

Local Law #1 of 2010

A local law to amend Local Law #3 of 1986, “The Animal Control Law of the Town of Westerlo”, to replace the term “dog control officer” with “dog warden”, to include a licensing provision, and to amend the existing licensing fees for dogs.

Local Law #3 of 1986, entitled The Animal Control Law of the Town of Westerlo, is hereby amended as follows:

PART I

The term “dog control officer” as it is used throughout the text of the law shall be replaced with the term “dog warden”, specifically including but not limited to the use of “dog control officer” in sections 7 and 9 therein.

PART II

Section 6, subtitled *License fees* shall be omitted from the Animal Control Law. The new Section 6 shall be titled “*Licensing of Dogs*” and shall read as follows:

- a. All dogs in the Town of Westerlo, except those certified as a guide dog, service dog, hearing dog or detection dog, must be licensed with the Town Clerk by the age of 4 (four) months. A current original Certificate of Rabies for the subject dog, along with the appropriate fee, as set forth in subsection (c) herein, must be presented to the Town Clerk at the time of licensing or the renewal of an existing license. In the case of the adoption of a dog from a shelter, where said dog shall be harbored in the Town of Westerlo, the Town of Westerlo shall not accept licensing by the shelter as satisfaction of the provisions of this law, and the prospective dog owners shall be required to license the dog in conformance with the provisions herein.
- b. All dog licenses shall be valid for a period of one year from the date of issuance, and shall expire on the last day of the 12th (twelfth) month after issuance.
- c. Fees: The fee for a spayed or neutered dog shall be \$5.00 (which includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control). The fee for an unspayed or un-neutered dog shall be \$13.00 (which includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control). Said fees shall be collected by the Town Clerk at the time of licensing. The fee for seizure and impoundment of dogs in violation of this law or the Laws of the New

York State Department of Agriculture and Markets Law shall be set forth separately, at the beginning of every fiscal year, pursuant to the Town's contract with the shelter of its choice. The Town Board shall periodically review the fees set forth herein as well as those set forth in the shelter contract, and may increase or decrease the same by a resolution thereof. All fees not attributable to the carrying out of animal population control shall be retained by the Town of Westerlo and shall be used in funding the administration of this law.

PART III

The provisions of this Local Law are severable. If any provision of this Local Law or its application to any person or circumstances is held invalid, such invalidity shall not affect any other provision or application of this Local Law which can be given effect without the invalid provision or application of this Local Law.

PART IV

This Local Law shall take effect immediately upon filing with the New York State Secretary of State's Office.