

TOWN OF NORTH HEMPSTEAD
PROPOSED ORDINANCE NO. OF 2022

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 2022” 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 shall provide the Commissioner with additional rule making authority to allow the presence of dogs in Whitney Pond 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 and Recreation is hereby authorized to designate certain areas of North Hempstead Beach Park, Mary Jane Davies Green, Michael J. Tully Park, Gerry Pond Park and Whitney Pond Park to allow the presence of 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. Dogs in Town Parks. The following rules govern the handling of dogs in the areas within North Hempstead Beach Park, Mary Jane Davies Green, Michael J. Tully Park, Gerry Pond Park and Whitney Pond Park that have been designated by the Commissioner of the Department of Parks and Recreation to allow the presence of dogs:

(A) No Handler may bring more than three (3) dogs into the park at one time.

- (B) Handlers must be sixteen (16) years of age or older.
- (C) No female dog in heat, nor any sick dog, may be brought into the park.
- (D) Only dogs four months or older are allowed. All dogs must be licensed, currently vaccinated and wearing license and vaccination tags as required by the Town Code.
- (E) All dogs must be leashed at all times.
- (F) Handlers must promptly remove and dispose of any fecal matter left behind by that handler's dog or dogs.
- (G) Handlers must restrict excessive barking by that handler's dog or dogs.
- (H) Handlers are responsible for any damage to the park caused by that handler's dog or dogs.
- (I) Dogs are not allowed in parks other than those designated by the Commissioner or in areas of those parks that are not designated by the Commissioner as allowing the presence of dogs.

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 Handlers' 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 dogs in Town Parks.

Section 9. Repeal of previous ordinance. Parks Ordinance No. 2 of 2019 is hereby repealed and replaced with the provisions of Parks Ordinance No. 1 of 2022.

Section 10. 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 11. When Effective. This ordinance shall take effect immediately.