



## Legislation Text

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Int. No. 1567

By Council Member Gjonaj, Cumbo and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to increased fines and penalties for animal abuse

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-197 of chapter 1 of title 17 of the administrative code of the city of New York is amended to read as follows:

c. Any person who violates the provisions of this section or any of the rules promulgated thereunder shall, for a first offense, be guilty of a violation punishable by a fine not to exceed [two hundred fifty dollars] \$500, provided that such person shall be issued a written warning instead of such fine for such first offense where such animal was not injured as a result of being restrained in violation of this section. For any subsequent offense within a continuous [twelve-] 12 month period, such person shall be guilty of a class B misdemeanor punishable by a fine not to exceed [five hundred dollars] \$750 or by imprisonment of not more than three months, or both. In addition to such penalties, any person who violates this section shall be liable for a civil penalty of not less than [two hundred fifty dollars] \$500 nor more than [five hundred dollars] \$1000.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-197.1 to read as follows:

§17-197.1 Penalties for torturing and abusing animals. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Animal abuse. The term “animal abuse” means the same as defined in section 17-1601.

b. Any person who engages in animal abuse shall for a first offense, be guilty of a violation punishable

by a fine not to exceed \$500, provided that such person shall be issued a written warning instead of such fine for such first offense where such animal was not injured as a result of being restrained in violation of this section. For any subsequent offense within a continuous 12 month period, such person shall be punishable by a fine not to exceed \$750. In addition to such penalties, any person who violates this section shall be liable for a civil penalty of not less than \$500 nor more than \$1000.

b. Authorized officers, veterinarians and employees of the department, agents of the American Society for the Prevention of Cruelty to Animals and any other persons designated by the commissioner shall be empowered to enforce the provisions of this section or any rule promulgated hereunder. Violations of this section may be supported by evidence including, but not limited to, time-stamped photographs and video, records of complaints, and sworn witness statements.

d. The provisions of this section shall not be construed to prohibit the department, the American Society for the Prevention of Cruelty to Animals or any law enforcement officer from enforcing any other law, rule or regulation regarding the humane treatment of animals.

e. The provisions of subdivision b of this section shall not apply to the officers or employees of any federal, state or city law enforcement agency.

§ 3. This local law takes effect immediately.