

Town of Schuyler Other Species Animal Control

Section 1: Title

The title of this Law shall be "Other Species Animal Control of the Town of Schuyler, County of Herkimer."

Section 2: Purpose

A. OTHER SPECIES OF OWNED ANIMALS:

The Town Board of Schuyler finds that owned animals of species other than dogs, when uncontrolled, cause property damage and create hazards within the Town of Schuyler. The purpose of this chapter is to provide regulations for the control of such owned animals.

Section 3: Definitions

All terms not specifically defined herein shall have the meaning assigned to such terms within Article 7 Section 108 of the Agricultural and Markets Law of New York State.

The word "shall" is intended to be mandatory.

TOWN - Meaning the Town of Schuyler, County of Herkimer, State of New York.

CLERK - The Town Clerk or Deputy Town Clerk(s) of the Town of Schuyler or their duly authorized agents.

ANIMAL CONTROL OFFICER - A person or persons appointed by the Town for the purpose of enforcement of the duties of Animal Control Officer as described in Agriculture and Market Law and the municipal animal control law of the Town of Schuyler.

OTHER SPECIES OWNED ANIMAL - Any species of animal listed in the chapter that is owned or harbored within the Town of Schuyler, including any pure breed or mixed breed cat, horse, cattle, poultry, fowl, ducks, geese, llama, alpaca, goat, pig, emu or reptile.

TOWN KENNEL, SHELTER or HOLDING FACILITY - Any facility under contract with the Town or authorized by the Animal Control Officer for the temporary housing of animals seized for violations of this law or held for safekeeping.

HARBOR - To provide food and/or shelter to any species of animal listed in this chapter.

PERSON - A person, partnership, corporation, association or other organized group of persons, business entity, municipality, or other legal entity.

OWNER OTHER SPECIES OF OWNED ANIMAL - Any species of animal as defined within this chapter harbored within the Town of Schuyler, is considered owned by the head of the household of the property where the animal resides and shall be responsible for any acts of violation of this chapter of the law of the Town of Schuyler.

OTHER SPECIES OWNED ANIMALS: RUN AT LARGE - Any species of owned animal, other than a dog, as described in this chapter, is deemed running at large when it is off the property of its owner while not under the control of the owner and on private lands without the permission of the land owner and any species of owned animal presenting a potential traffic hazard while wandering in or near public roadways.

EUTHANASIA or EUTHANIZE - To bring about the death by a humane method as defined in Agriculture and Markets Law.

SEIZE or SEIZURE - Refers to the Animal Control Officer taking possession of other owned animal as defined within this section for the purpose of protecting the public, protecting or providing care for that animal and all seizures described within Article 7 of the Agriculture and Markets Law.

BOARDING AND ASSOCIATED CHARGES - The rate charged by the town kennel shelter contracted with the Town or holding facility authorized by the Animal Control Officer for the housing, general care, feeding, veterinary care, vaccination and transportation of a seized animal.

PERSON WITH A DISABILITY - Any person with a disability as defined in New York State Executive Law and/or Americans with Disabilities Act.

RESIDENT - (A person) An individual who maintains a residence within the Town of Schuyler, County of Herkimer, State of New York.

SENIOR RESIDENT - Any resident of the Town of Schuyler age 65 or older.

Section 4: Prohibited Acts of Other Species Owned Animals -

A. No person shall own or harbor any species of owned animal, described in this chapter, to run at large.

B. No person shall own or harbor any species of owned animal, described in this chapter, to cause damage of private property other than on the property of the animal owner.

Section 5: Seizures -

A. Any police officer or peace officer may seize any animal pursuant to Section 373 if the Agriculture and Market Law.

B. The Animal Control Officer may seize any other species of owned animal as described in this chapter, if running at large when it is off the property of its owner, while not under control of the owner and on private lands without the permission of the land owner and any species of owned animal presenting a potential traffic hazard while wandering in or near public roadways. The Animal Control Officer may arrange for care or shelter with an appropriate entity; kennel, stable, farm or veterinary until an owner is located or for five (5) days from the date of seizure. If no owner comes forward within a five (5) day period the owner will relinquish ownership and the animal may be adopted out or euthanized. If the owner is located after the five (5) day period, the owner will be responsible for all charges associated with the seizure, boarding, veterinary care and disposition of that animal.

Section 6: Enforcement -

Enforcement of this Law shall reside in the Codes Enforcement Officer for the Town of Schuyler, who shall also have the authority to contact the appropriate Law Enforcement Agency, on the Towns behalf, for any cases of animal cruelty or other infractions of this law or state and federal law.

Section 7: Penalties -

Penalties for offenses: Any person convicted of a violation of this chapter shall be liable for a penalty of not less than \$200.00 or more than \$300.00, for a first violation occurring within the past five (5) years; of not less than \$300.00 or more than \$500.00, for a second violation occurring within the past five (5) years; and of not less than \$500.00 or more than \$1000.00, where the person is found to have committed two (2) or more violations within the past five (5) years.

Section 12: Contacts -

1. **Phil Green** - Codes Officer - Town of Schuyler - 315-733-7447