LOCAL LAW NUMBER _3_0F 2010
TOWN OF WATSON

Article 1 — Statement of Authority, The Town Board of the Town of Watson pursuant to the authority granted under Article 7 of the Agriculture and Markets Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enacts as follows:

Article 2 — Statement of Purpose and Findings. The Town Board of the Town of Watson hereby finds that in view of new State Laws imposing increased responsibility on the Town for the licensing of dogs and dog control that it is necessary to have a global revision of all prior regulations of the Town with respect to licensing of dogs and dog control. It is the purpose of this law to adopt comprehensive regulations for the licensing of dogs and dog control issues within the Town.

Article 3 — Enactment. Be it enacted by the Town Board of the Town of Watson as follows:

Section 1: Title: the title of this Law shall be The Dog Control Law of the Town of Watson.

Section 2: Definition of Terms: As used in this Local Law the following words shall have the following respective meanings:

(a) "Dog" means male and female, licensed and unlicensed, members of the species canis familiaris.

(b) "Owner" means person entitled to claim lawful custody and possession of a dog who is responsible for purchasing the license for such dog unless the dog is or has been lost, and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the term owner shall designate and cover any person or persons, firm, association, or corporation, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any dog which is kept, brought or comes within the Town. Any person owning or harboring a dog for a period of one (l) week prior to filing any complaint charging a violation of this Local Law, shall be held in and deemed to be the owner of any dog found to be in violation of this chapter shall be under 18 years of age, the head of the household in which said minor shall be deemed to have custody and control of said dog and shall be responsible for any acts of the said dog in violation of this Local Law.

(c) "Run at Large" means to be in a public place or on private land without the knowledge, consent, and approval of the owner of such lands.

(d) "Town" means the Town of Watson.

Section 3: Restrictions: It shall be unlawful for any owner of any dog in the Town to permit or allow such dog 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 Local Law, a dog or dogs hunting in the company of a hunter or hunters shall be considered as accompanied by its owner.

(b) Engage in habitual and loud howling, barking, crying or whining or conduct as to unreasonably and habitually disturb the comfort or repose of any person other than the owner of such dog.

(c) Uproot, dig, or otherwise damage any vegetables, lawns, flowers, garden beds, or other property without the consent or approval of the owner.

(d) Chase, jump upon or at or otherwise harass any person in such manner as to reasonable cause intimidation or fear or to put such person in reasonable apprehension of bodily harm.

(e) Habitually chase, run alongside of or bark at motor vehicles, motorcycles or bicycles while on a public street, highway, or place, or upon private property without the consent or approval of the owner of such property.

(f) Create a nuisance by defecating, urinating or digging on public property, or on private property without the consent or approval of the owner of such property.

(g) If a female dog, when in heat, be off the owner's premises, unrestrained by a leash.

Section 4: Licensing of Dogs:

(a) All dogs in the Town of Watson unless otherwise exempted, 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 provided, however, that dogs of any age which are held at a shelter, pursuant to a contract or agreement with any County, City, Town or Village, or duly incorporated society for the prevention of cruelty to animals, humane society or dog protective association do not have to be licensed

(b) Any dog harbored within the Town of Watson which is owned by a resident of New York City or licensed by the City of New York, or which is owned by a non-resident of New York State and licensed by a jurisdiction outside the State of New York, shall for a period of thirty (30) days be exempt from the licensing and identification provisions of this local law.

(c) 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.

(d) Fees for Licensing of Dogs:

The fee for a spayed or neutered dog will be $10.00 and the fee for an un-spayed or unneutered dog will be $20.00 with such fees being reviewed by the Town Board periodically and may be changed by a resolution of the Town Board, if deemed necessary.

(e) 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. Such fee may be reviewed by the Town Board periodically and may be changed by resolution of the Town Board if necessary2

(f) License for Kennel : Any person owning or harboring four or more dogs shall, in addition to the license fee for each individual dog, also pay a Kennel license fee. For four dogs up to ten dogs, such fee shall be twenty five dollars ($25.00) and for eleven dogs or more, such fee shall

be fifty dollars ($50.00). Such fees may be reviewed by the Town Board periodically and may be changed by resolution of the Town Board if necessary.

(g) Service Dogs: The Town of Watson will require a license for any guide dog, service dog, hearing dog, detection dog, wolves, search dog, working dog or therapy dog but any fees will be waived.

(h) The Town of Watson does not allow the licensing of dogs by a shelter. The shelter MUST send the adoptive dog owners to the Town Clerk of the Town or City in which the dog will be harbored for licensing . All dogs MUST be licensed before leaving the shelter.

(i) All dog licenses may be purchased by visiting the Town offices or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be NO refund of fees.

(j) All fees will be used in funding the administration of the Dog Control Law of the Town of Watson.

(k) Fees for Seizure of Dogs: The fee for seizure and impoundment of dogs in violation of this law or the Laws of the New York State Department of Agriculture and Markets Law are as follows:
• The same impoundment and euthanasia fees per animal that are charged to the town for such service per the existing lease agreement with the shelter.

Section 5: Procedure for Seizure of Dogs:

(a) The Dog Control Officer or any peace officer shall seize:
Any unlicensed dog whether on or off the owner's premises;

Any dog not wearing a tag, and after June 15, 1985, not identified, and which is not on the owner's premises, and

Any dog found in violation of paragraphs (a)-(e) of Section 4 of this Local Law.
Such seized dog shall be kept and disposed of in accordance with the provisions of Article 7 of Agriculture and Markets Law, and see that the order of the Town Justice of the Town of Watson in such case is carried out.

(b) The Dog Control Officer or peace officer observing a violation of this Law in his presence shall issue and serve an appearance ticket for such violation.

(c) Any person who observes a dog in violation of this Local Law may file a complaint under oath with the Town Justice of the Town of Watson specifying the nature of the violation, the date thereof, a description of the dog and the name and a residence, if known, of the owner of such dog. Such complaint may serve as a basis for enforcing the provisions of this Local Law.

Section 6: Penalties:

(a) For a first violation a fine of no less than $25.00 nor more than $100.00.

(b) For a second offense within a one year period, a fine of no less than $50.00 nor more than $150.00.

(c) For a third or subsequent offense within a one year period, a fine of no less than $75.00 nor more than $200.00.

Article 4 — Repealer. This Local Law shall supersede all prior Local Laws, Ordinances, Rules and Regulations relative to the control of dogs within the Town of Watson, and they shall be upon the effectiveness of this Local Law, null and void.

Article 5 — Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 6. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.