

Local Law Filing

New York State Department of State  
162 Washington Avenue, Albany, New York 12231

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Russell

Local Law No. 1 of the year 2013

A local law amending Local Law Number 1 for the year 2010 pertaining to the abandonment of dogs.

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

Town of Russell as follows:

**RESOLVED**, that Section 8 of Local Law Number 1 of 2010 of the Town of Russell is hereby amended, except that this amendment shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of said law hereby amended prior to the effective date of this Local Law, and in all other respects Local Law 1 of 2010 shall remain in full force and effect; and it is further

**RESOLVED**, that Section 7 is hereby amended to add the following:

**Section 7.1: Abandonment of Dogs:**

Where a dog has been seized and after notice has been given to the owner of record under Section 117 of the Agriculture and Markets Law, said animal shall be deemed to be abandoned on the tenth (10<sup>th</sup>) day after such notice to the owner of record. Thereafter, and notwithstanding the adoption or euthanasia of said animal, the owner of record shall be deemed to have abandoned said animal and shall be liable to the Town for a civil penalty of a minimum of Two Hundred Fifty Dollars (\$250.00) and a maximum of Five Hundred Dollars (\$500.00) for each such violation.

This Local Law shall take effect upon filing with the Secretary of State pursuant to the provisions of the Municipal Home Rule Law of the State of New York.



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2013 of the Town of Russell was duly passed by the Village Board on April 10, 2013, in accordance with the applicable provisions of law. Town

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ and \_\_\_\_\_ (Elective Chief Executive Officer\*) was deemed duly adopted on \_\_\_\_\_, 20\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ (Elective Chief Executive Officer\*) \_\_\_\_\_, 20\_\_\_ . Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_, 20\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ (Elective Chief Executive Officer\*) \_\_\_\_\_, 20\_\_\_ . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, 20\_\_\_, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



**5. (City local law concerning Charter revision proposed by petition.)**


I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_, of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_, 20\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_, of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_, 20\_\_\_, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.


  
Clerk of the County legislative body, City, Town or Village  
Clerk or officer designated by local legislative body.  
Teresa L. Eells, Town Clerk  
Date: April 10, 2013

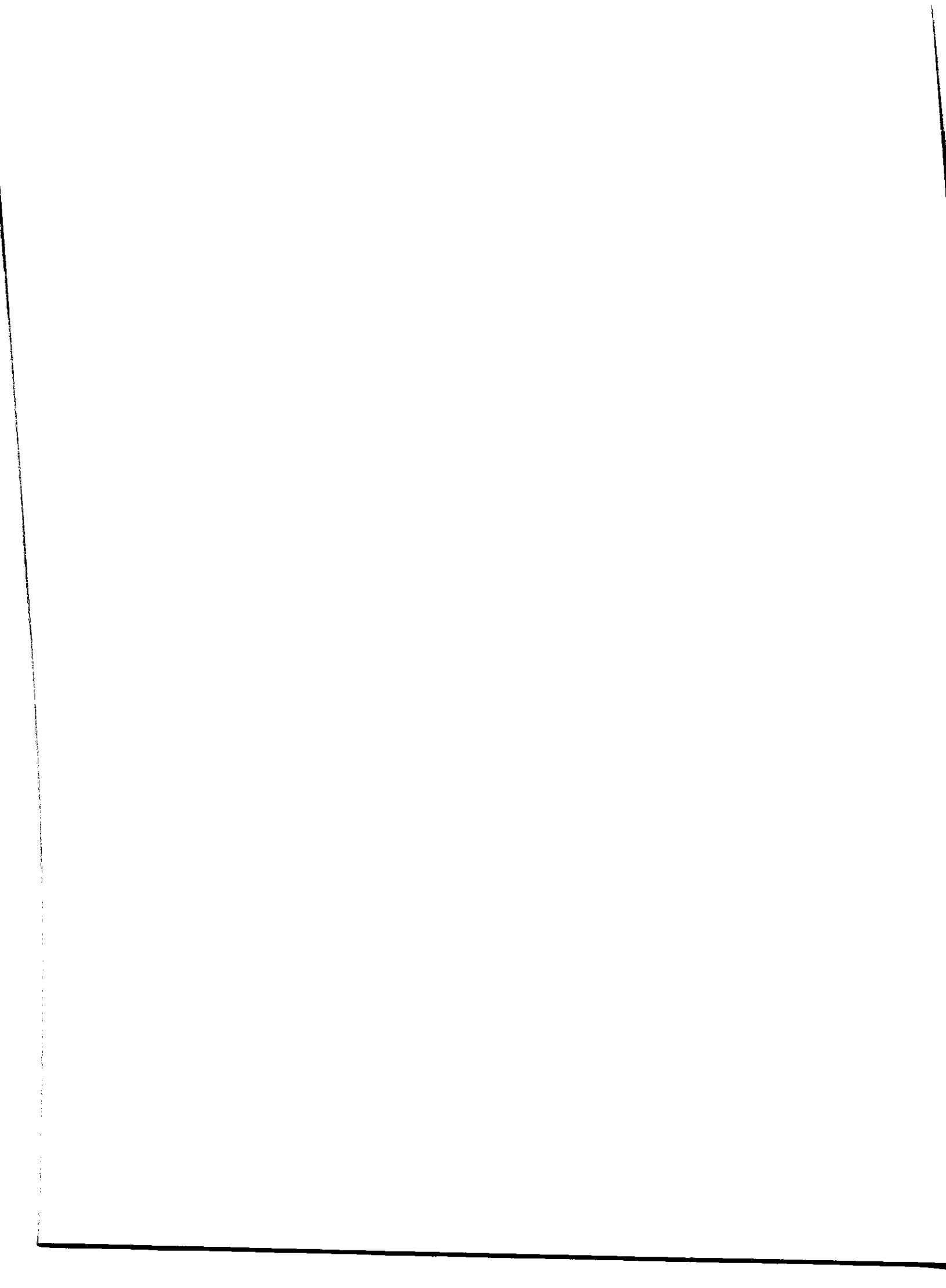
(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)**

