

TOWN OF NORTH CASTLE
LOCAL LAW No. 6 FOR THE YEAR 2007
(ADOPTED 3/14/07)

A Local Law to add Chapter _____ to the Code of the Town of North Castle.

CHAPTER _____ Trapping

Be It Enacted by the Town Board of the Town of North Castle as follows:

§ _____. Purpose and intent.

- A. The Town of North Castle has evolved into a suburban community populated by families with children and companion animals, who are endangered by the use of harmful or lethal traps that constitute a clear danger to the residents of the Town of North Castle, particularly children and companion animals. Thus, it is determined that the use of certain traps in certain areas of the Town of North Castle is no longer safe and appropriate.
- B. This Chapter has been enacted to protect the general health, welfare and safety of the general public.
- C. The following prohibitions are in addition to all prohibitions, terms and conditions relating to hunting, shooting and trapping set forth at New York State Environmental Conservation Law, Article 11, including but not limited to:
 - i. Provisions therein with respect to licensing.
 - ii. The establishment of certain seasons for hunting and trapping.

§ _____. Definitions.

- A. A "harmful or lethal trap" is defined as a trap that is capable, by design or use, of causing injury or damage to any living being.
- B. Town-owned property is defined as all real property of which the Town of North Castle is the fee owner, whether or not such real property has been declared park land and all real property over which the Town Board of the

Town of North Castle has control within park districts established under the provisions of Article 12 of the Town Law of the State of New York.

§ _____. Trapping prohibited within certain distances.

- A. The trapping of animals through the use of a steel jaw leg-hold or conibear trap or snare of any kind that may harm or kill any individual animal is prohibited within 500 feet of residential buildings in the Town of North Castle. Said prohibition includes those areas in the Town of North Castle within 500 feet of buildings located outside the Town of North Castle.

§ _____. Trapping prohibited on Town-owned property.

- A. The trapping of animals is prohibited on Town-owned property. Non-lethal methods of animal removal may be used to protect the public health and welfare, as determined by the Town Board.

§ _____. Exceptions.

- A. This chapter shall not apply to a private property owner acting on his own property in a fashion which does not permit the prohibited activities herein to cross onto the lands of another owner.
- B. This chapter shall further not apply to a person acting with the written permission of the owner of the land he is upon under the same conditions. One claiming to be acting pursuant to the permission of the owner of the land he is upon shall have on his person the permission in writing and shall exhibit same to any law enforcement official upon request.

§ _____. Penalties for offenses; Enforcement.

- A. Any person who has not been previously convicted under this chapter during the previous ten (10) years found violating any of the provisions of this chapter shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine not to exceed the sum of two hundred fifty dollars (\$250.00) and/or imprisonment for no more than ten (10) days for the first offense. Any person found violating any provisions of this chapter who shall

have been previously found guilty of violating this chapter within a period of ten (10) years after the last prior conviction shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00) and/or imprisonment for no more than sixty (60) days for such second offense.

- B. The Building Inspector shall enforce all provisions of this article.