

# 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

Town

Village

of Groveland

Local Law No. 1 of the year 2010

A local law Regulation of Dog Control, Licensing & Fees  
(Insert Title)

This local law shall replace Local Law 1-1979, Increasing  
Dog fees and replacing Local Law 4-2007 Regulation of  
Dog Control.

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

~~COUNTY~~

~~CITY~~

Town

~~VILLAGE~~

of Town of Groveland

as follows:

The purpose of this law is to provide for licensing and  
identifiacion of dogs, the control and protection of the dog population and  
the protection of personal property, domestic animals and deer from dog attack  
and damage and to perserve the public health, safety and welfare by enforcing  
regulations and restrictions on the activities of dogs that are consistent  
with the rights and privelages of citizens of the Town.

(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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on Dec. 9, 2010, 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)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. 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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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)(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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* 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.

Sandra L. Bean  
TOWN CLERK

(Seal)

Date: 12/10/2010

(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 \_\_\_\_\_

Livingston

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]  
Signature  
Town Attorney  
Title

County  
City of GROVELAND  
Town  
Village

Date: 12/13/10

**Town of Groveland  
Regulation of Dog Control, Licensing & Fees  
Local Law # 1 2010**

Section 1. Title.

This local law shall be known as the "Dog Control Ordinance, Licensing & Fees of the Town of Groveland, County of Livingston." To replace Local Law 1-1979 Increasing Dog Fees and Local Law 4-2007 Regulation of Dog Control

Section 2. Legislative purpose.

The purpose of this article is to provide for the licensing and identification of dogs. Effective January 1, 2011, the State of New York has relinquished the responsibility of dog licensing function to local municipalities and eliminated the Animal Population Control Fund. Local municipalities will now be required to adopt legislation relating to this issue.

Section 3. Purpose.

The purpose of this article is to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of personal property, domestic animals and deer from dog attack and damage and to preserve the public health, safety and welfare by enforcing regulations and restrictions on the activities of dogs that are consistent with the rights and privileges of citizens of the Town.

Section 4. Authority.

This local ordinance is enacted pursuant to the provisions of Section 122 of Article 7 of the Agriculture and Markets Law.

Section 5. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADOPT – The delivery to any natural person 18 years of age or older, for the limited purpose of harboring a pet, of any dog seized or surrendered.

CLERK – The Town Clerk, or Deputy Town Clerk, of the Town of Groveland, by whom licenses are to be validated or issued.

IDENTIFICATION TAG – A tag which sets forth an identification number, as required by the provisions set forth in this article.

OWNER – Any person who harbors or keeps any dog.

SERVICE DOG – Any dog that has been trained to do work or perform tasks for the benefit of a person with a disability, provided that the dog is or will be owned by such person or that person's parent, guardian or other legal representative.

POLICE WORK DOG – Any dog owned or harbored by any municipal police department or any state or federal law enforcement agency, which dog has been trained to aid law enforcement officers and is actually being used for police work purposes.

TOWN – The Town of Groveland, including incorporated areas.

DOG - shall refer to both male and female dogs except where the context requires otherwise.

HARBOR - means to provide food or shelter to any dog.

AT LARGE - means any dog that is unleashed and on property open to the public or is on private property not owned or leased by the owner of the dog unless permission for such presence has been obtained. No dog shall be deemed to be at large if it is: (a) accompanied by and under the immediate supervision and control of the owner or other responsible person; (b) a police work dog in use for police work; (c) accompanied by its owner or other responsible person and is actively engaged in hunting or training for hunting on unposted land or on posted land with the permission of the owner of the land; (d) is actively engaged as a livestock protection dog or a herd dog and is in the company of its designated livestock on lands owned or leased by the owner of the dog, or by the permission of the owner or lessor of such lands.

DOG CONTROL OFFICER - means any individual appointed by the Town of Groveland, County of Livingston to assist in the enforcement of this ordinance.

#### Section 6. Prohibited.

It shall be unlawful for any owner of any dog to permit or allow such dog, in the Town of Groveland, County of Livingston, to:

- (a) Run at large unless the dog is accompanied by its owner or a responsible person and under the full control of such owner or person. For the purpose of the Article, a dog or dogs hunting in the company of a hunter or hunters shall be considered as accompanied by its owner.
- (b) Cause damage or destruction to property or commit a nuisance upon the premises of any person;
- (c) Habitually chase motor vehicles, bicycles, horseback riders, pedestrians or persons moving by human or animal powered devices such as skateboards, roller blades, carriages, sleds, wagons, or skis;
- (d) Engage in habitual, loud, howling or barking or conduct itself in a manner as to disturb the public peace,
- (e) Kill or injure any other dog, cat or human life.

#### Section 7. Enforcement.

Any dog control officer, peace officer when acting pursuant to his/her special duties, or law enforcement officer, shall enforce this local ordinance.

