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DOG

STATE LAW
MANDATES THAT
ALL DOGS BE
LICENSED

CONTROL



CONFINING



LEASHING



SCHEDULE A

TOWN OF SCHUYLER FALLS LOCAL LAW NO. # 1 OF THE YEAR 2026

Section 1. Title. A Local Law entitled, "A Local Law Regulating the Licensing, Sheltering and Control of Dogs in the Town of Schuyler Falls".

Section 2. Purpose. The Town of Schuyler Falls finds that the running at large and other uncontrolled behavior of dogs have caused physical harm to persons, damage to property and created nuisances within the Town. The purpose of this Local Law is to protect the health, safety and well-being of persons and property within the Town. The Town Board of the Town of Schuyler Falls hereby supplements the provisions of the New York State Agriculture and Markets Law to prohibit situations and incidents which are not proscribed by said law, and imposes restrictions and regulations upon the keeping and running at large of dogs and the seizure thereof. The specific intent of this Local Law is to make town-wide the regulation for the control of dogs within the Town of Schuyler Falls.

Section 3. Authority. This Local Law is enacted pursuant to the provisions of Section 124 of Article 7 of the Agriculture and Markets 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:

Agriculture and Markets Law. The Agriculture and Markets Law of the State of New York in effect as of the effective date of this Local Law, as amended by this Local Law, and as amended from time to time thereafter;

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 an animal is not licensed, the term of "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 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;

At Large. Off the premises of the owner;

Run at Large. Run at large shall mean to be in a public place, or on private lands without the knowledge, consent and approval of the owner of such lands; and

Harbor. To provide food and/or shelter to any dog.

Physical Condition. Physical condition shall include any special medical needs of a dog due to disease illness, injury, and age or bred about which the owner or person with custody of the dog should be aware.

Inclement Weather. Inclement weather shall mean weather conditions that are likely to adversely affect the health or safety of the dog, including but not limited to rain, sleet, ice, snow, wind or extreme heat, sunlight and cold.

Dogs that are Left Outside. Dogs that are left outside shall mean dogs that are outdoors in inclement weather without ready access to, or the ability to enter, a house, apartment building, office building, or any other permanent structure.

Section 5. Prohibited acts. It shall be unlawful for any owner of any dog in the Town to allow such dog to:

- (a) Be left outside without appropriate shelter taking into consideration of its breed, physical conditions, and the climate to which it is being exposed.
- (b) Be left restrained in any manner outside exposed to sunlight without shade of any type when said sunlight is likely to threaten the health of the dog.
- (c) Be subject to inclement weather by failing to provide adequate housing that must:
 - (i) have a water proof roof
 - (ii) be structurally sound with insulation appropriate to local climatic conditions and sufficient to protect the dog from inclement weather
 - (iii) be constructed to allow each dog adequate freedom of movement to make normal postural adjustment, including the ability to standup, turn around and lie down with his limbs outstretched
 - (iv) Allow for effective removal of excretions, other waste material, dirt and trash. The housing facility and the immediate area around it shall be regularly cleaned to maintain a healthy and sanitary environment and minimize health hazards.

Section 6. Prohibited Acts. It shall be unlawful for any owner of any dog in the Town of Schuyler Falls to permit or allow such dog to do any of the following acts:

- (a) Damage, deface or destroy property of any kind;
- (b) chase, attack or otherwise harass any person in such manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury in any place where such person may lawfully be;
- (c) Engage in habitual loud howling or barking or to conduct itself in such manner as to habitually annoy any person other than the owner;
- (d) Habitually chase or bark at a motor vehicle, motorcycles, tricycles, bicycles or baby carriages (strollers), or persons jogging, running or walking;
- (e) Upset garbage cans, deposit garbage or trash, urinate or defecate waste upon the premises of another person other than the owner;
- (f) Attack, chase, injure or kill any domestic animal, dog or cat of another person when such animal is any place where it may lawfully be;
- (g) Allow a female dog to run at large when in heat. Such dog shall be confined to the owner's premises during such period; and
- (h) No dog shall be at large, or allowed to run at large within the Town unless leashed and accompanied by the owner or a responsible person able to control the dog.

For the purposes hereof, when any dog is at large contrary to the provisions of this Local Law and commits any of said prohibited acts, the owner or person in control shall be deemed to have permitted or suffered the dog to have committed such acts.

Section 7. Enforcement. The enforcement of this Local Law shall be as follows:

- (a) This Local Law shall be enforced by the Dog Control Officer, or peace officer acting pursuant to his/her special duties, or police officer in the employ or under contract to the Town of Schuyler Falls;
- (b) The Dog Control Officer or any other authorized individual as hereinabove set forth, observing a violation of this Local Law in his/her presence shall issue and serve on the owner an appearance ticket for such violation, which appearance ticket shall be in the form prescribed by the Criminal Procedure Law of this State and returnable before a Town Justice of the Town; and

(c) Upon receipt by the Town Justice of any complaint alleging a violation of this Local Law, the Town Justice may summon the alleged owner to appear before him/her; if the summons is disregarded by the owner, the Town Justice may issue a warrant for the arrest of the alleged owner.

