

Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

- County
- City of Lee
- Town
- Village

Local Law No. 1 of the year 20 10

A local law providing for the licensing and identification of dogs and to further provide for dog
(Insert Title)
 population control in the Town of Lee, Oneida County, New York.

Be it enacted by the Town Board of the
(Name of Legislative Body)

- County
- City of Lee as follows:
- Town
- Village

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**A LOCAL LAW PROVIDING FOR THE LICENSING AND
IDENTIFICATION OF DOGS AND FURTHER PROVIDING
FOR ANIMAL POPULATION CONTROL IN THE
TOWN OF LEE, ONEIDA COUNTY, NEW YORK**

Local Law No. 1 of 2010

Be it enacted by the Town Board of the Town of Lee, in the County of Oneida, as follows:

Section 1. Purpose.

The purpose of this Local Law is to provide for the licensing and identification of dogs, and to further provide for animal population control.

Section 2. Authority.

This Local Law is enacted pursuant to the provisions of Article 7 of the Agriculture and Markets Law of the State of New York.

Section 3. Establishment of Dog License Fees.

A. All dogs within the Town of Lee four (4) months of age or older, shall be licensed. The owner of each dog required to be licensed shall obtain, complete and return to the Town Clerk a dog license application, together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town of Lee. Each license application and/or renewal application shall be accompanied by proof that the dog has been vaccinated against rabies.

B. Except as set forth at C.3. below, each license issued shall be valid for a period of one (1) year and shall not be transferable. There will be no refund of license fees.

C. Fees for licensing dogs effective January 1, 2011:

1. For each spayed or neutered dog, Ten Dollars (\$10.00), which fee includes the assessment of the statutory state surcharge of One Dollar (\$1.00) for the purpose of carrying out animal population control.

2. For each unspayed or unneutered dog, Twenty Dollars (\$20.00), which fee includes the assessment of the statutory state surcharge of Three Dollars (\$3.00) for the purpose of carrying out animal population control.

3. In lieu of the annual fees set forth at C.1. and C.2. above, a three (3) year license may be purchased as follows:

A. For each spayed or neutered dog Twenty-five Dollars (\$25.00), which fee includes the assessment of the statutory state surcharge of Three Dollars (\$3.00) for the purpose of carrying out animal population control.

B. For each unspayed or unneutered dog, Fifty-five Dollars (\$55.00), which fee includes the assessment of the statutory state surcharge of Nine Dollars (\$9.00) for the purpose of carrying out animal population control.

4. The Town of Lee shall not issue purebred or kennel licenses. All dogs shall be licensed individually in accordance with the fee schedule set forth in Section 3, Paragraph C, Subparagraphs 1, 2 and 3.

5. The Town Clerk may issue replacement tags for the fee of Five Dollars (\$5.00).

6. A fee of Fifty Dollars (\$50.00) shall be assessed, in addition to the dog license fees, to all dogs found to be unlicensed or not renewed at the time an enumeration is conducted. Such additional assessment shall be paid within ninety (90) days from the imposition thereof.

7. The fees set forth within Section 3, Paragraph C, shall be reviewed by the Town Board periodically and may be changed by resolution of the Town Board, if deemed necessary.

8. The Town of Lee does not allow the licensing of dogs by a shelter. The shelter must direct the adoptive dog owners to the Lee Town Clerk for the purchase of the license for adoption purposes prior to the dog being released from the shelter.

9. All dog licenses must be purchased by visiting the Lee Town Clerk's Office during regular business hours. Renewals may be sent in by regular mail or may be brought in personally to the Lee Town Clerk's Office. If mailing a renewal license application, all required documentary or fee submissions must accompany the application.

10. The owner of any dog in violation of this Local Law, whose dog is impounded by the Town of Lee or its agents, shall be entitled to redeem such dog within five (5) business days, excluding the day the dog is impounded, provided that the owner produces proof that the dog is licensed and identified and pays a fee of Thirty Dollars (\$30.00) per day, up to five (5) days' impoundment fee.

Section 4. Repealer.

This Local Law shall supersede all prior local laws, rules and regulations pertaining to the licensing and identification of dogs and animal population control.

Section 5. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lee hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 6. Effective Date:

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.