

Town of Lockport, NY
Tuesday, April 3, 2018

Chapter 80. Dogs

Article I. Licensing, Identification and Control of Dogs

§ 80-1. Purpose.

The purpose of this article is to assure and preserve the public peace and good order in the Town of Lockport by declaring and enforcing certain regulations and restrictions on the actions of dogs and dog owners within the Town, pursuant to the authority conferred upon the Town by the Agriculture and Markets Law and its police power.

§ 80-2. Definitions.

The terms used herein shall have the same meaning as such terms have under the provisions of the Agriculture and Markets Law of the State of New York, and, in addition, shall have the following definitions for purpose of this article:

OWNER

In addition to its ordinary meaning, shall mean any person designated as an owner on any dog license application filed with any Town Clerk.

RUNNING AT LARGE

The presence of a dog:

- A. Off of the premises either owned or occupied by the owner; or
- B. In the right-of-way of any public highway or street.

§ 80-3. Running at large prohibited.

No person owning, harboring or having care, custody or charge of any dog shall allow or permit such dog to run at large in the Town of Lockport unless effectively restricted or controlled by a person by means of a leash not exceeding 15 feet in length.

§ 80-4. Licensing and identification.

[Amended 12-8-2010 by L.L. No. 8-2010]

Any person owning, harboring or having care, custody or charge of any dog shall, at all times, be in full compliance with the obligations established pursuant to Agriculture and Markets Law §§ 109, relating to licensing, and 111, relating to identification of dogs.

§ 80-5. Seizure and impounding of dogs.

Any dog running at large in the Town of Lockport in violation of this article may be seized and impounded by any police officer or dog control officer in accordance with the provisions of the Agriculture and Markets Law.

§ 80-6. Exceptions.

A dog accompanied by a person actually present, who is engaged in field training or hunting, or exercising a dog, provided that the person has visual and/or voice control over the dog, shall not be deemed "running at large" in violation of this article, except that if such dog shall challenge, attack, intimidate or worry any person, other dog or domestic animal, it shall be deemed "running at large" in violation of this article.

§ 80-6.1. Penalties for offenses.

[Amended 12-8-2010 by L.L. No. 8-2010; 8-3-2011 by L.L. No. 4-2011]

Any person convicted of a violation of any provision of this chapter shall be guilty of an offense and shall be punished by a fine of not more than \$250, or by imprisonment for a period not in excess of 15 days, or by both such fine and imprisonment.

§ 80-6.2. Authority to issue appearance tickets; prosecution according to state law.

Any dog control officer or police officer may issue an appearance ticket or a uniform appearance ticket for any violation of this article, and violations of this article may be prosecuted in any manner allowed by the Agriculture and Markets Law or the Penal Law of the State of New York.

Article II. Reimbursement for SPCA Expenses

§ 80-7. Purpose.

The purpose of this article is to reimburse the Town of Lockport for moneys expended under the Town contract with the Niagara County SPCA.

§ 80-8. Payment to Town Clerk required.

[Amended 12-8-2010 by L.L. No. 8-2010]

No person shall redeem a dog seized and impounded by the Niagara County SPCA in the Town of Lockport without paying to the Town Clerk of the Town of Lockport the sum of \$25 as reimbursement for the seizure and care of said dog.

§ 80-9. Redemption of impounded dog.

A receipt for said payment together with proof of a valid dog license shall be presented to the Niagara County SPCA upon redemption of any dog seized in the Town of Lockport.

Article III. (Reserved)

§ 80-10. (Reserved)

Article IV. License Fees

§ 80-11. Annual fees established.

The annual fees for dog licenses are established as follows:

- A. The fee for each spayed or neutered dog shall be \$7, plus an additional fee (surcharge) required by Agriculture and Markets Law § 110, Subdivision 3, in the amount of \$1.
[Amended 12-4-2013 by L.L. No. 2-2013]
- B. The fee for each unspayed or unneutered dog shall be \$15, plus an additional fee (surcharge) of \$3 as required by Agriculture and Markets Law § 110, Subdivision 3.
[Amended 12-4-2013 by L.L. No. 2-2013]
- C. An additional fee (surcharge) as authorized by Agriculture and Markets Law § 110, Subdivision 4(a), for costs for enumeration of dogs in the amount of \$10 for each dog identified as unlicensed during such enumeration.
- D. An additional fee (surcharge) of \$3 as authorized by Agriculture and Markets Law § 110, Subdivision 4(b), for provisions of replacement tags.
- E. Purebred licenses.
 - (1) A fee for each purebred license in the amount of:
 - (a) For 1 to 10 dogs: \$25.
 - (b) For 11 to 25 dogs: \$50.
 - (c) Over 25 dogs: \$100.
 - (2) In addition, an additional fee (surcharge) of \$1 for each spayed or neutered dog under the license and \$3 for each unspayed and unneutered dog under the license.
- F. Notwithstanding any other provision of this article, the following are exempt from fees established for licensing: guide dogs, hearing dogs, service dogs, war dogs, working search dogs, detection dogs, police work dogs and therapy dogs. Any request for exemption shall be accompanied by such documentation as the Town Clerk shall require.
- G. There shall be an additional fee of \$5 (a late fee) for any dog license obtained more than 30 days after it was due to be obtained.
[Added 12-4-2013 by L.L. No. 2-2013]