

Minutes of December 30, 2010 Public Hearing on Local Law 3 of 2011 requiring licensing of dogs in the Town of Germantown by the Germantown Town Board, held at the Germantown Town Hall, Germantown, NY, commencing at 8:00am.

Present: Supervisor Roy Brown
Councilwoman Graceann Lamberta
Councilwoman Joan Snyder
Councilman Joel Craig

Not Present: Councilman Jeremy Smith

Recorded by: Town Clerk Charlene Diehl

Supervisor Brown opened the meeting and led the Pledge to the Flag.

The Town Clerk read the proposed law.

Be it enacted by the Town Board of the Town of Germantown in the County of Columbia as follows:

Section 1. Purpose

This local law is enacted to comply with amendments by the State of New York to Section 107 of the Agriculture and Markets Law. Consistent with those amendments, this local law establishes procedures and fees for the licensing of dogs in the Town of Germantown.

Section 2. Licensing

All dogs within the Town of Germantown four (4) months of age or older, unless exempted, shall be licensed. The owner of each dog required to be licensed shall obtain, complete, and return to the Town Clerk a dog license application together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town. Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life in which case vaccination shall not be required. Each license issued shall be valid for a period of one year and shall not be transferable.

Section 3. Licensing by Animal Shelter

The Town authorizes the Columbia Greene Humane Society acting by its manager to provide, accept and grant an application for a dog license made by a resident of Germantown at the time of adoption of a dog from the Columbia Greene Humane Society provided that such application is made in accordance with Section 2 of this law and the license fee, any additional fee and surcharge shall be remitted to the Town Clerk of Germantown on or before the third day of the month following the month in which the license fee and additional fee and surcharge was received.

Section 4. Licensing Fees

The Town Board of Germantown shall establish by resolution the following fees for the licensing of dogs pursuant to this Local Law:

- a. Spayed or neutered dogs;
- b. Unspayed or intact dogs. Such fee shall be at least \$5 greater than that for spayed or neutered dogs.

Section 5. Surcharges

In addition to the license fees established by the Town Board, each applicant for a dog license shall pay a surcharge of \$2.50 if the dog to be licensed is altered, or a fee of \$7.50 if the dog sought to be licensed is unaltered. This surcharge shall be retained by the Town of Germantown and used to defray the cost of an enumeration of dogs living within the Town of Germantown and the cost of providing replacement identification tags.

Section 6. Exemptions

- a. Applications submitted for a dog license for any guide, hearing, service, war, working search, detection, police or therapy dogs shall be exempt from payment of the licensing fee upon presentation of appropriate documentation to the Town Clerk.
- b. A dog participating in a dog show shall be exempt from the identification requirement of §111 of the Agriculture and Markets Law during such participation.

Section 7. Impoundments and Impoundment Fees

The owner of any dog impounded by the Town of Germantown shall be entitled to redeem that dog within five (5) business days, excluding the day the dog is impounded, provided that the owner produces proof the dog is licensed and identifies and pays a fee of \$45.00 for the first impoundment; a fee of \$50.00 for the second impoundment; a fee of \$100.00 for a third and each subsequent impoundment together with a fee of \$18.00 for each additional 24 hours period the dog remains impounded.

Section 8. Repeal of Inconsistent Laws

This Local Law is intended to supersede any inconsistent provisions in the Germantown town laws and repeals any previously enacted laws pertaining to the licensing of dogs.

Section 9. Effective Date

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

After asking for any comments from the audience, Supervisor Brown closed the public hearing.

Respectfully submitted,