



DIANE M. TERRANOVA
Town Clerk

Town of Lancaster

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December 8, 2023

General Code Publishers
781 Elmgrove Road
Rochester, New York 14624

Re: Local Law No. 4 of 2023
Entitled "Adoption Disposition Of Dogs."

Ladies/Gentlemen:

Enclosed is a resolution adopted by the Town Board of the Town of Lancaster on December 4, 2023.

This resolution adopts Local Law No. 4 of the Year 2023 entitled "Adoption Disposition of Dogs."
Would you kindly supplement this amendment into Local Law No. 5 of the Year 2023 of the Town of Lancaster.

Sincerely yours,

OFFICE OF THE TOWN CLERK

Diane M. Terranova, R.M.C.
Town Clerk

DMT/dm

Encl.

cc: T. Fowler, Town Attorney
E. Major, Police

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws; and

WHEREAS, the Town Board of the Town of Lancaster is proposing a Local Law revision to Part II: General legislation, Chapter 82, of the Town of Lancaster Code, Animals, Article I. Licensing and Control of Dogs, updating Section 82-14. "Adoption; disposition of dogs", and was introduced to the Town Board of the Town of Lancaster by Council Member Burkard on the 16th of October, 2023; and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act ("SEQRA") has determined the action is a Type I action and has issued a negative declaration; and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on November 6, 2023, where all interested parties were allowed to address the proposed Local Law.

NOW, THEREFORE,
BE IT RESOLVED, by the Town Board of the Town of Lancaster
that:

1. The attached Local Law **No. 4 of 2023** is hereby adopted.
2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED YES
COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER LEARY	VOTED YES
COUNCIL MEMBER MAZUR	WAS ABSENT
SUPERVISOR RUFFINO	VOTED YES

December 4, 2023

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 4 OF THE YEAR 2023
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on December 4, 2023, Local Law No. 4 of the Year 2023, which amends the Town of Lancaster Code: Part II: General legislation, Chapter 82, of the Town of Lancaster Code, Animals, Article I. Licensing and Control of Dogs, updating Section 82-14. "Adoption; disposition of dogs". Copies of the revised Local Law can be reviewed at Lancaster Town Hall, 21 Central Avenue, during normal business hours and on the Town of Lancaster's website, <http://www.lancasterny.gov>. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA
Town Clerk**

December 7, 2023

**Town of Lancaster
Local Law 4 of 2023**

**A Local Law amending the current and enacting a revised Part II: Chapter 82
Animals, Article I: Licensing and Control of Dogs, updating Section 82-14: Adoption;
Disposition of Dogs, as follows:**

Part II: General Legislation
Chapter 82: Animals
Article I: Licensing and Control of Dogs

§ 82-14: Adoption; Disposition of Dogs.

A. Any dog identified, unlicensed or licensed, in custody of the Dog Control Officer, may be delivered for adoption by the Dog Control Officer or disposed of by euthanasia after a holding period of not less than three days, except that where notice to the owner is given by mail, then the holding period shall not be less than seven days.

[Amended 11-19-2018 by L.L. No. 6-2018]

B. Voluntary surrender.

(1) At the time the dog is surrendered to the Dog Control Officer, the owner shall execute a consent agreeing to the surrender and further authorizing the Dog Control Officer, using his/her discretion, to either:

(a) Hold the dog for a seven-day period and deliver same for adoption; or

(b) Dispose of the dog by euthanasia.

(2) Where the record owner surrenders a dog to the Dog Control Officer, there shall be no redemption period applicable.

(3) The record owner of the dog shall transfer title to the Town of Lancaster upon surrender by completing the appropriate license sections.

C. Licensing prior to releasing from custody. No dog shall be delivered for adoption unless it has been licensed pursuant to this article prior to its release from custody of the Dog Control Officer.

D. Fees.

(1) ~~There shall be no fee for the adoption of a dog.~~ **The fee for adoption of a dog shall be One Hundred (\$100.00) Dollars. This fee may be waived, at the sole discretion of the Dog Control Officer, for good cause shown.**

(2) ~~There shall be no fee for the voluntary surrender of a dog to the Dog Control Officer for purposes of adoption.~~ **The fee for the voluntary surrender of a dog to the Dog Control Officer for the purposes of adoption shall be One Hundred (\$100.00) Dollars. This fee may be waived, at the sole discretion of the Dog Control Officer, for good cause shown.**

(3) There shall be a fee for the euthanasia and disposal of a dog, which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service.

E. Violations. The disposition by euthanasia or delivery for adoption of a seized dog shall not relieve any person from any violations of this article or of the New York State Agriculture and Markets Law.