

**TOWN OF VERONA, NEW YORK  
LOCAL LAW 1 of 2010**

**DOG LICENSING AND CONTROL LAW OF THE TOWN OF VERONA**

**Section 1.     Purpose:** The purpose of this local law shall be to protect the health, safety, morals and general welfare of the inhabitants, visitors, and property of the Town of Verona, from dog-related nuisance, damage, or injury, through the specifications, establishment, and imposition of certain restrictions, regulations, responsibilities, and requirements to wit:

- a. The licensing and identification of dogs;
- b. The control and protection of the dog population;
- c. The control and protection of person, property, domestic animals and deer from dog attack and damage; and
- d. Penalties for violations of this local law.

**Section 2.     Reference:** This local law shall be known as the "Dog Licensing and Control Law of the Town of Verona." This local law repeals the so-called "Animals" local law, codified as Chapter 69 of the Verona Town Code. This local law therefore shall replace the said "Animals" local law and shall be codified as Chapter 87 of the Town Code.

**Section 3.     Authority:** This law reenacted pursuant to York State Agriculture and Markets Law, Article 7 and the Laws of New York of 2010, Chapter 59, Part T.

**Section 4.     Definition:**

- a. Dog – The term "dog" shall mean any member of the species canis familiaris, regardless of breed, gender, or licensure status (licensed or unlicensed)
- b. Owner – The term "owner" shall mean and include any person who owns, keeps or harbors, or has care, custody or control of a dog. The Dogs owned by minors shall be deemed to be the custody of and control of a minor's parent(s), legal guardian(s), or other head(s) of household where the minor resides.
- c. At Large – The term "at large" shall mean a dog unleashed and off the premises of its owner, except where:
  - (1) Prior permission has been granted by the owner of the property where the dog is present;
  - (2) The dog is within the direct and immediate supervision and control of a responsible adult;
  - (3) The dog is a police work dog in the course of police duties;

- (4) The dog is actively engaged in hunting, or dog training therefore is accompanied by a responsible person pursuing such activity on un posted land or posted land with prior permission of the owner.
- d. Dangerous Dog – The term “dangerous dog” shall mean a dog that harasses, chases, molests, bites, exhibits aggression towards, or constitutes a physical threat or reasonably perceived threat toward a person or other domestic animal while not on the property of its owner or guardian.
- e. Dog Control Officer – The term “dog control officer” shall mean any individual appointed by a municipality to assist in the enforcement of this local law.

**Definitions not contained herein shall be as set forth in the New York Agriculture and Markets law Article Section 108, or the General Municipal Law , where applicable.**

**Section 5. Dog Licensing and License Fees:** All dogs harbored within the Town of Verona, which are over the age of four months, and which are not residing at a pound or shelter maintained under contract with the Town, or at a duly licensed and incorporated humane shelter, dog protective association or SPCA, or otherwise exempted, must be licensed by the Town of Verona on an annual basis, licensing fees and surcharges to be set forth herein and amended as the Town Board sees fit, and a record of such licensure shall be maintained with the Town Clerk.

- a. Rabies Vaccination Required – All dogs in the Town of Verona, which are over the age of four months, must maintain current rabies vaccinations. A current certificate of rabies vaccination must be presented at the time of initial licensing and for license renewals. Under no circumstances will a dog be granted a license without a current rabies vaccination certificate.
- b. Duration – Dog license shall remain valid for a period of one (1) year, expiring upon the last day of the month of the license period.
- c. Tag Numbers – Tag numbers shall initially consist of eight digits, beginning with the Oneida County/Verona Town Code (3022) and commencing with the number 1001.
- d. Tag Contents - Each tag shall identify the tag number, Town of: Verona NY: and a contact phone number for the Town Licensing Authority.
- e. Tag Replacement – If a tag is lost or stolen, the dog's owner(s) must report it to the dog licensing authority as soon as possible. Replacement tags shall be issued at a replacement cost of \$4.00 per tag.
- f. Fees – A nonrefundable licensing fee, to be utilized in the funding and administration of dog control in the Town of Verona, shall be paid for each licensing term, regardless of whether such term shall terminate or expire prematurely, to the Town of Verona as follows:

