

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

Town of Thurston

Local Law No. 1 of the year 2009

A local law AMENDING THE DOG CONTROL LAW OF THE TOWN OF THURSTON.....

Be it enacted by the TOWN BOARD of the

Town of THURSTON as follows:

SECTION 1 Purpose

The Town Board of the Town of Thurston finds that in order to promote the immediate return of dogs found running at large, to promote the health and safety of dogs found running at large and to save costs to both the Town of Thurston and to the owners or harborers of dogs running at large for the cost of sheltering such dogs, the Town Board of the Town of Thurston wishes to amend Local Law #1 of the Year 2001, Dog Control Law of the Town of Thurston, to provide for a flat fee to be paid to the Town of Thurston for the return of dogs found running at large. Such fee is for the purpose of reimbursing the Town of Thurston the costs of such a return to the owner or harborer, including but not limited to the costs of mileage. Furthermore, the Town Board of the Town of Thurston finds it necessary to increase the fees for redeeming dogs sheltered due to increasing shelter costs.

SECTION 2. Authority

This local law is enacted pursuant to the provisions of Section 124 of Article 7 of the Agriculture and Markets Law of the State of New York.

SECTION 3. Title

The title of this law shall be "Local Law #1 for 2009 Amending the Dog Control Law of the Town of Thurston."

SECTION 4. Amendment

The section designated "SECTION 7. Seizure, Impoundment, Redemption and Adoption" of Local Law #1 of the Year 2001, "Dog Control Law of the Town of Thurston," is hereby amended as follows:

In subparagraph "i" of paragraph "c" in SECTION 7 the word "Thirty" is struck and the word "Forty" is inserted in its place.

In subparagraph "ii" of paragraph "c" in SECTION 7 the word "Thirty" is struck and the word "Forty" is inserted in its place.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws and ordinances.

In subparagraph “iii” of paragraph “c” in SECTION 7 the word “Thirty-five” is struck and the word “Forty-five” is inserted in its place.

In paragraph “f” in SECTION 7 the designating letter “f” is struck and replaced with the designating letter “g”.

Immediately after paragraph “e” in SECTION 7 and immediately before the paragraph hereinbefore newly designated “g” in SECTION 7, the following paragraph is inserted:

“f. In the sole discretion of the Dog Control Officer, any licensed dog found running at large may be returned to the owner or harborer of such dog by the Dog Control Officer upon the immediate payment of a flat fee of \$10.00 to the Dog Control Officer at the time of the delivery of such dog. If the owner or harborer fails to pay such fee or refuses to pay such fee or is not available at the time the dog control officer attempts to contact the owner or harborer of such dog, then such dog shall be transported to the shelter and the dog shall be subject to the redemption fees set forth herein for dogs redeemed from the shelter.”

SECTION 5. Should any section or provision of this Local Law be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Law as a whole or any part thereof, other than the part so decided to be unconstitutional or invalid.

SECTION 6. This Local Law shall take effect immediately upon adoption and filing as required by the Laws of the State of New York.