STATE OF NEW YORK     )  
  ).ss  
COUNTY OF ST. LAWRENCE)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
Henry J. Leader, Esq.  
Town Attorney  
Town of Russell  
Date: April 15, 2013





STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

ANDREW M. CUOMO  
GOVERNOR

CESAR A. PERALES  
SECRETARY OF STATE

April 24, 2013

Henry J Leader  
Case & Leader LLP  
107 East main Street  
Post Office Box 13  
Gouverneur NY 13642-0013

**RE: Town of Russell, Local Law 1 2013, filed on April 19, 2013**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 474-2755





**CASE & LEADER LLP**

ATTORNEYS AT LAW  
107 EAST MAIN STREET  
POST OFFICE BOX 13  
GOUVERNEUR, NEW YORK 13642-0013

COPY

EDWARD H. CASE (1908-1988)  
ROBERT J. LEADER  
HENRY J. LEADER  
MEGAN J. MCCARTHY  
ALSO ADMITTED IN VERMONT  
\*ALSO ADMITTED IN FLORIDA

April 17, 2013

TELEPHONE  
(315) 287-2000  
FAX (315) 287-2002  
(NOT FOR PROCESS)

State of New York  
Department of State  
*Attn: Linda Lasch, Principal Clerk*  
State Records & Law Bureau  
41 State Street  
Albany, New York 12231-0001

**Re: Town of Russell**  
**Local Law No. 1 of 2013**

Dear Ms. Lasch:

We enclose herewith an original of the above-captioned Local Law which we would appreciate your filing. These are sent to you pursuant to Section 27 of the Municipal Home Rule Law. Please acknowledge receipt of same.

Thank you in advance for your courtesy.

