

## Chapter 152. Animals

### Article I. Outdoor Tethering of Dogs

[Adopted 11-18-2014 by L.L. No. 7-2014]

#### § 152-1. Legislative intent and findings.

[Amended 8-17-2021 by L.L. No. 7-2021]

The Ulster County Legislature has determined that the practice of tethering a dog outdoors for a prolonged period is inhumane and presents a threat to the safety of the dog, other animals and human beings. The Legislature has further determined that it is in the best interest of the residents of Ulster County, as well as their pets, to ensure the safety of all by regulating the amount of time, as well as the manner in which, a dog may be tethered. The intent is for a person to tether a dog outside no longer than necessary.

#### § 152-2. Definitions.

[Amended 8-17-2021 by L.L. No. 7-2021]

As used in this article, the following terms shall have the meanings indicated:

##### **TETHER**

To restrain a dog by attaching the dog to any stationary object or structure, including without limitation a house, tree, fence, post, garage, or shed, or mobile device, including, without limitation, a trolley or pulley, by any means, including without limitation a chain, rope, cord, leash, or running line. Tethering does not include the use of a leash to walk a dog.

##### **WEATHER ALERT**

A National Weather Service watch, warning or advisory issued by local, state or federal authority for potential hazardous weather of concern, including but not limited to flood, heat advisory, frigid weather, snow or ice storm, tornados, tropical storm, high winds or thunderstorms.

#### § 152-3. Tethering regulations.

[Amended 8-17-2021 by L.L. No. 7-2021]

- A. The tether must be attached to the dog with a properly fitted buckle-type collar or a body harness made of material not normally susceptible to being severed by the dog through chewing or otherwise and that will not cause trauma or injury to the dog. Choke- or pinch-type collars, attached weights and chains over 1/4 inch thick cannot be utilized for tethering.
- B. The length of a stationary tether shall not be less than 10 feet or five times the length of the dog's body as measured from the tip of the nose to the base of the tail, whichever length is greater; shall connect at both ends with a swivel and be affixed in such a manner that it will prevent the dog from becoming entangled or injured; shall weigh less than 1/10 of the dog's weight; and shall restrain the dog to the owner's property while also preventing the dog from reaching hazards,

including but not limited to a pool, fence, porch or railing that poses a strangulation risk, and/or other animals.

- C. A dog, whether tethered or confined in a yard, outdoor kennel, or a wireless dog fence, must have unencumbered access to shade, food, water, shelter and dry ground without becoming entangled.
- D. A dog shall not be tethered outdoors during a weather alert or when outside weather conditions, including but not limited to extreme heat, cold, wind, rain, snow or hail, pose an adverse risk to the health or safety of a dog based on breed, age or physical condition, in accordance with the industry standard set forth in the Tufts Animal Care and Condition Weather Safety Scale. Extreme heat and cold limitations are set as an ambient temperature of 80° F. and 35° F., respectively.
- E. A dog shall not be tethered in any of the following circumstances: under six months of age; a nursing female; when suffering illness, debilitating disease, injury, in distress, or in the advanced stages of pregnancy.
- F. A tethered dog must be apparently free of any health condition that would be exacerbated by tethering.
- G. If there are multiple dogs, each must be tethered separately.
- H. A tethered dog shall have access to appropriate shelter that will allow the dog to remain dry and to be protected from the elements. In addition to complying with the requirements of § 353-b of New York State Agriculture and Markets Law, the shelter shall be fully enclosed on all sides except one, which side shall have an opening that will allow the dog easy entry to and exit from the shelter; have a slanted, waterproof roof; and have a solid floor. The shelter shall contain clean bedding or straw/shavings. If straw/shavings is used, it must be replaced at least once a month so that the dog can burrow into it for warmth. The shelter shall be small enough to retain the dog's body heat and large enough to allow the dog to stand, lie down with limbs outstretched, and turn around comfortably. The area around the shelter shall be kept free of standing water, ice and waste.
- I. A dog shall not be tethered outside for longer than five consecutive hours in a twenty-four-hour period or a total time outside in excess of 10 hours and outside from 10:00 p.m. to 6:00 a.m.
- J. In addition to the above requirements, tethered dogs must be free of cruel conditions or inhumane tethering at any time. For purposes of this section, "cruel conditions or inhumane tethering" shall include the following:
  - (1) Exposure to animal waste, garbage, noxious odors or objects that could injure or kill a dog.
  - (2) Exposure to taunting, prodding, provoking, hitting, harassing, threatening or otherwise harming a tethered dog.
  - (3) Exposing a dog to dangerous conditions, including potential attacks by other animals.
  - (4) Tethered on vacant property.
  - (5) Any tethering that causes injury or death.

## § 152-4. Enforcement; penalties for offenses.

- A. This article shall be enforced by the office of the Ulster County Sheriff and may also be enforced by any constable, police officer, local dog control or animal control officer, or any agent or officer of any duly incorporated society for the prevention of cruelty to animals with jurisdiction within Ulster County.  
[Amended 8-17-2021 by L.L. No. 7-2021]
- B. A violation of any of the provisions of this article shall, for a first offense, be punishable by a fine of up to \$100 and/or an educational component at the judge's discretion.