#### Section 8. Seizure, Impoundment, Redemption and Adoption.

- (a) Any dog found in violation of the provisions of this ordinance may be seized pursuant to the provisions of Section 117 of the Agriculture and Markets Law.
- (b) Every dog seized shall be properly cared for, sheltered, fed and watered for the redemption period set forth in Section 117 of the Agriculture and Markets Law.
- (c) Seized dogs may be redeemed by producing proof of licensing and identification pursuant to Article 7 of the Agriculture and Markets Law and by paying the redemption fees set forth in Section 117 of said Article,
- (d) Any dog unredeemed at the expiration of the appropriate redemption period shall be made available for adoption or euthanized pursuant to the provisions of Section 117 of the Agriculture and Markets Law.
- (e) All impoundment, adoption, seizure and redemption fees shall be the property of the County of Livingston and shall be used only for the controlling of dogs and the enforcement of this ordinance.
- (f) Residents of the town who would like to adopt a dog from the County Shelter must obtain a license from the Town Clerk first.

Section 9. Licensing of Dogs:

- (a) All dogs in the Town of Groveland 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.
- (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.
- (c) Upon validation by the Clerk, the application shall become a license for the dog described therein. Once an application has been validated, no refund shall be made.
- (d) The Clerk shall provide a copy of the license to the owner and retain a record of the license in either paper or electronic format.
- (e) No license shall be transferable. Upon the transfer of ownership of any dog, the new owner shall immediately make application for a license for such dog.
- (f) Fees for Licensing of Dogs: see Section (j) for exemptions.

Fee for a spayed or neutered dog will be \$8.50, (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 \$13.50, (which included the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control. A replacement fee of \$2.00 per tag may be issued for lost tag. Such fees may be reviewed by the Town

Board periodically and may be changed by a resolution of the Town Board, if deemed necessary.

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

(h) Purebred License: Can be obtained but may require a Kennel permit for boarding or breeding of dogs; these are issued conditionally in some zoning districts by the Zoning Board of Appeals.

All dogs under a purebred license must provide paperwork of a recognized Registered Club which the Town of Groveland recognizes the following clubs:

- 1.) UKC- United Kennel Club
- 2.) AKC – American Kennel Club
- 3.) American Dog Breeders Association Inc.
- 4.) Field Dog Stud Book Registry
- 5.) The National Stock Registry
- 6.) National Greyhound Association
- 7.) Chinooks Worldwide Inc.
- 8.) CKC-Continental Kennel Club
- 9.) Maremma Sheepdog Club of America
- 10.) American Border Collie Association Inc.
- 11.) World Wide Kennel Club, Ltd.
- 12.) ACA – American Canine Association
- 13.) American's Pet Registry
- 14.) I.F.S.B./Chase Publishing
- 15.) Standard Foxhound Stud Book
- 16.) The Jack Russell Terrier Club of America, Inc.
- 17.) NKC- National Kennel Club

(i) Purebred license fee will be:

- 1-10 dogs fee of \$30.00 plus \$3.00 for each unneutered/unspayed dog
- 11-25 dogs fee of \$60.00 plus \$3.00 for each unneutered/unspayed dog
- 26+ dogs fee of \$150.00 plus \$3.00 for each unneutered/unspayed dog

(j) Exemptions: The Town of Groveland requires a license for a Service Dog, or Police Work Dog with an affidavit of exempt form; **but is exempt of any fees.**

#### Section 10. Appearance Ticket.

Any dog control officer, peace officer acting pursuant to his/her special duties, or police officer in the employ or under contract to the Town of Groveland, observing a violation of this ordinance in his/her presence shall issue an appearance ticket for such violation.

#### Section 11. Penalties.

Any person convicted of a violation of this ordinance shall be deemed to have committed a violation and shall be subject to a fine of not less than \$50 per offense but not exceed two hundred fifty dollars (\$250.00) or imprisonment for a period not exceeding 15 days.

Section 12. Separability.

Each separate provision of this ordinance 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 13. Disposition of Dogs Voluntarily Surrendered to the County Shelter.

- (a) In the event an owner wishes to surrender an unwanted dog to the County shelter, such person must execute a consent form prescribed by the County, allowing the Dog Control Officer to dispose of the dog immediately by either adoption or euthanasia at the discretion of the officer and absolve the County, forever, of liability in connection with said dog.
- (b) The owner of any dog surrendered to the County must pay a fee in the amount set by the County.
- (c) This service may be discontinued at any time, by order of the Dog Control Officer, if overcrowding or any other condition at the shelter would create a situation whereby dogs could not be properly sheltered and cared for.

Section 14. Repealer.

This ordinance shall supersede all prior local laws, ordinances, rules and regulations relative to the control of dogs within the Town of Groveland, County of Livingston, and they shall be, upon the effective date of this ordinance null and void.

Section 15. Effective Date.

This ordinance shall take effect once filed with the Secretary of State.

Introduced: November 11, 2010

Adopted: December 9, 2011

Effective: hopefully January 1, 2011





STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

DAVID A. PATERSON  
GOVERNOR

RUTH NOEMÍ COLÓN  
ACTING SECRETARY OF STATE

December 22, 2010

Town of Groveland  
4955 Aten Road  
Groveland, NY 14462

**RE: Town of Groveland, Local Law 1, 2, 3 2010, filed on December 17, 2010**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.state.ny.us](http://www.dos.state.ny.us).

Sincerely,  
State Records and Law Bureau  
(518) 474-2755