Section 8. Warnings. The Dog Control Officer or any other authorized individual empowered to enforce this Local Law shall have the authority in his or her sole discretion to issue only a warning at the time of a first offense rather than enforcement as provided in Section 6. of this Local Law. The warning shall be in writing and in a form like an appearance ticket and shall be issued to the owner of the dog.

Section 9. Seizure, Impoundment, Redemption and Adoption.

(a) Any dog found in violation of this Local Law may be seized pursuant to the provisions of Section 117 of Article 7 of the Agriculture and Markets Law, as amended from time to time, by the Dog Control Officer of the Town pursuant to his or her required duties, or peace officer acting pursuant to his/her special duties, or police officer in the employ or under contract to the Town of Schuyler Falls.

(b) Any dog so seized may be held subject to redemption by the owner, all pursuant to the provisions of the Agriculture and Markets Law, as aforesaid, as amended from time to time.

(c) The owner or seized dog may redeem the dog upon payment to the Clerk of the Town the following applicable impoundment fees:

(i) Twenty-Five (\$25.00) Dollars for the first impoundment of any dog owned by that person;

(ii) Forty (\$40.00) Dollars for the first twenty-four (24) hours or part thereof, and Three (\$3.00) Dollars for each additional twenty-four (24) hours or part thereof for the second impoundment within one (1) year of the first impoundment of any dog owned by that person; or

(iii) Sixty (\$60.00) Dollars for the first twenty-four (24) hours or part thereof, and Three (\$3.00) Dollars for each additional twenty-four (24) hours or part thereof for the third and subsequent impoundment within one (1) year of the first impoundment of any dog owned by that person.

(d) Any dog unredeemed at the expiration of five (5) days from the date the notice to the owner is personally delivered, or seven (7) days where notice to the owner is given by certified mail, return receipt requested, of the facts of seizure and the procedure for redemption, shall be made available for adoption or euthanasia subject to the provisions of Section 117 of Article 7 of the Agriculture and Markets Law.

(e) The seizure of any dog or its redemption shall not relieve any person from any violation of this Local Law or penalty prescribed by Section 12 hereof.

(f) No action shall be maintained against the Town, any Dog Control Officer or Peace Officer when acting pursuant to his or her special duties, or any other agent or officer of the Town or person under contract to said Town to recover the possession or value of any dog, or for damages for injury or compensation for the seizure, destruction, or adoption of any dog seized, destroyed or adopted pursuant to the provisions of the Local Law and/or the Agriculture and Markets Law.

Section 10. Appearance Ticket. The Dog Control Officer, or peace officer or police officer, as provided in subsection (a) of Section 8. hereof- when acting pursuant to his or her special duties when observing a violation of this Local Law in his or her presence - may issue and serve an appearance ticket for such violation.

Section 11. Complaint.

(a) Any person who observes a dog in violation of this Local Law may make such complaint to the Dog Control Officer, or peace officer acting pursuant to his/her special duties, or police officer in the employ or under contract to the Town; or may file a complaint under oath with a Town Justice specifying the nature of this violation, the date thereof, a description of the dog and the name and residence, if known, of the owner of the dog.

(b) Upon receipt of the Town Justice of any such complaint, he or she shall summon the alleged owner to appear in person before him or her for a hearing, at which both the complainant and owner shall have an opportunity to be represented by counsel and to present evidence. If, after such hearing, the Town Justice decides that further action is warranted, he or she may order such remedy as may be warranted by the circumstances in such case in accordance with the provisions of this Local Law and the applicable provisions of the Agriculture and Markets Law.

(c) A violation of any order issued by a Town Justice under the provisions of this Section shall be an offense punishable, upon conviction thereof, as provided in Section 12, of this Local Law.

Section 12. Compensation for Dogs Destroyed. The owner, possessor or harbinger of any dog destroyed under the provision of this Local Law shall not be entitled to compensation and no action shall be maintained thereafter to recover the value of the dog.

Section 13. Penalties.

(a) Any person who violates this Local Law or knowingly permits the violation of this Local Law or any of the provisions thereof, shall be deemed to have committed an offense under this Local Law, and any person convicted of any such

violation after investigation and hearing shall be punishable by a penalty of not more than Town Hundred Fifty (\$250.00) Dollars or imprisonment for a period not exceeding fifteen (15) days for each violation, or both.

(b) In addition to the fines above provided, any judge or justice may also, if the circumstances in his discretion so warrant, order the permanent confinement of a dog by the owner thereof.