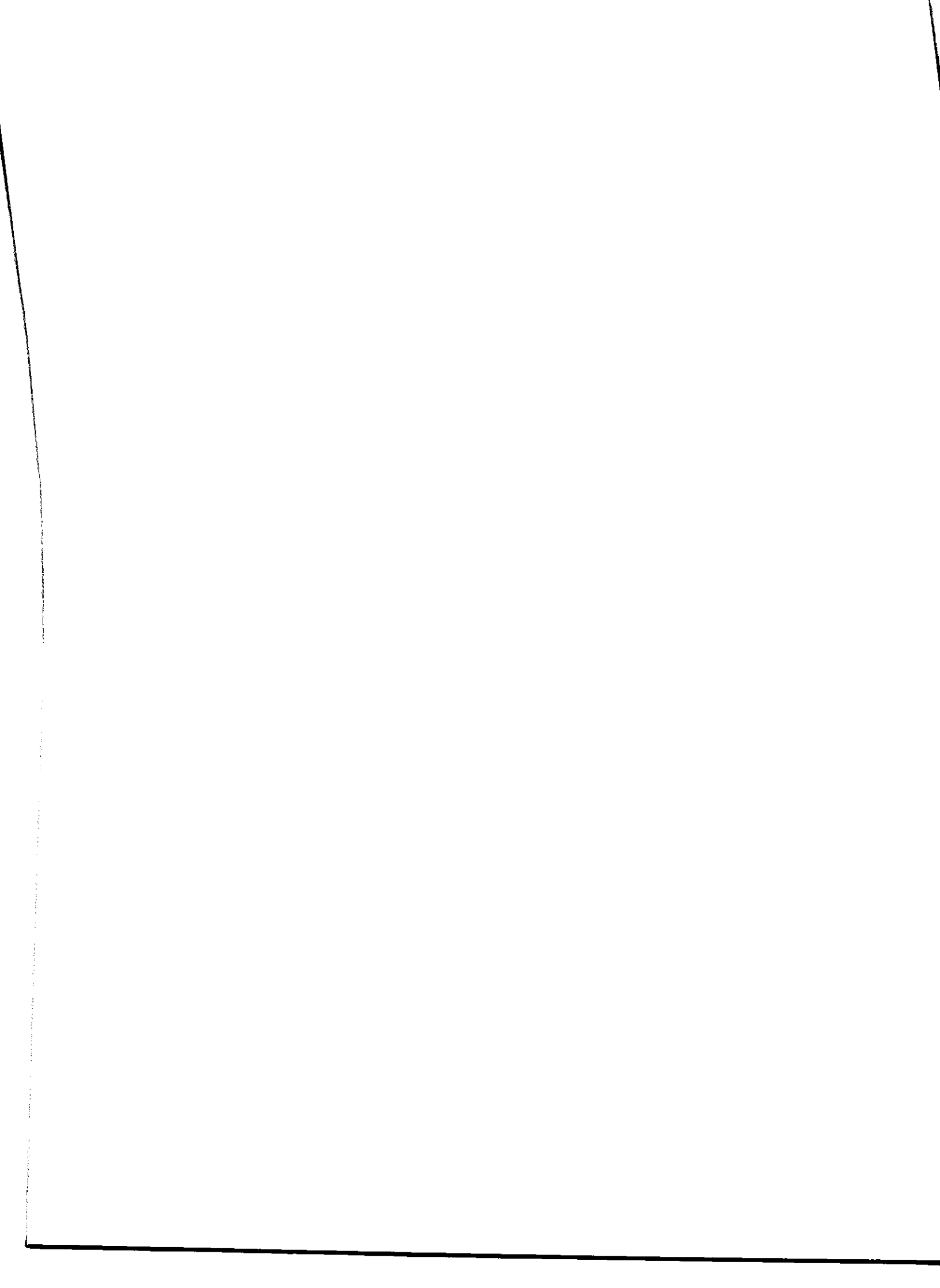
Very truly yours,

CASE & LEADER, LLP

Henry J. Leader, Esq.

HJL;jlm  
Enclosures

cc: Hon. Teresa L. Eells, Clerk



# CASE & LEADER LLP

ATTORNEYS AT LAW  
107 EAST MAIN STREET  
POST OFFICE BOX 13  
GOUVERNEUR, NEW YORK 13642-0013

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EDWARD H. CASE (1908-1988)  
ROBERT J. LEADER  
HENRY J. LEADER<sup>◇</sup>  
MEGAN J. MCCARTHY\*

<sup>◇</sup>ALSO ADMITTED IN VERMONT  
\*ALSO ADMITTED IN FLORIDA

April 29, 2013

Hon. Tess Eells, Clerk  
Town of Russell  
PO Box 628  
Russell, New York 13684

Re: Local Law Number 1 of 2013


Dear Tess:

We enclose herewith the filing notice received from the Department of State confirming that Local Law Number 1 for the year 2013 was filed on April 19, 2013.

Thank you.

Very truly yours,

CASE & LEADER LLP



Henry J. Leader, Esq.

HJL:jl  
Enc.

# CASE & LEADER LLP

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107 EAST MAIN STREET  
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EDWARD H. CASE (1908-1988)  
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HENRY J. LEADER  
MEGAN J. MCCARTHY\*  
◇ALSO ADMITTED IN VERMONT  
\*ALSO ADMITTED IN FLORIDA

April 17, 2013

Hon. Tess Eells, Clerk  
Town of Russell  
PO Box 628  
Russell, New York 13684

Re: Local Law Number 1 of 2013

Dear Tess:

We enclose herewith a fully executed original Local Law Number 1 for the year 2013 for the Town's records. We have forwarded a duplicate original to the Secretary of State and will provide you with the filing notice upon our receipt of same.

Thank you.

Very truly yours,

CASE & LEADER LLP

  
Henry J. Leader, Esq.

HJL:jlm  
Encs.