- (1) For each spayed and neutered dog, \$5.00, which includes the statutory One Dollar (\$1.00) per year surcharge for the purpose of carrying out animal population control;
- (2) For each unspayed and un-neutered dog, \$13.00, which includes the statutory Three Dollar (\$3.00) per year surcharge for the purpose of carrying out animal population control;
- (3) For Purebred Licenses, the fees shall apply as follows:
  - (a) 1 – 10 dogs - \$30.00 plus \$1.00 for each spayed or neutered dog and \$3.00 for each unspayed or un-neutered dog.
  - (b) 11 – 25 dogs - \$50.00 plus \$1.00 for each spayed or neutered dog and \$3.00 for each unspayed or un-neutered dog.
  - (c) 26 or more dogs - \$75.00 plus \$1.00 for each spayed or neutered dog and \$3.00 for each unspayed or un-neutered dog.

included is the statutory assessments for the purpose of carrying out animal population control.

- (4) Enumeration fees of \$10.00 may be assessed, in addition to licensing fees, to any dog found to be unlicensed or for which a prior license has expired and renewal has not been applied for at the time enumeration is conducted;
- (5) Service, guide, hearing and detection dogs shall be licensed, but shall be exempt from any licensing fee upon proof by the owner of the dog's status as such.
- (6) The Town does not allow licensing of dogs by a shelter. The shelter MUST send the adoptive dog owners to the Town Clerk of the Town in which the dog will be harbored for licensing.
- g. Late Fees - If a license is not timely renewed, a late fee shall be assessed in the amount of \$3.00 per month for each month following the month in which the license expired and must be paid along with the requisite licensing fees.
- h. Applications - Original dog licenses must be purchased in person at the Verona Town Clerk's office, upon submission of a completed application, certificate of current rabies vaccination and veterinary certificate of spay or neuter, if applicable. The Town Clerk will mail renewal applications to all dog owners one month prior to the expiration of the license. The renewal may be hand delivered or mailed to the Town Clerk for processing, enclosing all appropriate fees. Dog owners are responsible for renewal of dog licenses

and failure to receive a renewal application from the town will not exempt an owner from this responsibility.

**Section 6.     Regulations & Restrictions:**

a. Violations: It shall be a violation pursuant to Agricultural and Markets Law Section 118 for any owner of any dog in the Town of Verona, to:

- (1) Permit his or her dog to be unlicensed, bear no identification or the identification of another dog;
- (2) Provide misleading information to the Town in relation to the requirements under the Dog Control & Licensing Law;
- (3) Fail to notify the Town of any change in ownership or address of licensed dog, or to notify that such dog should be missing or stolen, as provided for in Agriculture and Markets Law Section 112;
- (4) Permit such dog to run at Large as defined in Section 4 (c), herein;
- (5) Permit such dog to engage in habitual loud barking, howling, crying, whimpering or whining or such other conduct as to unreasonably and habitually annoy or disturb the comfort or repose of any person other than the owner of such dog;
- (6) Permit such dog to cause damage or destruction to any property, including uprooting, digging or otherwise damaging vegetables, lawns, flowers, garden beds, or other property of another without the consent or approval of same;
- (7) Permit such dog to commit a nuisance by defecating or urinating upon the property of a person other than the owner of the dog;
- (8) Permit such dog to chase, jump upon, or otherwise harass any person in such a manner as to cause reasonable intimidation or fear of such dog, or to put a person in a reasonable apprehension of bodily harm or injury;
- (9) Keep or suffer to be kept a dog which has attacked any person peaceably conducting himself in any place where such person may lawfully be, or which has been chased, worried or killed any domestic animal, as defined in the Agriculture and Markets Law, or any cat or other dog, while such is in any place where it may lawfully be;
- (10) Permit a dog to habitually chase, run alongside of, bark at motor vehicles, motorcycles, or bicycles while on a public street,

highway, or place, or upon private property without the consent of the owner of such property;

(11) Permit a female dog while in heat to be off the owner's premises unleashed;

- b. Penalties for Violations: A person found guilty of a violation of this Section may incur civil penalty not less than \$25.00 for a first offense, and no less than \$50.00 where a subsequent offence is committed within five years and no less than \$100.00 where two or more previous offenses have been committed within the preceding five years.

