TOWN OF LYONSDALE

LOCAL LAW NO. 2 OF 2026

"Dog Control and Licensing Law of the Town of Lyonsdale"

Be it enacted by the Town Board of the Town of Lyonsdale as follows:

SECTION 1. TITLE; AUTHORITY; PURPOSE.

A. Title. This local law shall be known as the "Dog Control and Licensing Law of the Town of Lyonsdale."

B. Authority. This law is enacted pursuant to New York Agriculture and Markets Law (AGM) Article 7 and the Town's local-law powers. Municipalities may adopt local laws regarding the keeping or running at large of dogs, seizure, and enforcement, provided they do not vary state provisions on rabies vaccination or humanely euthanized.

C. Purpose. The purpose of this law is to protect public health, safety, and welfare; preserve the peace and good order; and protect property within the Town of Lyonsdale by regulating licensing, identification, control, and conduct of dogs, and by providing procedures for enforcement and penalties consistent with state law.

SECTION 2. DEFINITIONS.

Unless otherwise defined in this local law, any term used herein shall have the meaning assigned in New York Agriculture & Markets Law §108. When a term appears both in this law and in §108, the definition in this local law shall apply.

A. "Dog" means any member of the species *Canis familiaris*.

B. "Owner" means any person who harbors or keeps any dog; an owner of record is the person in whose name the dog was last licensed (with special rules for minors).

C. "Harbor" means to provide food or shelter to any dog.

D. "Identification tag" means the municipal tag bearing a unique identification number as provided by AGM §111.

E. "Identified dog" means a dog carrying an identification tag as required by AGM §111.

F. "Dog Control Officer (DCO)" means an individual appointed by the municipality or under contract to assist in the enforcement of Article 7 and local dog laws.

G. “At Large” means a dog off the premises of its owner/harborer and not under the immediate control of a responsible person, or a dog present on private property without the knowledge or consent of the property owner. (This local definition is consistent with common NY practice; it operates alongside state licensing and identification requirements.)

SECTION 3. LICENSING AND IDENTIFICATION.

A. License Required. The owner of any dog reaching four (4) months of age shall promptly apply for a dog license with the appropriate licensing clerk where the dog is harbored. Licenses are issued for at least one year and may not extend beyond eleven months after the rabies certificate’s expiration; a common renewal date may be set by the municipality.

B. Identification Tag. Each licensed dog shall carry, at all times when off the owner’s premises (except during a dog show exemption), the municipal identification tag affixed to a collar; tags may not be used on any other dog. Special tags may be issued for guide, service, hearing, therapy, or detection dogs in addition to the standard tag.

C. Compliance. Failure to license, identify, or properly handle/produce a dog as required by Article 7 constitutes a violation subject to penalties in Section 10.

SECTION 4. REGULATIONS AND RESTRICTIONS (CONDUCT).

It is unlawful for any owner/harborer to permit a dog to:

A. Run at large, unless accompanied and under the full control of a responsible person; dogs hunting in the company of a hunter are considered accompanied.

B. Engage in frequent or prolonged barking, howling, or whining that unreasonably interferes with a reasonable person’s use or enjoyment of their property. Agricultural working/herding/guard dogs used in certified agricultural districts are exempt from this subsection while performing their duties.)

C. Cause damage to property or commit a nuisance (e.g., repeated defecation or urination) on property other than that of the owner/harborer.

D. Chase, menace, or harass any person in a manner that reasonably causes intimidation or apprehension of bodily harm.

E. Chase, bark at, leap on, or otherwise harass bicycles, motorcycles, motor vehicles, horses, riders, or domestic animals while off the owner’s property.

F. Be outdoors when in heat unless securely confined in a building or enclosure preventing unintentional breeding and preventing nuisance conditions.

G. Be kept in areas (on or off premises) used by the dog that are not maintained in a clean, sanitary, and odor-free condition.

SECTION 5. ENFORCEMENT; DOG CONTROL OFFICER; RECORDS.

A. Appointment/Contracting. The Town shall appoint one or more DCOs or may contract for DCO services with another municipality, humane society, or similar association.

B. DCO Powers. The DCO may issue appearance tickets/summonses; serve and execute orders/process under Article 7 and this local law; seize dogs as required by AGM §117; and must provide humane handling, transport, and necessary veterinary care.

C. Records. The DCO shall promptly make and maintain complete seizure/disposition records for any dog and keep such records for at least three years, available to the Commissioner upon request.

D. Pounds/Shelters. The Town shall maintain or contract for pound/shelter services for dogs.

E. Compliance with Article 26-C. Any pound, shelter, humane society, or not-for-profit organization with which the Town contracts for the care, housing, redemption, or disposition of seized or impounded dogs shall comply with all applicable requirements of New York Agriculture and Markets Law Article 26-C, including licensing, inspection, housing standards, veterinary care, sanitation, personnel training, recordkeeping, and any implementing regulations adopted by the Department of Agriculture and Markets. Such contractor shall provide documentation of compliance to the Town upon request.

SECTION 6. COMPLAINTS; PROCEDURES.

A. General Nuisance/Violation Complaints. Any person may submit a signed complaint (under oath or affirmation) to the Town Justice or to the DCO regarding violations of this law (e.g., nuisance, damage). The DCO may issue an appearance ticket or file an information with the court.

B. Dangerous Dogs. Complaints alleging an attack or threatened attack shall follow AGM §123 procedures. Upon sworn complaint, a judge/justice determines probable cause, may order immediate seizure, and must hold a hearing (with notice) within five days, where the petitioner bears the burden to prove “dangerous dog” by clear and convincing evidence; if so, the court shall order measures (e.g., spay/neuter, microchipping, confinement, training) necessary for public protection.

SECTION 7. SEIZURE AND REDEMPTION.

A. Seizure. A DCO, peace officer acting pursuant to special duties, or police officer shall seize: (1) any unidentified dog not on the owner's premises; (2) any unlicensed dog, whether on or off premises; (3) any licensed dog not in the control of its owner/custodian or not on the owner's premises if there is probable cause the dog is dangerous; and (4) any dog posing an immediate threat to public safety. If there is no probable cause to believe a licensed dog is dangerous, the officer may return the dog directly to the owner/custodian of record.

B. Local Law Violations. Officers may also seize any dog in violation of this local law.

C. Care; Redemption Periods; Fees. Seized dogs shall be properly sheltered, fed, and watered for the redemption periods prescribed by AGM §117. Owners redeeming must show license/identification compliance and pay impoundment fees (minimums of $10 for first impoundment; $20 for the first 24 hours plus $3 per additional 24 hours for the second within a year; $30 for the first 24 hours plus $3 per additional 24 hours for the third and subsequent within a year).