In the event of failure of the owner to contain a dog, such dog may, upon order of any judge or justice, be euthanized subject to the provisions of subdivision 374 of the Agriculture and Markets Law, as amended from time to time.

Section 14. Licensing of Dogs and License Fees.

(a) Except as permitted by Subdivision 2. of Section 109 of Article 7 the Agriculture and Markets Law, as amended from time to time, all dogs in the Town of Schuyler Falls must be licensed with the Town Clerk by the age of four (4) months. The owner of the dog is required to present a current certificate of rabies at the time of licensing or upon the renewing of an existing license, unless said owner presents, in lieu of a rabies certificate, a statement certified by a licensed veterinarian as provided in Subdivision 2. Of Section 109 of Article 7 of the Agriculture and Markets Law, as amended from time to time.

(b) (i)	<u>spayed/neutered</u>	<u>unsprayed/unneutered</u>
Local:	\$ 9.00	\$ 17.00
NYS APE Fund	1.00	3.00
Annual Total:	\$ 10.00	\$ 20.00

(b) (iv) Replacement tags: Replacement tags are available at owner's expense. The fee for replacement tags shall be \$3.00.

(b) (v) Late Fee: One month after the license expiration date a five (\$5.00) dollar late fee will be assessed.

(b) (vi) Exemptions: There shall be no fee for any license issued for any guide dog, hearing dog, service dog, war dog, working search dog, detection dog, police work dog or therapy dog. Each copy of any license for such dogs shall be conspicuously marked "guide dog", "hearing dog", "service dog", "working search dog",

"war dog", "detection dog", "police work dog" or "therapy dog", as may be appropriate, by the clerk or authorized dog control officer. Proof of dog's status must be provided.

(c) . Purebred License: The Town of Schuyler Falls will not be issuing Purebred or Kennel Licenses. All dogs will be licensed individually as per fee system stated above.

(d) The Town of Schuyler Falls does not allow the licensing of dogs by a shelter. The shelter MUST send the adoptive dog owners to the Town Clerk which the dog will be harbored for licensing OR to the Town Clerk of the Town of Schuyler Falls, where the shelter is located for the purchase of the license for adoption purposes.

(e) 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. There will be NO refund of fees.

(f) Upon the transfer of ownership of any dog, the new owner shall immediately make application for a license of such dog. The original issued identification tag shall remain the same for the life of the dog.

(g) In the event of a change in ownership of any dog which has been assigned an official identification number or in the event of a change of address of the owner of record of any such dog, the owner of record shall, within ten days of such change, notify the Town Clerk.

(h) In the case of a dog's death, the owner of record shall so notify the Town Clerk either prior to renewal of license or upon the time of such renewal.

(I) The official permanent identification number shall constitute the official identification of the dog to which it is assigned, regardless of changes of ownership, and the number shall not be reassigned to any other dog during the lifetime of the dog to which it is assigned.

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

(k) The Town Board shall review such license fees on a periodic basis as the Town Board sees fit, and may change said fees by a duly adopted resolution of said Town Board.

Section 15. Procedure for Seizure of Dogs:

(a) The Dog Control Officer or any peace officer shall seize:

(i) Any unlicensed dog whether on or off the owner's premises;

(ii) Any dog not wearing a tag, not identified, and which is not on the owner's premises; and

(iii) Any dog found in violation of paragraphs (a) - (i) of Section 5 of this Local Law. Such seized dog shall be kept and disposed of in accordance with the provisions of Article 7 of the Agriculture and Markets Law, and see that the order of the Town Justice of the Town of Schuyler Falls in such case is carried out.

(b) The Dog Control Officer or peace officer, observing a violation of this Local Law in his/her presence shall issue and serve on the owner an appearance ticket for such violation. Said Law should be considered a Petty Offense and not a Misdemeanor; and

(c) Any person who observes a dog in violation of this Local Law may file a complaint under oath with the Town Justice of the Town of Schuyler Falls specifying the nature of the violation, the date thereof, a description of the dog and the name and a residence, if known, of the owner of such dog. Such complaint may serve as a basis for enforcing the provisions of this Local Law.

Section 8. Penalties. Any person convicted of a violation of this Local law shall be liable for a civil penalty of Twenty-five Dollars (\$25.00) for a first violation; of Fifty Dollars (\$50.00) for a second violation and One Hundred Dollars (\$100.00) for each subsequent violation.

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. Repeal: This Local Law shall supersede all prior Local Laws, Ordinances, Rules, and Regulations relative to the control of dogs within the Town of Schuyler Falls and they shall be upon the effectiveness of this Local Law, null and void.

Section 11. Supersession. This Local Law shall revoke any duly adopted dog control laws presently in effect in the Town of Schuyler Falls

Section 12. Effective Date: This Local Law shall be effective immediately upon filing with the Secretary of State.