A dog found guilty of an attack on deer at anytime, which results in death or crippling of a deer, will result in civil penalty of \$100.00 for the deer, \$150.00 for each additional deer, or as otherwise provided in Agriculture and Markets Law Section 120.

**Section 7. Dog Control Officer:** The Town Board shall appoint and maintain a Dog Control Officer for the Town of Verona to enforce this local law. Such Dog Control Officer, observing a violation of this law in his or her presence shall issue and serve an appearance ticket for such violation. A record of each incident shall be kept for a minimum of three years from creation of such violation.

**Section 8. Shelter:** Every dog seized by the Dog Control Officer shall be transported to a contracted shelter if not redeemed by its owner within five days, not including the day of pickup. The shelter must maintain, redeem, sell, adopt, and/or euthanize all dogs.

**Section 9. Enforcement:** This local law shall be enforced by the Dog Control Officer appointed by the Town Board, any peace or police officer, in the employ or acting under the contract with the Town of Verona. Such enforcing party may investigate and make applicable reports concerning any instance regarding the conduct of dogs and shall have authority to issue appearance tickets and see that resulting orders of the Town Justices of the Town of Verona are carried out.

**Section 10. Complaint:** Any person who observes a dog in violation of any provision of this law may file a signed complaint or information with the Dog Control Officer. The complaint shall specify the objectionable conduct of the dog(s), the date and location thereof, the substance of the objectionable conduct and damage or injury resulting thereof, the name (if known) and a description of the dog and the name and address of the dog's owner(s) or harbinger. In the case of a suspected dangerous dog, the requirements and provisions of Agriculture and Markets Law, Section 123 shall control.

**Section 11. Appearance Tickets:** Any Dog Control Officer employed by the Town of Verona shall issue to the owner of any dog observed in violation of this law, or reasonably believed to be in violation of this law, an appearance ticket for such violation.

**Section 12. Seizure or Impounding:** The Dog Control Officer employed by the Town of Verona may seize any dog which he or she observes in violation of any provision of Section 6, pursuant to Agriculture & Markets Law Article 7, Section 117. Any dog seized shall be fed, watered, and properly cared for. Pursuant to Article 7 (10), the seizure of any dog shall not relieve any person from penalty for any violation of this law. No liability in damages or otherwise shall be incurred on account of the seizure, euthanasia or adoption of any dog pursuant to the provisions of this law.

**Section 13. Redemption & Impoundment Fees and/or Fines:**

a. Procedure:

- (1) The owner of any unidentified dog, whether or not licensed, seized by the Town of Verona shall be entitled to redeem such dog within five (5) business days from the day following the day the dog is impounded, upon submission of proof that such dog is duly licensed identified with a current rabies certificate and id tags and payment of the requisite fees set forth herein;
- (2) Upon the seizure of any identified or identifiable dog, the owner of record of such dog shall promptly be notified in person. The owner may redeem such dog upon submission of proof that he is duly licensed and has current rabies certificate and upon payment of the requisite fees set forth within.

b. Fees & Redemption:

- (1) Initial Impoundment – A fee of \$20.00;
- (2) Second Impoundment – A fee of \$30.00 plus \$10.00 per each additional 24 hour period of impoundment following the first day;
- (3) Third and Subsequent Impoundments – A fee of \$45.00 plus \$10.00 per each additional 24 hour period of impoundment following the first day.

- c. Forfeiture, Adoption and Euthanasia: An owner shall forfeit title to any dog unredeemed at the expiration of the appropriate redemption period and the dog shall be made available for adoption, euthanized or transferred to another licensed pound or shelter pursuant to Agriculture & Markets Law Section 117 (7), (7-a) and 118. The Town of Verona shall require all dogs adopted pursuant hereto to be spayed or neutered.

**Section 14. Effective Date:** This local law shall take effective January 1, 2011 subject to this law being filed with the Secretary of State.

Be it enacted this 6th day of December, 2010, by the Town Board

of the Town of Verona, County of Oneida.

Patricia E. Nestle

Patricia E. Nestle, Town Clerk  
Town of Verona