

# Local Law Filing

(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  Town  Village  
(Select one.)

of Duanesburg

FILED  
STATE RECORDS

SEP 17 2018

DEPARTMENT OF STATE

Local Law No. 6 of the year 2018

A local law "A local law amending the dog control law to exempt service dogs from licensing fees."  
(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Duanesburg as follows:

(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. 6 of 2018 of the (County)(City)(Town)(Village) of Duanesburg was duly passed by the Town Board on September 13 2018, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted  
*(Elective Chief Executive Officer\*)*  
on \_\_\_\_\_ 20   , 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local  
*(Elective Chief Executive Officer\*)*  
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.)**

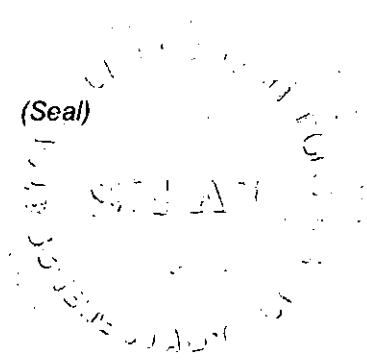
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

*[Handwritten Signature]*  
September 13, 2018

(Seal)



**TOWN OF DUANESBURG LOCAL LAW NO. 6 OF 2018**

**A LOCAL LAW AMENDING THE DOG CONTROL LAW TO EXEMPT SERVICE DOGS FROM LICENSING FEES**

**BE IT ENACTED** by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

**Section 1. Title of the Local Law.**

This local law shall be entitled "A Local Law Amending the Dog Control Law to Exempt Service Dogs from Licensing Fees."

**Section 2. Authorization.**

This local law is enacted pursuant to the Municipal Home Rule Law and Agriculture and Markets Law.

**Section 3. Purpose.**

The purpose of this local law is to amend section 5(H) of the Dog Control Law of the Town of Duanesburg to exempt service dogs from the licensing fees established under section 5(F) of the Dog Control Law.

**Section 4. Amendments to Section 5(H) of the Dog Control Law.**

Section 605 is hereby amended by adding section 5(H)(3), 5(H)(3)(a), and 5(H)(3)(b) as follows:

- (3) Service dogs are exempt from the licensing fees established in section 5(F) of this law.
  - (a) For the purposes of determining whether a dog qualifies for this exemption, the Town Clerk or authorized dog control officer shall require proof in the form of a letter from a veterinarian or doctor that sufficiently demonstrates that such dog qualifies as a service dog as defined in the New York Agriculture and Markets Law.
  - (b) Each copy of any license for such dogs shall be conspicuously marked "Service Dog" by the Town Clerk or authorized dog control officer.

**Section 5. Supersession.**

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent

with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

**Section 6. Severability.**

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section 7. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

**TOWN OF DUANESBURG TOWN BOARD**

**RESOLUTION NO. 138 -2018**

**September 13, 2018**

**Making a SEQRA Determination and Adopting  
Local Law No. 6 of 2018 Amending the Dog Control Law**

**WHEREAS**, Local Law No. 6 of 2018 entitled "A Local Law Amending the Dog Control Law of the Town of Duanesburg" (the "Proposed Local Law") amends the Dog Control Law of the Town of Duanesburg (the "Dog Control Law") to exempt service dogs from licensing fees; and

**WHEREAS**, the proposed local law was introduced at the meeting of August 9, 2018 of the Town Board and each member of the Town Board received the Proposed Local Law; and


**WHEREAS**, the Town Board determined the proposed local law is a Type II action and, therefore, exempt from SEQRA review;

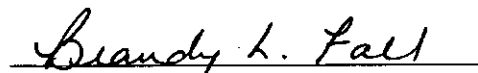
**WHEREAS**, a public hearing was duly noticed and held on September 13, 2018.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby adopts Local Law No. 6 of 2018 and directs that the local law be filed in the Town Clerk's office and with the New York State Secretary of State's Office.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of September 13, 2018.

Motion made by Council Member Passonno  
Motion seconded by Council Member Potter

  
Roger Tidball, Supervisor

  
Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council Member Potter, Council Member Passonno, Council Member Gantner  
Absent: Council Member Gantner

Council Members:

Roger Tidball	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
John Gantner	<input type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Rick Potter	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Randy Passonno	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain

Jeff Senecal

Yea  Nay  Abstain