

**A LOCAL LAW AMENDING CHAPTER 65 OF THE GEDDES TOWN CODE,
ANIMALS, ARTICLE I. DOG CONTROL & ARTICLE II. LICENSING AND
IDENTIFICATION OF DOGS, WITH REGARD TO FINES AND REEMPTION FEES
OF IMPOUNDED DOGS**

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

Section 1.

That § 65-6., titled “Penalties for offenses; redemption of dogs.” is deleted in its entirety and is replaced with the following:

“§ 65-6. Penalties for offenses; redemption periods; impoundment fees.

A. The fact that a dog runs at large within the Town of Geddes shall be presumptive evidence that the owner permitted the dog to run at large in violation of this article. Except as otherwise provided in §119 of the Agriculture and Markets Law, any violation of this article shall be an offense punishable, upon conviction thereof, for the first offense by a fine of not more than \$50, for the second offense by a fine of not more than \$100 and for the third violation and all subsequent violations occurring within six months of the first violation by a fine of not more than \$250.

B. In addition to the payment of any penalty or fine prescribed by this article, the owner of any dog impounded shall be entitled to redeem such dog within five business days, excluding the day the dog is impounded, from the day the dog is impounded, provided that the owner produces proof that the dog is properly licensed and identified, and pays a redemption fee, the amount of which shall be established by resolution of the Town Board and is on file with the Town Clerk. Such fees may be amended by resolution of the Town Board.

C. All impoundment fees shall be the property of the Town of Geddes and shall be collected by the Town Clerk. The Town Clerk shall remit all impoundment fees to the Town Supervisor on or before the fifth day of each month.”

Section 2.

That § 65-12., titled “Seizure of dogs; redemption periods; impoundment fees.” is deleted in its entirety and is replaced with the following:

“§65-12. Seizure of dogs; redemption periods; impoundment fees.

A. In addition to the payment of any penalty or fine prescribed by this article, the owner of any dog impounded shall be entitled to redeem such dog within five business days, excluding the day the dog is impounded, from the day the dog is impounded, provided that the owner produces proof that the dog is properly licensed and identified, and pays a redemption fee, the amount of which shall be established by resolution of the Town Board and is on file with the Town Clerk. Such fees may be amended by resolution of the Town Board.

B. All impoundment fees shall be the property of the Town of Geddes and shall be collected by the Town Clerk. The Town Clerk shall remit all impoundment fees to the Town Supervisor on or before the fifth day of each month.”

Section 3.

That Subsection “B” of § 65-13., titled “Violations.” is deleted in its entirety and is replaced with the following:

“B. The Town of Geddes may elect to either prosecute such action as a violation under the Penal Law or commence an action to recover a civil penalty. A violation of this article shall be punishable, subject to such an election, either:

(1) Where prosecuted pursuant to the Penal Law, by a fine of not more than \$50 except that:

(a) Where the person was found to have violated this article within the preceding five years, the fine may not be more than \$100, and

(b) Where the person was found to have committed two or more violations within the preceding five years, it shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both; or

(2) Where prosecuted as an action to recover a civil penalty, by a civil penalty of not more than \$50, except that

(a) Where the person was found to have violated this article within the preceding five years, the civil penalty may not be more than \$100, and

(b) Where the person was found to have committed two or more such violations within the preceding five years, the civil penalty may not be more than \$250.”

Section 4.

This local law shall take effect immediately upon filing with the New York Secretary of State.