

Chapter 80 - 12/8/2010

DOGS

ARTICLE I

Licensing, Identification and Control of Dogs

- §80-1. Purpose.**
- §80-2. Definitions.**
- §80-3. Running at large prohibited.**
- §80-4. Licensing and identification.**
- §80-5. Seizure and impounding of dogs.**
- §80-6. Exceptions.**
 - §80-6.1. Penalties for offenses.**
 - §80-6.2. Authority to issue appearance tickets;
prosecution according to state law.**

ARTICLE II

Reimbursement for SPCA Expenses

- §80-7. Purpose.**
- §80-8. Payment to Town Clerk required.**
- §80-9. Redemption of impounded dogs.**

**ARTICLE III
(Reserved)**

- §80-10. (Reserved)**

**ARTICLE IV
License Fees**

- §80-11. Annual fees established.**

[HISTORY: Adopted by the Town Board of the Town of Lockport as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Licensing, Identification and Control of Dogs
[Adopted 12-8-2010 by L.L. No. 8-2010]

§80-1. Purpose.

The purpose of this article is to assure and preserve the public peace and food order in the Town of Lockport by declaring and enforcing certain regulations and restrictions on 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 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.

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.

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§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.

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 \$250.00, or by imprisonment for a period not in excess of 15 days, or by both such fine.

§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 [Adopted 12-8-2010 by L.L. No.8-2010]

§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 S.P.C.A.

§80-8. Payment to Town Clerk required.

No person shall redeem a dog seized and impounded by the Niagara County S.P.C.A. 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 S.P.C.A. upon redemption of any dog seized in the Town of Lockport.

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ARTICLE III
(Reserved)

§80-10. (Reserved)

ARTICLE IV
License Fees

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

§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 \$6.00 plus an additional fee (surcharge) required by Agriculture and Markets Law §110(3) in the amount of \$1.00.
- B. The fee for each unsprayed or unneutered dog shall be \$14.00 plus an additional fee (surcharge) of \$3.00 as required by Agriculture and Markets Law §110 (3).
- C. Ann Additional fee (surcharge) as authorized by Agriculture and Markets Law §110 (4) (a) for costs for enumeration of dogs in the amount of \$10.00 for each dog identified as unlicensed during such enumeration.
- D. An additional fee (surcharge) of \$3.00 as authorized by Agriculture and Markets Law §110 (4) (b) for provisions of replacement tags.
- E. A fee for each purebred license in the amount of:
 - i. For 1-10 dogs - \$ 25.00
 - ii. For 11-25 dogs - \$ 50.00
 - iii. Over 25 dogs - \$ 100.00

and, in additional, an additional fee (surcharge) of \$1.00 for each spayed or neutered dog under the license and \$3.00 for each unsprayed 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.

5. All references to Agriculture and Markets Law shall mean the Agriculture and Markets Law in effect as of January 1, 2011.1 This Local Law shall take effect January 1, 2011.