

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

(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.

~~County~~

~~City~~

of CHAMPION

Town

~~Village~~

Local Law No. 4 of the year 2010

FILED
STATE RECORDS

NOV 29 2010

DEPARTMENT OF STATE

A local law A Local Law Concerning the Licensing of Dogs

Be it enacted by Town Board of the

(Name of Legislative Body)

~~County~~

~~City~~

of Town of Champion as follows:

Town

~~Village~~

Section 1. Purpose. The purpose of this Local Law is to provide for the licensing and identification of dogs.

Section 2. Authority. This Local Law is enacted pursuant to the provisions of Article 7 Chapter 59; Part T of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

Section 3. Title. The Title of this Law shall be Dog Licensing Law of the Town of Champion.

Section 4. Definition of Terms: As used in this Local Law the following words shall have the following respective meanings:

- (a) "Dog" means male and female, licensed and unlicensed, members of the species *canis familiaris*.
- (b) "Dog Control Officer" means that dog control officer appointed by the County of Jefferson to act in the control of dogs within the County pursuant to contract with the Town of Champion.

- (c) "Owner" means person entitled to claim lawful custody and possession of a dog who is responsible for purchasing the license for such dog unless the dog is or has been lost, and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the terms owner shall designate and cover any person or persons, firm, association, or corporation, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any dog which is kept, brought or comes within the Town. Any person owning or harboring a dog for a period of one (1) week prior to the filing of a complaint charging a violation of this Local Law, shall be deemed to be the owner the dog found to be in violation of this chapter. If the person owning or harboring said dog for a period of one week prior to the filing of the complaint shall be under 18 years of age, the head of the household in which said minor resides shall be deemed to have custody and control of said dog and shall be responsible for any acts of the said dog in violation of this Local Law.
- (d) "Town" means the Town of Champion, New York.

Section 5. Licensing of Dogs.

- (a) All dogs in the Town of Champion must be licensed with the Town Clerk by the age of four months and are 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 on the last day of the month one year from the date of issue.
- (c) Fees for Licensing of Dogs:

The fee for a spayed or neutered dog will be \$10.00, (which included the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control) and the fee for an unsprayed or unneutered dog will be \$20.00, (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.

- (d) Enumeration fee: The County of Jefferson, New York shall be responsible for enumeration of dogs within the County. In the event that during said enumeration, a dog is found unlicensed within the Town of Champion, the owner shall immediately cause such dog to be licensed, and an additional fee of \$20.00 in addition to the fees set forth herein will be charged by the Town Clerk for the licensing of such dog.
- (e) Purebred License: The Town of Champion will not be issuing Purebred or Kennel Licenses. All dogs will be licensed individually as per fee system stated above.
- (f) Service dogs: The Town of Champion will require a license for any guide dog, service dog, hearing dog or detection dog, such license shall be issued without charge.
- (g) The Town of Champion 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.

(h) 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.

(i) All fees will be used in funding the administration of the Dog Control Law of the Town of Champion.

Section 6. Procedure for Seizure of Dogs.

- (a) The Dog Control Officer or any peace officer shall seize any unlicensed dog whether on or off the owner's premises;
- (b) The Dog Control Officer or peace officer observing a violation of this Law shall issue and serve an appearance ticket for such violation. Said Law shall be considered a Petty Offense and not a Misdemeanor.

Section 7. Penalties. Any person convicted of a violation of this Local Law shall be liable for a civil penalty of Fifty Dollars (\$50.00) for a first violation of Seventy-five Dollars (\$75.00) for a second violation and One Hundred Dollars (\$100.00) for each subsequent violation.

Section 8. Separability. 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 9. Effective Date. This law shall be effective upon filing with the Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2010 of the ~~(County)(City)~~(Town)(Village) of Champion was duly passed by the Town Board on _____, in accordance with the applicable *(Name of Legislative body)* provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2010 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2010, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer)*

on _____ 2010 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2010 of the ~~(County)(City)(Town)(Village)~~ of _____ Champion _____ was duly passed by the _____ on _____ , and was ~~(approved)(not approved)~~ ~~(Name of Legislative Body)~~ ~~approved~~ ~~(repassed after disapproval)~~ by the _____ on _____ .
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a ~~(mandatory)(permissive)~~ referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the ~~(general) (special)(annual)~~ election held on November 2, 2010 , in accordance with the applicable provisions of law.

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 2010 of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 2010, and was ~~(approved)(not approved) (repassed after disapproval)~~ ~~(Name of Legislative Body)~~ by the _____ on _____ 2010 .
(Elective Chief Executive Officer)*¹

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2010 , in accordance with the applicable provisions of law.

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 2010 of the Town 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 town voting thereon at the ~~(special)(general)~~ election held on _____ 2010 , became operative.

6. (County local law concerning adoption of Charter.)

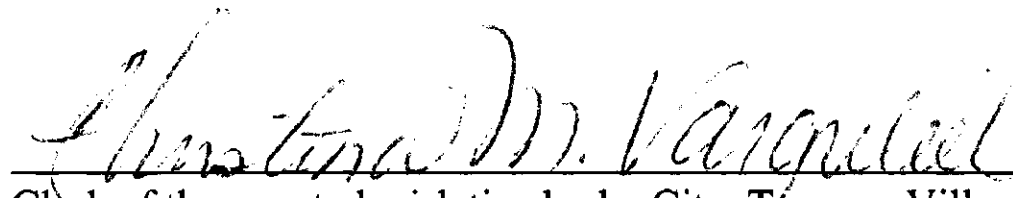
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2010 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20 , pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, 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

¹ * 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.

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 _____, above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Christina M. Vargulick

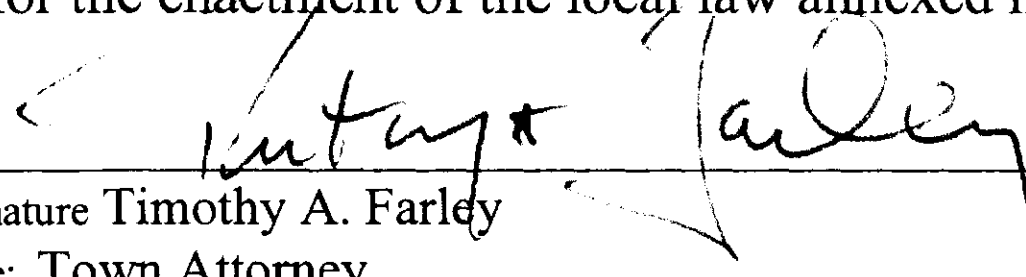
(Seal)

Date: November 3, 2010

(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 JEFFERSON

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 Timothy A. Farley
Title: Town Attorney
Town of Champion
Date: 11/3, 2010