

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
DECEMBER 13, 2010**

**LOCAL LAW NO. 1 of 2010**

**A LOCAL LAW AMENDING THE CODE OF THE TOWN OF NEW BALTIMORE,  
CHAPTER 42 (DOGS AND OTHER ANIMALS), ARTICLE IV (LICENSING DOGS)**

Be it enacted by the Town Board of the Town of New Baltimore, County of Greene, as follows:

**Section 1. Purpose**

The Town of New Baltimore hereby enacts a dog licensing law due to the elimination of the State of New York's dog licensing function.

**Section 2. Amendment**

Chapter 12 of the New Baltimore Town Code is hereby amended to add the following Article IV:

**Article IV  
Licensing of Dogs**

**§ 42-26. Age by which Dogs must be licensed**

All dogs in the Town of New Baltimore must be licensed with the Town Clerk by the age of 4 months and are required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license.

**§ 42-27. Expiration**

All dog licenses will be valid for a period of one year and will expire at the end of the month one year from the date of issue.

**§ 42-28. Late Fees**

A late fee of \$5.00 will be assessed if not renewed within 30 days of expiration.

**§ 42-29. Fees**

Fees for Licensing of Dogs: The fee for a spayed or neutered dog will be \$7.00, (which included 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 included the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control) with such fees being reviewed by the Town Board periodically and may be changed by a resolution of the Town Board, if deemed necessary. (Dogs that are used for therapy must be licensed but the fees will be waved)

**§ 42-30. Rabies Certification**

The application for a license or renewal shall be accompanied by a statement certified by a licensed veterinarian showing that the dog has received the rabies vaccine; or, in lieu thereof, a statement certified by a licensed veterinarian that because of the dog's age or other reason, the life of the dog would be endangered by the administration of the vaccine.

**§ 42-31. Enumeration Fee**

When the Town Board determines the need for a dog enumeration or inventory, a fee of \$5.00 will be assessed to all dogs found unlicensed or renewed at the time the enumeration is conducted.

**§ 42-32. Purebred License**

The Town of New Baltimore will not be issuing Purebred or Kennel Licenses. All dogs will be licensed individually as per fee system stated above.

**§ 42-33. Service Dogs**

The Town of New Baltimore will not require a license for any guide dog, service dog, hearing dog or detection dog.

**§ 42-34. Shelters**

The Town of New Baltimore 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 OR to the Town Clerk of the Town of New Baltimore, for the purchase of the license for adoption purposes.

**§ 42-35. Purchasing Dog Licenses**

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.

§ 42-36. Funding

All fees will be used in funding the administration of the Dog Control Law for the Town of New Baltimore.

§ 42-37. Fees for Seizure of Dogs

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 are as follows: First Offense: The same impoundment and/or euthanasia fees per animal that are charged to the town for such service plus \$35, Second and all future offenses: \$60.00 plus the impoundment and/or euthanasia fees per animal.

§ 42-38. Replacement Fee

A fee of \$2.00 will be imposed for any tag replacement.

§ 42-39 Non-Resident of the Town

Any dog harbored within the Town of New Baltimore which is owned by a resident of New York City and licensed by the City of New York, or which is owned by a non-resident of New York and licensed by a jurisdiction outside the State of New York, shall for a period of thirty (30) days be exempt from the licensing and identification provisions of this local law with proof of rabies vaccination.

§ 42-40 Violation

A. It shall be a violation, punishable as provided in subdivision C of this section, for:

- (1) any owner to fail to license any dog;
- (2) any owner to fail to have any dog identified as required by this article;
- (3) any owner to fail to renew a dog license on or before the license expiration date;
- (4) any person to knowingly affix to any dog any false or improper identification tag;
- (5) any owner or custodian of any dog to fail to confine, restrain or present such dog for any lawful purpose pursuant to this article;
- (6) any person to furnish any false or misleading information on any form required to be filed with the Town of New Baltimore pursuant to this local law;

B. It shall be the duty of the Dog Control Officer to bring an action against any person who has committed any violation set forth in this local law pursuant to the Penal Law of the State of New York. Every Dog Control Officer shall have the power to issue an appearance ticket pursuant to section 150.20 of the criminal procedure law, to serve a summons and to serve and execute any other order or process in the execution of the provisions of this article. Any Dog Control Officer of the Town of New Baltimore may serve any process, including an appearance ticket, a uniform appearance ticket and a uniform appearance ticket and simplified information, related to any proceeding, whether criminal or civil in nature undertaken in accord with the provisions of this article or any local law or ordinance promulgated pursuant thereto. In addition, any Dog Control Officer, upon his or her determination that an owner has failed to license any dog within the Town may impose an administrative fee in accordance with the levels set forth in paragraph 7. C below.

C. A violation of this section shall be punishable as follows:

- (1) by a fine of not less than fifty (\$50.00) dollars nor more than two hundred and fifty (\$250.00) dollars, except that,
- (2) when the person was found to have violated any part of this section within the preceding five years, the fine may be not less than one hundred (\$100.00) dollars nor more than \$250.00 dollars, and
- (3) where the person was found to have committed two or more such violations of any part of this section within the preceding five years, the fine may be not less than one hundred and fifty (\$150.00) dollars nor more than four hundred (\$400.00) dollars .

Section 3. Effective Date

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

**Adopted December 13, 2010**

Janet A. Brooks  
Town Clerk