

LOCAL LAW NO 4

OF

THE YEAR 2010

A LOCAL LAW TO AMEND CHAPTER 49 DOGS, SECTION 2, LICENSE REQUIRED of the Code of the Town of Boston.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BOSTON AS FOLLOWS:

SECTION 1. LEGISLATIVE INTENT

The purpose of this local law is to amend the provisions of Chapter 49 Section 2 of the Code of the Town of Boston entitled Dogs to allow the Town of Boston to better enforce the requirements of the Agriculture and Markets Law of the State of New York and the Code of the Town of Boston governing dogs including updating licensing fees and procedure.

SECTION 2.

License required, codified at Chapter 49 Section 2 of the Boston Town Code, be and it is hereby amended to read in its entirety as follows:

§49-2. Licensing of Dogs:

- A. All dogs in the Town of Boston 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.
- B. All dog licenses for unspayed or unneutered dogs will be paid for a period of one year and will expire at the end of the month one year from the date of issue. Dog licenses for spayed or neutered dogs may be purchased for a one year, two year or three year period and will expire at the end of the month one year, two years or three years from the date of issuance as the case may be. Dog licenses are not transferrable.

C. Fees for Licensing of Dogs:

The fee for a spayed or neutered dog for a one year period will be \$5.00 (which fee includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control), for a two year period will be \$10.00 (which fee includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control) and for a three year period will be \$15.00 (which fee includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control). The fee for an unspayed or unneutered dog for one year will be \$13.00 (which fee includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control), for a two year period will be \$26.00 (which fee includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control) and for a three year period will be \$39.00 (which fee includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control). The fees established by this provision are subject to review by the Town Board periodically and may be changed by a resolution of the Town Board, if deemed necessary.

- D. Purebred License: The Town of Boston will be issuing Purebred Licenses. A Purebred License licensing up to 10 purebred dogs may be purchased for \$25 flat fee per year plus a \$1.00 surcharge for spayed and neutered dogs and a \$3.00 surcharge for unspayed and unneutered dogs for the purpose of carrying out animal population control and a purebred license licensing up to 25 purebred may be purchased for \$50 flat fee per year plus a \$1.00 surcharge for spayed and neutered dogs and a \$3.00 surcharge for unspayed and unneutered dogs for the purpose of carrying out animal population control. No more than 25 dogs over six months of age shall be permitted on any premises. A purebred license may only be issued if all dogs on the premises have papers certifying them as purebreds. Holders of a purebred license may have different kinds of purebred dogs on the premises but non-purebred dogs are not permitted with a purebred license.
- E. Service Dogs: The Town of Boston will require a license for every guide dog, service dog, hearing dog, therapy dog and detection dog; however the fee for this license shall be waived. A current Certificate of Rabies shall be required at the time of licensing or the renewal of an existing license.
- F. The Town of Boston 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.

- G. All dog licenses may be purchased by visiting the Town offices or by regular mail. If renewing a license by mail, the appropriate fee must accompany the forms. There will be NO refund of fees.
- H. All fees will be used in funding the administration of the Dogs Law of the Town of Boston.
- I. This annual dog license fee shall be charged for all licenses becoming effective on or after the effective date of this local law.

SECTION 3.

MISCELLANEOUS

- A. This Local Law shall be deemed to supersede and repeal any other Local Laws to the extent therein inconsistent herewith.
- B. If any part of this Local Law shall be judicially declared invalid, void, unconstitutional or unenforceable, all unaffected provisions hereof shall survive such declaration and this Local Law shall remain in full force and effect as if the invalidated portion had not been enacted.
- C. Nothing herein shall be deemed to be a waiver or restriction upon any rights and powers available to the Town of Boston to further regulate the subject matter of this Local Law.

SECTION 4.

EFFECTIVE DATE

This Local Law shall become effective January 1, 2011 after filing with the Secretary of State of the State of New York, as required by the Municipal Home Rule Law.