

## **Local Law #5 2025**

### **Dangerous Dog Control Law**

**Section 1. Title.** The Title of this Law shall be “Dangerous Dog Control Law of the Town of Watson”.

**Section 2. Purpose.** The Town Board of the Town of Watson finds that dogs are capable of causing physical harm to persons or damage to property or create a nuisance in the Town which should be controlled.

**Section 3 Authority.** This Local Law is enacted pursuant to the provisions of Article 7 Chapter 69; Section 123 of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York Article 10, Chapter 24; Section 209-cc.

#### **Section 4. Law Dangerous dogs**

##### **A. Description of dangerous dog.**

(1) A dangerous dog is one that:

- (a) Has previously been classified as at-risk and exhibits aggressive behaviors that result in further complaints; or
- (b) Without provocation, inflicts serious injury on a human being; or
- (c) Menaces, maims, or kills domestic animals when off its owner’s property; or
- (d) Is used in the commission of a crime, including but not limited to animal fighting, menacing, or guarding illegal operations; or
- (e) Attack, chase, harass, molest, worry, injure or kill deer, cattle, horses, poultry or other domestic animals including other dogs; or
- (f) The court declares as “dangerous”.

(2) Notwithstanding the above, the Dog Control Officer or his representative shall have discretionary authority to refrain from filing charges against the dog or dog owner, even if the dog has engaged in the specified behaviors, if it can be determined that the behavior was:

- (a) The result of the victim abusing or tormenting the dog; or
- (b) Directed toward a trespasser or a person committing or attempting to commit a crime; or
- (c) Involved other similar mitigating or extenuating circumstances.

(3) “Dangerous dog” does not include a police work dog, while such police work dog is being used to assist one or more law enforcement officers in the performance of their official duties.

(4) “Owner” as used in this Local Law includes a person who provides housing or who has control or should have control of a dangerous dog.

**B. Procedure for classifying a dog as dangerous.** The animal control officer or his representative shall investigate the circumstances of the complaint and notify the dog owner of the charge. If a dog has bitten

someone, the Dog Control Officer may take the dog into custody and take to the Lewis County Humane Society for up to forty-eight (48) hours at the owner's expense to protect the community while completing his investigation. The officer will then report the results of the investigation to a magistrate or other court officer and to the dog owner. If the court officer deems the dog to be potentially dangerous, the dog owner has the option of filing an appeal with the animal control officer or accepting the designation. Depending on the circumstances, the dog may be impounded at owner's expense pending disposition of the case.

**C. Sanctions for owning a dangerous dog.** A dangerous dog may be returned to the owner or may be destroyed depending on the outcome of the investigation.

If the dog is returned to the owner, it must be:

- (1) Registered (Section 4 Letter D) as a dangerous dog with the Town Clerk
- (2) Licensed (Section 4 Letter E) as a dangerous dog with the Town Clerk.
- (3) A "Dangerous Dog" Tag will be provided by the Town that is to be affixed to the dog at all times.
- (4) It must be microchipped,
- (5) Dangerous Dog sign must be posted at residence of the dog
- (6) Confined in a locked pen with a top when not in a home or other building or on a leash.

See Section 4, F of the Local Law for further compliance instructions.

Depending on the outcome of the investigation, the court may require a behavioral evaluation of the dog and sentence the owner to attend a responsible owner class.

**D. Registration of "Dangerous Dog".** Persons owning, possessing or harboring dangerous dogs shall report the presence of such dangerous dogs pursuant to section two hundred nine-cc (209-cc) of the general municipal law. Any owner or person who has custody and/or control of a dangerous dog is required to register their dog(s) with the town clerk. Information required will include:

- (1) Completed Dangerous Dog Registration Form which will include:
  - (a) Current owner and/or co-owner name(s), address and phone number
  - (b) Dog's Information – Name, sex, age, birth date, breed and color or markings – to the best of the owner's knowledge.
  - (c) Current rabies information
  - (d) Spay or Neuter information
  - (e) Microchip information
- (2) Completed Town of Watson Dog Control Officer compliance form.
- (3) Fee of \$50.00
- (4) Dangerous dog tag – Supplied by the Town

**(5) Upon Registration Completion.** As per General Municipal Law Chapter 24, Article 10 209-CC: Town clerk shall forward a copy of such registration to each state police, county sheriff, and municipal police agency having jurisdiction over the location of such dangerous dog resides. A copy thereof shall also be forwarded to each fire department serving such location and to each ambulance or emergency medical service department or company serving such location.

