

BE IT ENACTED by the Town Board of the Town of Ossining as follows:

Section 1: Title

This Local Law shall be known and cited as “Local Law # ____ of 2010, for the Purpose of Amending the Dogs Law, regarding licensing and fees and amending and/or replacing Sections 74-10 through 74-13 to comply with the requirements of Sections 110-4(a) and 110-3 of the New York Agriculture and Market Law.

Section 2: Legislative Intent

The Town Board would like to clarify and improve the Dogs Law by adding certain licensing and fees provisions. This Local Law is determined to be an exercise of the legislative powers of the Town to address omissions and to strengthen the Dogs law for the protection of the health, safety and welfare of residents. This Local Law serves to implement specific requirements in accordance with Sections 110-3 and 110-4(a) of the New York State Agriculture and Markets law.

Section 3:

Sections 74-10 through 74-13, Dogs Law, shall be revised and replaced to read as follows:

ARTICLE II
Licensing and License Fees

§74-10 Licensing

- A. All dogs in the unincorporated area of the Town of Ossining must be licensed with the Town Clerk by the age of 4 months and required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license.
- B. All dog licenses will be for a period of one year and will expire at the end of the month one year from the date of issue.

§74-11 Fee for neutered males or spayed females.

The fee for a neutered male or spayed female dog shall be set by the Town Board in the Town Fee Schedule or by resolution. It shall include a state assessment pursuant to §110-3 of the New York State Agriculture and Markets Law, and additional funds for remuneration as provided for by § 110-4(a) of the Agriculture and Markets Law.

§74-12 Fee for unneutered males or unspayed females.

The fee for an unneutered male or unspayed female dog shall be set by the Town Board in the Town Fee Schedule or by resolution. It shall include a state assessment pursuant to §110-3 of the New York State Agriculture and Markets Law, and additional funds for remuneration as provided for by §110-4(a) of the Agriculture and Markets Law.

§74-13 Enumeration Fee.

When the Town Board determines the need for a dog enumeration, a fee set by the Town Board in the Town Fee Schedule or by resolution shall be assessed to all dogs found unlicensed or renewed at the time enumeration is conducted.

§74-14 Purebred Licenses.

The Town of Ossining will not be issuing purebred or kennel licenses. All dogs will be licensed individually as per the fee system stated above.

§74-15 Service Dogs.

The Town of Ossining requires licenses for all dogs living or harbored within the unincorporated area of the Town of Ossining, however, the Town fee for licensure of all types of services dogs listed in §110-2 of the Agriculture and Markets Law, including, but not limited to, guide dogs, service dogs, hearing dogs, and detection dogs, is waived.

§74-16 Shelters.

The Town of Ossining does not allow the licensing of dogs by a shelter. The shelter must notify the adoptive owners of their responsibility to license any dog who will be living within the unincorporated area of the Town of Ossining with the Town Clerk within 30 days of adoption. The shelter must provide Ossining with a list of adoptive owners monthly.

§74-17 Senior citizens exemption.

Residents of the unincorporated area of the Town of Ossining who are 60 years of age and older shall be exempt from any Town of Ossining local fees incorporated within the fees enumerated in §§ 74-11 to 74-15.

§74-18 Penalties for offenses.

It shall be a violation punishable as provided in Article 1, §74-8, of this chapter for any owner to fail to license any dog. Each week a dog shall remain unlicensed shall constitute a separate violation hereunder.

Section 4: Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, the Code of the Town of Ossining as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5: Inclusion in Code

It is the intention of the Ossining Town Board and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Ossining; that the sections and subsections of this Local Law may be renumbered or relettered to accomplish such intention; and that the word “local law” shall be changed to “chapter,” “section” or other appropriate word, as required for codification.

Section 6: Renumbering

The location and numerical designation of this Local Law and the sections included herein shall be delegated to the discretion of the codifier, General Code, which may renumber this Local Law and sections as are necessary to accommodate these amendments.

Section 7: Codification

This Local Law shall be incorporated into the Code of the Town of Ossining and shall be assigned a chapter number and appropriate section numbers by the codifier, General Code, in accordance with the numbering system of the Code.

Section 8: Codifier’s Changes

This Local Law shall be included in the Code of the Town of Ossining . The codifier shall make no substantive changes to this Local Law, but may renumber, rearrange and edit it without first submitting it to the Ossining Town Board. Any such rearranging, renumbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 9: Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or 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 petition 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 if such person or circumstance to which the Local law or part hereof is held inapplicable had been specifically exempt there from.

Section 10: Effective Date

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State as provided by the Municipal Home Rule Law.