

**LOCAL LAW AMENDING
CHAPTER 78 OF THE VILLAGE CODE**

A LOCAL LAW to amend Chapter 78 of the Code of the Village of Rye Brook regarding Animals to ~~add new Article 78-9 Prohibition on Sales of Commercially Bred Dogs and Cats~~ in Pet Stores.

BE IT ENACTED, by the Board of Trustees of the Village of Rye Brook, as follows:

Section 1. Chapter 78, Sections 9-11 of the Code of the Village of Rye Brook are hereby amended as follows:

§78-9 PROHIBITION ON SALE OF COMMERCIALY BRED DOGS AND CATS IN PET STORES

- a. It shall be unlawful for any person to sell any live dog or cat in any pet store, retail business or other commercial establishment in the Village of Rye Brook, unless the dog or cat was obtained from an animal shelter of a humane society located in the County of Westchester, or a nonprofit rescue and humane organization registered within the New York State Department of Agriculture.
- b. For purposes of this Section, a rescue and humane organization is defined as a New York State nonprofit corporation that is exempt from taxation under Internal Revenue Code Section 501 (c) (3), participates in early age spay/neuter of animals, complies with State and local laws regarding the humane treatment of animals, and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs and/or cats.

~~§78-910 Nonconforming~~ Nonconforming uses

A nonconforming use may not continue and must terminate immediately. Any person violating any of the provisions of this Chapter shall be subject of a fine in accordance with the provisions of § 78.11 of up to \$250 for each offense.

~~§78-1011~~ **§78-11 PENALTIES FOR OFFENSES.**

~~Any person violating any of the provisions of this Chapter shall be subject of a fine of up to \$250 for each offense. A violation of this Article may be enforced by means of an administrative citation and a penalty in the amount of up to \$250.00 for the first violation, \$500.00 for the second violation and \$1,000.00 for each subsequent violation. Each sale of a pet covered by the Article shall be considered to be a separate violation of this Article thereof.~~

Section 2. Severability. If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section 3. This local law shall take effect immediately upon filing with the Office of the Secretary of State.