

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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 of Perth

Town

~~XXXXXX~~

Local Law No. 2 of the year 2010

A local law entitled: Dog Licensing Law of the Town of Perth

(Insert Title)

Be it enacted by the Town Board of the

(Name of Legislative Body)

~~COUNTY~~

~~CITY~~

Town of Perth

Town

~~XXXXXX~~

as follows:

The text of this Local Law is annexed hereto.

Section 1. Purpose:

The purpose of this local law is to provide for the licensing and identification of dogs and the control and protection of the dog population.

Section 2. Authority:

This local law is enacted pursuant to the provisions of Article 7, Chapter 59, Part T of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

Section 3. Title:

The title of this local law shall be: Dog Licensing Law of the Town of Perth.

Section 4. Definition of Terms:

(a) "Dog" means male and female, licensed and unlicensed, members of the species *canis familiaris*.

(b) "Owner" means any person entitled to claim lawful custody and possession of a dog who is responsible for purchasing the license for such dog, unless the dog is or has been lost, and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the term owner shall designate and cover any person or persons, firm, association or corporation, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any dog 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 in and deemed to be the owner of any dog found to be in violation of this local law. If such person shall be under 18 years of age at the time of the filing of such complaint, 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 which are in violation of this local law.

Section 5. Licensing of Dogs:

(a) All dogs in the Town of Perth 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.

(c) Fees for Licensing of Dogs:

The fee for a spayed or neutered dog will be \$6.00 (which includes the

assessment of a \$1.00 surcharge for the purpose of carrying out animal population control) and the fee for an unspayed or unneutered dog will be \$15.00 (which includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control). For persons 65 years of age and older, the fee for a spayed or neutered dog will be \$3.00 and the fee for an unspayed or unneutered dog will be \$12.00. Such fees may be reviewed by the Town Board periodically 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 \$25.00 will be assessed to all dogs found unlicensed or unrenewed at the time the enumeration is conducted.

(e) Purebred License:

The Town of Perth will not issue Purebred or Kennel licenses. All dogs will be licensed individually as per the fee system stated above.

(f) Service Dogs:

The Town of Perth will not require a license for any guide dog, service dog, detection dog or therapy dog.

(g) The Town of Perth 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 or City in which the dog will be harbored for licensing.

(h) All original licenses shall be purchased by visiting the Town offices. If renewing a license by mail, the appropriate fee must accompany the forms. There will be NO refund of fees.

(i) In the event that a dog identification tag is lost and cannot be found, a new dog identification tag will be issued upon the payment of a fee of \$3.00.

(j) All fees will be used in funding the administration of the Dog Control Law of the Town of Perth.

Section 6. Penalties:

Any person convicted of a violation of this Local Law shall be liable for a Civil penalty of thirty-five (\$35.00) dollars for a first violation, fifty (\$50.00) dollars for a second violation and seventy-five (\$75.00) dollars for each subsequent violation.

Section 7. 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 8. Effective Date:

This Local Law shall be effective January 1, 2011 after filing with the Secretary of State of the State of New York.