



Legislation Text

File #: Res 1794-2013, **Version:** *

Res No. 1794

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.2046/S.5048, legislation that would amend current laws relating to animal control, the animal population control fund and licensing of animals in New York City.

By Council Members Arroyo, Chin, Eugene, Lander, Mark-Viverito, Palma, Rose and Vann

Whereas, New York State law requires that all owned dogs be licensed and that dogs wear their license in public; and

Whereas, In order to license their dogs, owners must fill out an application through the New York City Department of Health and Mental Hygiene (“DOHMH”) and pay a fee; and

Whereas, The base fee to license a dog in New York City is \$8.50 if the dog is spayed or neutered and \$34 if the owner does not provide proof that the dog has been spayed or neutered; and

Whereas, A.2046/S.5048 (by Assemblyman Brian Kavanagh/Senator José Serrano) states that the base fee will be determined by local law and that the additional fee for dogs that are not spayed or neutered will be at least 85 percent above the base fee; and

Whereas, Furthermore, the additional fee collected for dogs that are not spayed or neutered would be deposited in the animal population control fund; and

Whereas, Currently, the animal population control fund has already been authorized by New York City to fund free and subsidized spay and neuter services; and

Whereas, According to the proposed bill, any person who fails to renew the license prior to its expiration may be required to pay a late fee upon renewal; and

Whereas, The late fee will be set by local law and cannot be more than 20 percent of the amount of the

base fee; and

Whereas, Ten cents of every fee collected from dog licensing will provide funding for research into diseases of dogs and the search and study of viruses that affect people and animals; and

Whereas, Under the proposed legislation, penalties for not licensing a dog would allow for a civil penalty of \$75 for the first violation and no more than \$100 for a subsequent violation within five years of the first violation; and

Whereas, However, two affirmative defenses have been added for people who have either: 1) submitted an application or renewal but are waiting to receive the license and 2) if the violation was issued less than thirty days after the expiration date of the license and the person had applied for a renewal; and

Whereas, The proposed bill would establish that DOHMH may designate another person or entity, including but not limited to a person who provides care, treatment, services, or merchandise for animals, to process applications for dog licenses, collect, and remit the fees; and

Whereas, Current law permits private entities to issue licenses on behalf of the City and authorizes that they collect a \$1 fee; however, the proposed legislation would expand who can process license applications and changes the collection fee to 10 percent of the total fee; and

Whereas, The animal population control fund and animal control program were established to provide low cost spay and neuter services; and

Whereas, According to the testimony of then Acting Deputy Commissioner of Environmental Health at DOHMH Daniel Kass on April 28, 2010 at a New York City Council Hearing, “increasing the ability for voluntary serialization of owned pets will reduce the number of animals entering the City’s shelters and therefore reduce the number of animals that are euthanized;” and

Whereas, Additionally, the New York City Animal Care and Control (“AC&C”) is required by DOHMH to sterilize dogs and cats that are adopted out of shelters; and

Whereas, A.2046/S.5048 would allow local law to determine the fees for licensing and designates

specific funds for the animal control program and animal control fund; and

Whereas, This legislation would help fund important services such as the sheltering and care for stray, abandoned, and dangerous animals; and help prevent additional animals from entering shelter; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State Legislature to pass and the Governor to sign A.2046/S.5048, legislation that would amend current laws relating to animal control, the animal population control fund and licensing of animals in New York City.

EH/JC
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