

**Village of Croton-on-Hudson
Board of Trustees**

LOCAL LAW INTRODUCTORY NO.7-2010

**A LOCAL LAW ESTABLISHING STANDARDS FOR THE LICENSING OF DOGS BY
THE VILLAGE OF CROTON-ON-HUDSON**

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One. Section 108-1 of Chapter 108 of the Code of the Village of Croton-on-Hudson, as adopted by Local Law 1-1982, is hereby amended in its entirety to read as follows:

§ 108-1. Purpose; findings.

The Village of Croton-on-Hudson finds that the running at large and other uncontrolled behavior of dogs have caused physical harm to domestic animals and persons, damage to property, and have created nuisances within the Village. The purpose of this chapter is to provide for the licensing and identification of dogs, to control and protect the dog population, and to protect the health, safety and well-being of persons, property, and other animals by imposing restrictions and regulations upon the keeping or running at large of dogs and the seizure thereof within the Village.

Section Two. Section 108-2 of Chapter 108 of the Code of the Village of Croton-on-Hudson, as adopted by Local Law 1-1982, is hereby amended in its entirety to read as follows:

§ 108-2. Statutory authority.

This chapter is enacted pursuant to the provisions of Article 7 of the Agriculture and Markets Law.

Section Three. Section 108-3 of Chapter 108 of the Code of the Village of Croton-on-Hudson, as adopted by Local Law 1-1982, is hereby amended in its entirety to read as follows:

§ 108-3. Title.

The title of this chapter shall be the “Dog Licensing and Control Law of the Village of Croton-on-Hudson.”

Section Four. Section 108-4 of Chapter 108 of the Code of the Village of Croton-on-Hudson, as adopted by Local Law 1-1982, is hereby amended in its entirety to read as follows:

§ 108-4. Definitions.

As used in this chapter, all terms shall have the same meanings as set forth in Article 7 of the Agriculture and Markets Law, except that following terms shall have the meanings indicated:

AT LARGE

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 police work dog in use for police work or 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.

HARBOR

To provide food or shelter to any dog.

OWNER

Any person who harbors or keeps any dog. In the event that any dog is owned by a person under 18 years of age, the “owner” shall be deemed to be the parent or guardian of such person or the head of the household in which said person resides.

Section Five. Section 108-5 of Chapter 108 of the Code of the Village of Croton-on-Hudson, last amended by Local Law 3-2003, is hereby amended in its entirety to read as follows:

§ 108-5. Licensing.

- A. License required. Any dog harbored within the Village that is four (4) months of age or older shall be licensed, unless otherwise exempted under state law or this chapter.
 - (1) Exemption from identification and license. Any dog harbored within the Village and owned either by a resident of any city having a population of over two million or by a non-resident of this state is exempt from the identification and licensing provisions of this chapter for a period of thirty days provided such dog is licensed pursuant to the provisions of law of the area of residence.
- B. Application and fees. Application for a dog license shall be made by the dog owner to the Village Clerk and shall be accompanied by the license application fee, any applicable license surcharges and such additional fees or surcharges as may be established by resolution of the Board of Trustees from time to time. The application shall include all information and certificates required under Article 7 of the Agriculture and Markets Law, and shall also include information required pursuant to regulations promulgated by the Village Manager.

- (1) Exemption from license fees. Exempt from the license fee are applications submitted for a dog license for any guide, hearing, service, war, working search, detection, police or therapy dog.
- C. Validity of license; transferability. Each dog license issued hereunder shall be valid for a period of one year, provided, however, that no license shall be issued for a period expiring after the last day of the eleventh month following the expiration date of the current rabies certificate for the dog being licensed.
- D. Exemption from carrying identification tag. A dog participating in a dog show shall be exempt from the identification requirement of Section 111 of the Agriculture and Markets Law during such participation.
- E. Special tags. The Village shall issue a special tag for identifying any guide dog, service dog, hearing dog or detection dog. Such special tag shall be in addition to the identification tag required under Article 7 of the Agriculture and Markets Law.
- F. Violations. In addition to the violations set forth in Article 7 of the Agriculture and Markets Law, any non-compliance with any provision of this section 108-5 shall be a violation punishable as provided in section 118 of Article 7 of the Agriculture and Markets Law.

Section Six. Section 108-8 of Chapter 108 of the Code of the Village of Croton-on-Hudson, as adopted by Local Law 1-1982, is hereby amended in its entirety to read as follows:

§ 108-8. Seizure and redemption.

- A. Any dog found in violation of the provisions of this chapter may be seized pursuant to the provisions of Article 7 of the Agriculture and Markets Law.
- B. The owner may redeem a seized dog by producing proof of licensing and identification pursuant to the provisions of Article 7 of the Agriculture and Markets Law and by paying the impoundment fees set forth in this chapter.
- C. If the owner of any unredeemed dog is known, such owner shall be required to pay the impoundment fees, whether or not such owner chooses to redeem his or her dog.
- D. Impoundment fees: The owner shall pay the following impoundment fees:
 - (1) Fifty dollars for the first impoundment of any dog owned by that person;
 - (2) One hundred dollars for the first twenty-four hours or part thereof and twenty-five dollars for each additional twenty-four hours or part thereof

for the second impoundment, within one year of the first impoundment, of any dog owned by that person; or

- (3) One hundred fifty dollars for the first twenty-four hours or part thereof and twenty-five dollars for each additional twenty-four hours or part thereof for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.

Section Seven. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Eight. This local law shall take effect on January 1, 2011.