



## Legislation Details (With Text)

<b>File #:</b>	Int 0498-2004	<b>Version:</b>	A	<b>Name:</b>	Boarding kennels, businesses or establishments.
<b>Type:</b>	Introduction	<b>Status:</b>	Enacted	<b>In control:</b>	Committee on Health
<b>On agenda:</b>	11/10/2004				
<b>Enactment date:</b>	7/11/2005	<b>Enactment #:</b>	2005/067		
<b>Title:</b>	A Local Law to amend the administrative code of the city of New York, in relation to boarding kennels, businesses or establishments.				
<b>Sponsors:</b>	Christine C. Quinn, Gifford Miller, Leroy G. Comrie, Jr., Lewis A. Fidler, James F. Gennaro, Vincent J. Gentile, Michael C. Nelson, Annabel Palma, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Peter F. Vallone, Jr., David I. Weprin, Domenic M. Recchia, Jr., Sara M. Gonzalez, Alan J. Gerson, Letitia James				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report 2/17/05, 2. Hearing Transcript 2/17/05, 3. Committee Report 6/15/05, 4. Hearing Transcript 6/15/05, 5. Fiscal Impact Statement-A, 6. Hearing Transcript - Stated Meeting 6/23/05, 7. Local Law				

Date	Ver.	Action By	Action	Result
11/10/2004	*	City Council	Introduced by Council	
11/10/2004	*	City Council	Referred to Comm by Council	
2/17/2005	*	Committee on Health	Hearing Held by Committee	
2/17/2005	*	Committee on Health	Laid Over by Committee	
6/15/2005	*	Committee on Health	Hearing Held by Committee	
6/15/2005	*	Committee on Health	Amendment Proposed by Comm	
6/15/2005	*	Committee on Health	Amended by Committee	
6/15/2005	A	Committee on Health	Approved by Committee	Pass
6/23/2005	A	City Council	Approved by Council	Pass
6/23/2005	A	City Council	Sent to Mayor by Council	
7/11/2005	A	Mayor	Hearing Held by Mayor	
7/11/2005	A	Mayor	Signed Into Law by Mayor	
7/12/2005	A	City Council	Recved from Mayor by Council	

Int. No. 498-A

By Council Members Quinn, The Speaker (Council Member Miller) and Council Members Comrie, Fidler, Gennaro, Gentile, Nelson, Palma, Rivera, Sanders, Seabrook, Vallone, Weprin, Recchia, Gonzalez, Gerson and James

A Local Law to amend the administrative code of the city of New York, in relation to boarding kennels, businesses or establishments.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. Many diseases that affect dogs are highly contagious and the chances of transmitting such diseases are greatly increased when dogs are housed in boarding kennels, businesses or establishments. Vaccinations for rabies and other diseases are an important part of preventing disease among dogs. By requiring dog owners to provide proof of vaccination for certain common diseases before such animals are placed in boarding kennels, businesses or establishments, the City could lower the incidence of preventable diseases and help improve the health of these animals.

§2. Title 17 of the administrative code of the city of New York is hereby amended by adding a new subchapter 8 to chapter 3 to read as follows:

SUBCHAPTER 8

BOARDING KENNEL REGULATION ACT

- § 17-364      Short title.
- § 17-365      Definitions.
- § 17-366      Proof of vaccination required.
- § 17-367      Record keeping.
- § 17-368      Inspection.
- § 17-369      Rules.
- § 17-370      Violations and penalties.

§ 17-364 Short title. This subchapter shall be known and may be cited as the “Boarding Kennel Regulation Act”.

§ 17-365 Definitions. For the purposes of this section, the term “boarding kennel, business or establishment” means a facility other than an animal shelter where animals not owned by the proprietor of such facility are sheltered, harbored, maintained, groomed, fed or watered in return for a fee.

§ 17-366 Proof of vaccination required. No dog shall be accepted at a boarding kennel, business or

establishment unless the owner of such dog provides proof to such facility, including but not limited to a health certificate, a bill or receipt from a veterinarian or other documentation acceptable to the department, that such animal has been vaccinated against rabies, distemper, hepatitis, para influenza and parvo during the previous three years and against bordetella during the previous six months; provided that an owner of a dog shall not be required to provide proof of vaccination pursuant to this section if such owner provides a written statement from a veterinarian indicating that the dog of such owner should not be given such vaccination because of a standard veterinary contraindication and that such dog does not show symptoms of the disease or diseases for which such vaccination is contraindicated.

§ 17-367 Record keeping. Every boarding kennel, business or establishment shall maintain and make available for inspection records for each dog utilizing such facility for a period of twelve (12) months from the last day of such utilization indicating: the owner's name, address, telephone number and emergency contact; duration of stay; services provided; and proof of vaccinations or veterinarian's statements that vaccination is contraindicated.

§ 17-368 Inspection. The department shall conduct an inspection of the records of each boarding kennel, business or establishment to determine such facility's compliance with the provisions of this subchapter.

§ 17-369 Rules. The department may promulgate rules as may be necessary for the purpose of implementing and carrying out the provisions of this subchapter.

§ 17-370 Violations and penalties. Any owner or operator of a boarding kennel, business or establishment that violates any provision of this subchapter shall be liable for a civil penalty of two hundred and fifty dollars for each violation. A proceeding to recover any such civil penalty shall be commenced by the service of a notice of violation which shall be returnable to the administrative tribunal established by the department. Such tribunal shall have the power to impose civil penalties prescribed by this section.

§ 3. If any section, subsection, sentence, clause, phrase, or other portion of this local law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such

portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§ 4. This local law shall take effect immediately after its enactment into law.

LP  
LS # 1697  
6/14/05