AT TAFT BAY.

It shall be unlawful for any owner of, or any person harboring any dog in the Town of Constantia to permit or allow such dog, whether or not tagged or licensed and whether or not attended or unattended to enter into or be present at the David C. Webb Memorial Park at Taft Bay. In the event that the owner of any dog is a minor and said dog is harbored on the property of said minor’s parent or parents, guardian or guardians or any other relative, said parent, guardian or other relative shall be responsible and be liable for fines and other penalties hereinafter provided.

SECTION 4. PENALTIES FOR VIOATIONS.

Any and every violation of the provisions of this Local Law shall be deemed to be an offense punishable by a fine not exceeding \$250 or by imprisonment not to exceed 15 days, or both. Each day’s continued violation of this Local Law, after written notice thereof, shall constitute a separate and additional violation. In addition to the above-provided penalties and punishment, or in lieu thereof, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this Local Law.

SECTION 5. SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York State Department of State.”

ADJOURN:

With no public comment, at 7:15 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Metzger.

Carried: Moran – Yes Chapman – Yes Colesante – Yes Metzger – Yes Tomaino – Yes