

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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 ☒ Town ☐ Village  
(Select one:)

of LEE, ONEIDA COUNTY, NEW YORK

Local Law No. 1 of the year 2018

A local law PROVIDING FOR THE LICENSING AND IDENTIFICATION OF DOGS AND FURTHER

(Insert Title)

PROVIDING FOR CONTROL AND PROTECTION OF THE DOG POPULATION IN THE

TOWN OF LEE, ONEIDA COUNTY, NEW YORK

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of LEE, ONEIDA COUNTY, NEW YORK

as follows:

SEE ATTACHED



D. Fees for licensing dogs effective June 1, 2018, which fees are non-refundable, shall be as follows:

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 D.1. and D.2. above, providing a dog has a three (3) year rabies vaccination, a three (3) year non-refundable 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. Service dogs, guide dogs, war dogs, police work dogs, therapy dogs, hearing and/or detection dogs shall be licensed but shall be exempt from any licensing fee upon presentation of satisfactory proof, such as a training certificate or other similar documentation, by the owner. Such fee exemption shall expire once the dog retires from service. It shall be an affirmative obligation of the dog's owner to notify the Town Clerk at such time that retirement occurs.

5. 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 D, Subparagraphs 1, 2 and 3.

6. An enumeration 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 thirty (30) days from the imposition thereof.

7. In the event an issued license is not timely renewed, a late fee shall be assessed in the amount of Twenty-five Dollars (\$25.00) sixty (60) days following license expiration and must be paid along with the requisite licensing fees.



4. Any dog which poses an immediate threat to the public safety. Promptly upon seizure, the dog control officer shall commence a proceeding as provided for in subdivision two of section one hundred twenty-three of the New York Agriculture and Markets Law.
- B. Any dog control officer or peace officer, acting pursuant to his or her special duties, or police officer may seize any dog in violation of this local law.
- C. Each dog which is not identified, whether or not licensed, shall be held for a period of five days from the day seized during which period the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of this Local Law and further provided that the owner pays the following impoundment fees:
  1. Not less than Thirty Dollars (\$30.00), plus Twenty-five Dollars (\$25.00) per each additional twenty-four (24) hour period of impoundment following the 1<sup>st</sup> day for the first impoundment of any dog owned by that person;
  2. Not less than Fifty Dollars (\$50.00), plus Twenty-five Dollars (\$25.00) per each additional twenty-four (24) hour period of impoundment following the 1<sup>st</sup> day for the second impoundment, within one year of the first impoundment, of any dog owned by that person; or
  3. Not less than Seventy Dollars (\$70.00), plus Twenty-five Dollars (\$25.00) per each additional twenty-four (24) hour period of impoundment following the 1<sup>st</sup> day for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.
- D. Procedures for Notice and Redemption of identified dogs shall be as provided in Section 117 of the New York Agriculture and Markets Law.

#### **Section 6. Violations.**

- A. It shall be a violation, punishable as provided in subdivision two of this section, for:
  1. Any owner to fail to license any dog;
  2. Any owner to fail to re-license any dog within sixty (60) days after license expiration;
  3. Any owner to fail to have any dog identified as required by this Local Law;
  4. Any person to knowingly affix to any dog any false or improper identification tag, special identification tag for identifying guide, service or hearing dogs or purebred license tag;
  5. Any person to furnish any false or misleading information on any form required to be filed with the Town Clerk pursuant to the provisions of this Local Law.
  6. Any owner of a dog to fail to notify the Town Clerk of any change or ownership or address as required by Section 4 hereof.



**Section 8. 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 9. 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.



~~1. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_, having been submitted to referendum pursuant to the provisions of Section (86)(87) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.~~

~~2. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 93 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

(Seal)

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: