

TOWN OF BEEKMANTOWN
LOCAL LAW NO. 3 OF THE YEAR 2011

Section 1. Title. A Local Law entitled “Establishing Dog Licensing Fees”.

Section 2. Purpose. The purpose of this Local Law is to provide for the licensing and identification of dogs, the control and protection of the dog population, the protection of persons, property, domestic animals and deer from dog attacks and damage, and to protect the health, safety and well-being of persons and property within the Town by imposing restrictions on dogs within the Town.

Section 3. Authority. This Local Law is enacted pursuant to the provisions of (Chapter 59; Part T of the Laws 2010) Section 124 of Article 7 of the Agriculture and Markets Law of the State of New York and the Municipal Home Rule Law of the State of New York.

Section 4. Definition of Terms. As used in this Local Law, the meanings of the respective terms are as follows: All terms not specifically defined herein shall have the meaning assigned to such terms within Section 108 of Article 7 of the Agriculture and Markets Law of the State of New York.

Agriculture and Markets Law. Agriculture and Markets Law of the State of New York in effect as of the effective date of this Chapter, as amended by this Chapter, and as thereafter amended.

Identification Tag. A tag issued by the Town Clerk which sets forth the identification number together with the Town and State, the telephone number of the Town Clerk, and any other information deemed necessary by the Town Clerk.

Dog. Dog shall mean male and female, licensed and unlicensed, members of the species *Canis familiaris*.

Owner. The party purchasing the license, unless the dog is or has been lost and such loss reported to the Dog Control Officer and reasonable search has been made. If animal is not licensed, the term of “owner” shall designate and cover any person or persons, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any animal which is kept, brought or comes within the Town. Any person owning or harboring a dog for a period of one (1) week prior to the filing of any complaint charging a violation of this Local Law shall be held and deemed to be the owner of such dog for the purpose of this Local Law. In the event any dog found to be in violation of this chapter shall be owned by a minor, the head of the household in which said minor resides shall be deemed to have custody and control of said dog and shall be responsible for any acts of the said dog and violation of this Local Law.

Owner of record. Means the person in whose name a dog was last licensed pursuant to this chapter.

Person. A person, partnership, corporation, association or other organized group of persons, business entity, municipality, or other legal entity.

Purebred License. A license issued to the owner of one or more purebred dogs registered by a recognized registry association.

Resident. [A person] an individual who maintains a residence within the Town of Beekmantown, County of Clinton, State of New York.

Town. Means the Town of Beekmantown, County of Clinton, State of New York.

Section 5. Licensing of Dogs.

(a) All dogs in the Town of Beekmantown must be licensed with the Town Clerk by the age of four (4) months and are required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license.

(b) All dog licenses will be for a period of one (1) year and will expire at the end of the month one (1) year from the date of issue. There is the option of two (2) year and three (3) year as long as the rabies coincides with the dates of licensing. See Section 110 of the Agriculture and Markets Law of the State of New York.

(c) Fees for Licensing Dogs.

(i) The fee for a spayed or neutered dog will be ten (\$10.00) dollars, said amount includes a New York State surcharge of \$1.00.

(ii) The fee for an unsprayed or unneutered dog will be twenty (\$20.00) dollars, said amount includes a New York State surcharge of \$3.00.

(iii) Said fees shall be reviewed periodically by the Town Board and may be changed by a resolution of the Town Board, if deemed necessary.

(d) Enumeration Fee. When the Town Board determines the need for a dog enumeration, a fee of five (\$5.00) dollars will be assessed to all dogs found unlicensed.

(e) Purebred License. The Town will be issuing purebred or kennel licenses, with proof of current rabies for each dog.

(f) Service Dogs. The Town of Beekmantown will not require a license for any guide dog, service dog, hearing dog, or detection dog, war dog, detection dog, police dog, therapy dog, working search dog with certificate of service provided for proof.

(g) The Town of Beekmantown does not allow the licensing of dogs by a shelter. The shelter MUST send the adoptive dog owners to the Town Clerk of the Town of Beekmantown for the purchase of the license for adoption purposes.

(h) Loss of Tag. In the event a tag is lost, a replacement tag may be purchased from the Town Clerk for the sum of Five Dollars (\$5.00).

(i) All dog licenses may be purchased by visiting the Town offices or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms.

(j) All fees will be used in funding the administration of the Dog Control Law of the Town of Beekmantown with the exception of the New York State surcharges.

Section 6. Identification of Dogs.

(a) Each dog licensed, pursuant to this Local Law, shall be assigned, at the time the dog is first licensed, a Town of Beekmantown identification number. Such identification number shall be carried by the dog, on an identification tag, which shall be affixed to the collar on the dog at all times.

(b) No tag carrying an identification number shall be affixed to the collar of any dog other than the dog to which that number has been assigned.

Section 7. Violations.

(a) It shall be a violation punishable as provided in the penalties section of this Local Law for:

(i) Any owner to fail to license any dog which they own;

(ii) Any owner to fail to have any dog identification, as required by this Local Law;

(iii) Any person to affix to any dog any false or improper identification, tag, or special identification tags for identifying guide, service, hearing or purebred dogs.

Section 8. Penalties. Any person convicted of a violation of this Local Law shall be liable for a civil penalty of not more than Fifty Dollars (\$50.00) for the first violation, One Hundred Dollars (\$100.00) for the second violation, and Two Hundred Fifty Dollars (\$250.00) and or Fifteen (15) days of imprisonment for each subsequent violation. Each day during which an offense continues shall be deemed a separate offense.

Section 9. Separability. Each separate provision of this Local Law shall be deemed independent of all other provisions herein and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 10. Effective Date. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

