

A LOCAL LAW to amend Chapter 300 of the Code of the Town of Yorktown entitled "ZONING"

Be it enacted by the Town Board of the Town of Yorktown as follows:

Section I. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II. Chapter 300 of the Code of the Town of Yorktown entitled "ZONING," is hereby amended as follows:

The following language shall be added to § 300-3(b):

**NON-COMMERCIAL DOG KENNEL**

Any use on a lot, whether such use is primary or otherwise, wherein fifty (50) or more dogs are kept or maintained for a purpose other than compensation of any kind. This use may supply a private veterinary clinic, as well as training for those dogs on site only.

The following § 300-21(C)(18)(b)[2] shall be added:

Non-Commercial Dog Kennels

The following § 300-56(C) shall be added:

The Planning Board may permit Non-Commercial Dog Kennels on a site of at least 7 acres in the Planned Interchange District for the sole purpose of raising dogs to be trained as guide dogs for the visually impaired and not for sale, boarding, breeding, grooming, letting for hire or any other purpose involving compensation, whether monetary or otherwise.

- (1) Non-Commercial Dog Kennels will be permitted to hold classes and training sessions with future dog owners.
- (2) Veterinary services shall be permitted on the property strictly for the care of the dogs on site. These services will not be open to the public.
- (3) The facility shall be operated so as to cause no disruption to neighboring properties.
- (4) The facility shall be sound proofed and shall provide the necessary and proper screening to reduce noise and protect nearby properties from any sound increases to the satisfaction of the Planning Board.

(5) The facility shall have the requisite parking, lodging and drop-off areas suitable for all staff, volunteers and students on site.

Section III. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistencies.

Section V. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.