(a) Fee for registered mail - \$100.00

To be sent to: NY State Police, Lewis County Sheriff, Lowville Fire Department and Lewis County Search & Rescue

(b) Notification required initially (sent registered mail) and when a status of the dog has changed (sent regular mail).

**Registration is effective after issuance from the Town Clerk.**

**Renewal of registration is required annually.**

**E. Licensing of “Dangerous Dog”.** Any owner of a dog four (4) months of age or over must be licensed within the township that it resides. A dog in the Town of Watson must be licensed with the Town Clerk in accordance with Local Law #4 of 2024, Section 5, A. To obtain a “Dangerous Dog” License the following information must be provided to the town clerk:

(1) Completed Dangerous Dog License Form which will include:

(a) Current owner and or co-owner name(s), address and phone number;

(b) Dog’s Information – Name, sex, age, birth date, breed and color or markings – to the best of the owner’s knowledge;

(c) Current rabies information;

(d) Spay or Neuter information;

(2) Fee of \$50.00 annually

**License is effective for one year after issuance from the Town Clerk.**

**License renewal is required annually.**

**F. Confinement of dangerous dogs.** Dogs that have been adjudicated as dangerous must be confined behind a locked fence of sufficient height and materials to securely contain the dog and prevent trespass. Confinement must be sufficient to prevent people from coming into contact with the dog. When off the owner’s property, a dangerous dog must be restricted by a leash of no more than four feet in length and muzzled. It must be under control of a legally responsible person.

**G. Transporting dangerous dogs.** Dogs that have been adjudicated as dangerous must be confined in a locked vehicle, to prevent opportunities for escape, and in a manner sufficient to prevent people from coming into contact with the dog through an open window in the vehicle.

**H. Dangerous dogs running at large.** A "dog running at large" is a legal term for a dog that is off its owner's property and not under the physical control of a person, meaning it's not on a leash or otherwise restrained. This condition is prohibited by the Town of Watson and can result in penalties like fines, penalties or impoundment of the dog, as it poses a risk to public safety and the animal itself.

**I. Penalties for dangerous dogs running at large.** Any owner or person who has custody and/or control of a dangerous dog (hereinafter, "owner") that commits acts which classify it as dangerous shall be guilty of an offense and subject to the following penalties:

(1) **First Offense** - Upon conviction of a first offense, by a fine of not less than one hundred fifty dollars (\$150.00) nor more than one thousand five hundred dollars (\$1,500.00), any state mandated court fees and/or imprisonment not to exceed ten (10) days.

(2) **Second Offense** - Upon conviction of a second offense or subsequent offense for the same animal within a six (6) month period, the owner shall be deemed guilty of an unclassified misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250.00) nor more than three thousand dollars (\$3,000.00), any state mandated court fees, and/or imprisonment not to exceed fifteen (15) days.

(3) A single act that violates more than one provision of this section shall be treated as a single conviction for the purpose of sentencing.

(4) If the violation of the dangerous dog law results in serious bodily injury, the Court has the ability to order restitution.

**J. Penalties for violations of Local Law #5 of 2025, Section 4. Letter C.** Any person who is found guilty of this section shall be subject to the following penalties:

(1) **First Offense** – Upon conviction of a first offense, a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) for the first offense,

(2) **Second Offense** - Upon being found guilty of a second or subsequent offense, within a six (6) month period, a fine of not less than two hundred dollars (\$200.00) or more than one thousand dollars (\$1,000.00).

(3) If the violation of the dangerous dog law results in serious bodily injury, the Court has the ability to order restitution.

Except as otherwise provided by law, such a violation shall not be a crime and the penalty or punishment imposed therefor shall not be deemed for any purpose a criminal penalty or punishment and shall not impose any disability upon or affect or impair the credibility as a witness, or otherwise, of a person found guilty thereof.

**K. Additional Incidents.** Additional incidents sufficient to identify the dog as dangerous will result in the humane euthanization of the dog, at the owner's expense, and additional penalties for the owner.

**Section 5. Effective Date.** This law shall be effective upon filing with the Secretary of State.