

## **DOGS – LICENSING OF**

### **LOCAL LAW NO. 15 OF THE YEAR 2010**

#### **A Local Law for the Licensing of Dogs**

**Adopted December 7, 2010**

Be it enacted by the Town Board of the Town of Kirkwood as follows:

#### **Section 1. Purpose**

The purpose of this Local Law is to establish the fees for the licensing and identification of dogs, the control and protection of the dog population, and the protection of persons, property, domestic animals and deer from dog attack and damage.

#### **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. License Fees**

A. The annual license fee for each dog license issued by the Town of Kirkwood (hereafter the “Town”) pursuant to subdivision one of Section 109 and Section 110 of the Agriculture and Markets Law of the State of New York shall be \$14.00 for each spayed or neutered dog and \$22.00 for each unspayed or unneutered dog, which fee includes an additional surcharge of at least \$1.00 for altered dogs and at least \$3.00 for unaltered dogs for the purpose of carrying out animal population control efforts, which fee shall be submitted to the animal population control fund.

B. The Town will **not** be issuing Purebred of Kennel Licenses. All dogs will be licensed individually.

C. The Town does not allow the licensing of dogs by a shelter. The shelter **must** send the adoptive dog owners to the Town Clerk.

D. All dog licenses may be purchased by visiting the Town Clerk’s office 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.

#### **Section 4. Municipal License Surcharge**

In addition to the license fee imposed by Section 3 of this Local Law, each applicant for a replacement dog identification tag shall pay a surcharge of \$3.00, which shall be retained by the Town and used to defray the cost associated with providing such replacement tag.

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### **Section 5. Exemption from Licensing Fees**

Guide dogs, hearing dogs, service dogs, war dogs, working search dogs, detection dogs, police work dogs or therapy dogs must be licensed but shall be exempt from the requirement of paying a license fee.

### **Section 6. Change of Address**

When there is a change of address for the owner of record, the owner shall notify the Town Clerk of such change. If the change is still within the Town of Kirkwood, the Town Clerk will make the appropriate updates to the dog license record. If the change is located outside the Town of Kirkwood, the Town Clerk shall make a note in the record and cancel the license. The Town Clerk shall forward a copy of the license to the Clerk of the municipality to which the owner has moved, informing said Clerk that the dog now resides in their municipality. If the Town of Kirkwood Clerk is notified by another municipality in Broome County that one of their licensed dogs has moved into the Town of Kirkwood, the Town Clerk will issue a Town of Kirkwood License at no charge for the remainder of the license year upon presentation by the owner of the old license.

### **Section 7. Penalties**

Penalties for violation of this local law shall be prescribed in Section 118 of the Agriculture and Market Laws of the State of New York, as the same may be amended from time to time hereafter. Any fines or penalties imposed and bail forfeitures shall be the property of the Town and used for the purposes allowed by Section 119 of the Agriculture and Markets Law, as the same may be amended from time to time hereafter.

### **Section 8. Separability**

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

### **Section 9. Repealer**

Local Law 13 of the year 1987 entitled “A Local Law Increasing Dog Fees” adopted on December 29, 1987, as amended thereafter, be and the same is hereby

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repealed as well as any other ordinances, local laws and parts thereof inconsistent with this local law.

### **Section 10. Effective Date**

This local law shall take effect on January 1, 2011.