

**TOWN OF NORTH HEMPSTEAD  
PROPOSED ORDINANCE NO.    OF 2019**

**TOWN PARK ORDINANCE OF THE TOWN OF NORTH HEMPSTEAD**

**Section 1.**     The Town Board of the Town of North Hempstead, County of Nassau, State of New York, pursuant to Section 39-13(B) and 39-24 of the Code of the Town of North Hempstead, hereby enacts the following ordinance to be known and cited as “Town Park Ordinance No. 1 of 2019” of the Town of North Hempstead.

**Section 2.     Legislative Intent.**

Pursuant to Section 39-13(B) and 39-24 of the Town Code, the Town Board has authorized the Commissioner of the Department of Parks and Recreation to establish rules, subject to Town Board approval, regulating the presence of dogs in Town parks, Town gardens and Town docks.

This ordinance will establish rules to regulate the dog park established in Michael J. Tully Park in New Hyde Park and to require the Commissioner to report to the Town Board on an annual basis concerning the effectiveness of the program allowing the presence of unleashed dogs in the dog park.

**Section 3.     Definitions.**

(a) The term “Parks and Recreation Facilities” shall be deemed to include all Parks, Gardens and the Town Dock, as defined in Section 39-2 of the Code of the Town of North Hempstead.

(b) The term “Handler” shall mean any person who owns, has custody of, or is responsible for a dog.

**Section 4.     Authorization; Signs.** The Commissioner of Parks is hereby authorized to designate a certain area of Michael J. Tully Park to allow the presence of unleashed dogs. In implementing and carrying out the provisions of this ordinance, the Commissioner is authorized to install any signs necessary to comply with the provisions of this ordinance.

**Section 5.     Dog Park Regulations.** The following rules govern the handling of dogs in the area within Michael J. Tully Park that has been designated by the Commissioner of the Department of Parks and Recreation as the dog park:

(A)     Dog owners must be Town of North Hempstead residents.

- (B) All dogs must be vaccinated against rabies and licensed by the Town of North Hempstead.
- (C) No more than 3 dogs per person allowed.
- (D) Dogs must not be left unattended. Dogs must be monitored and controlled at all times. All dogs must be leashed when preparing to leave the park and outside the park at all times.
- (E) Gates must remain closed at all times.
- (F) Dogs in heat, puppies under 4 months or animals other than dogs are not permitted.
- (G) Un-neutered males must be closely monitored.
- (H) No aggressive dogs permitted.
- (I) Handlers must always remain alert and stop rough play. Dogs involved in a fight or that show aggressiveness towards other dogs or people must leave the park.
- (J) Prong, choke and spike collars may not be worn.
- (K) Barking must be discouraged, especially in early morning and late evening.
- (L) A dog with a communicable disease may not be brought onto the park.
- (M) No food (human or canine) or glass containers are allowed.
- (N) Children must be accompanied by an adult and young children must be closely supervised.
- (O) Handlers must dispose of all dog waste. Waste bags are provided.
- (P) Handlers must prevent digging and fill in any holes created by their dogs before leaving.
- (Q) Owners are legally responsible for their dogs and injuries caused by them.

**Section 6. Authority to Remove.** The Commissioner or his/her designee is hereby authorized to order any handler who violates the provisions of this ordinance to remove his/her dog or dogs from the Parks and Recreation Facility. A handler's failure to promptly remove the dog or dogs from the Parks and Recreation Facility

after being ordered to do so by authorized Parks Department personnel shall constitute a violation of this ordinance.

- Section 7. Penalties for Offenses.** In accordance with Section 39-39 of the Code of the Town of North Hempstead, any person or persons, association or corporation committing an offense against this ordinance is guilty of a violation punishable by a fine not to exceed \$250 or imprisonment for a period not to exceed 15 days for each such offense, or by both such fine and imprisonment.
- Section 8. Commissioner's Report.** At least once per year, the Commissioner of Parks shall present a report to the Town Board on the effectiveness of the program concerning the presence of unleashed dogs in the dog park.
- Section 9. Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.
- Section 10. When Effective.** This ordinance shall take effect immediately.