

(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.

**Town of New Scotland
Local Law 9 of the Year 2010**

DOG LICENSING LAW OF THE TOWN OF NEW SCOTLAND

Be it enacted by the Town Board of the Town of New Scotland as follows:

Section 1. Purpose. Effective January 1, 2011 significant changes to Article 7 of the Agriculture and Markets Law will take effect. Among other things, beginning January 1, 2011 dog licensing will become a local function and fees that may be charged for licensing or impoundment of dogs will be changed. The purpose of this Local Law is to assure that the Town of New Scotland is in compliance with the new requirements of the Agriculture and Markets Law.

Section 2. Licensing of Dogs.

- A. All dogs within the Town of New Scotland four (4) months of age or older, unless otherwise exempted, shall be licensed. The owner of each dog required to be licensed shall obtain, complete and return to the New Scotland Town Clerk a dog license application together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town of New Scotland. Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life in which case vaccination shall not be required. Each license issued shall be valid for a period of one year and shall be transferrable.
- B. The fee for a dog license is \$4.50 if the dog is spayed or neutered and \$12.50 if the dog is unspayed or unneutered.

- C. Excepted from payment of the license fee are licenses for any guide dog, hearing dog, service dog, war dog, working search dog, detection dog, police work dog, or therapy dog.
- D. In addition to the license fee, each applicant for a dog license shall pay a State surcharge of \$1.00 if the dog is spayed or neutered, or a fee of \$3.00 if the dog is unspayed or unneutered.

Section 3. Impoundment Fees. The fees for redeeming an impounded dog are:

\$10.00 for the first impoundment;

\$20.00 for the first 24 hours of a second impoundment within a year of the first plus \$3.00 for each additional twenty-four hour period; and

\$30.00 for the first 24 hours of a third (or subsequent) impoundment within a year of the first plus \$3.00 for each additional twenty four hour period.

In addition, the owner of any dog so impounded shall be liable for any and all necessary expenses and fees including, but not limited to, kennel fees.

Section 4. Severability. 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 5. Repeal of prior laws. Local Law 5 of the year 2001, entitled Local Fees for Dog Licenses, is hereby repealed, as is section 7 of Local Law 2 of the year 2006, pertaining to fees for seizure of dogs.

Section 6. Effective date. This Local Law shall take effect January 1, 2011.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20__ of the Town of New Scotland was duly passed by the _____ on _____, 20__ , and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ 20__ . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__ , in accordance with the applicable provisions of law.

*** Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

5. (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 (36)(37) 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.

6. (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 33 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.


New Scotland Town Clerk

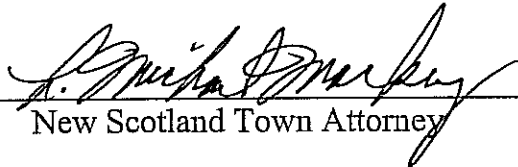
(Seal)

Date: 12/13/10

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK)
COUNTY OF ALBANY)ss.:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature 
New Scotland Town Attorney

Date: 12/9/10