

Dangerous dogs; identification of and registry

A. As used in this section, "dangerous dog" means:

Any dog that is found to be a dangerous dog by a judge or town justice, where that dog is housed or kept within the boundaries of the Town of Clifton Park, where the dog has been determined to be dangerous by application of the definition set forth by the New York Agriculture and Markets Law, Chapter 69, Article 7, Section 123 (3), which reads as follows:

“Upon a finding that a dog is dangerous, the judge or justice may order humane euthanasia or permanent confinement of the dog if one of the following aggravating circumstances is established, at the judicial hearing held pursuant to subdivision two of this section:

- (a) the dog, without justification, attacked a person causing serious physical injury or death; or
- (b) the dog has a known vicious propensity as evidenced by a previous unjustified attack on a person, which caused serious physical injury or death; or
- (c) the dog, without justification, caused serious physical injury or death to a companion animal, farm animal or domestic animal, and has, in the past two years, caused unjustified physical injury or death to a companion or farm animal as evidenced by a "dangerous dog" finding pursuant to the provisions of this section.

An order of humane euthanasia shall not be carried out until expiration of the thirty day period provided for in subdivision five of this section for filing a notice of appeal, unless the owner of the dog has indicated to the judge in writing, his or her intention to waive his or her right to appeal, Upon filing of a notice of appeal, the order shall be automatically stayed pending the outcome of the appeal.”

B. The Animal Control Officer shall establish a “Registry of Dangerous Dogs”, to be maintained by the Town of Clifton Park Town Clerk.

1. All dogs in the Town of Clifton Park that have been classified as “dangerous” shall be added to the “Registry of Dangerous Dogs”, to be maintained by the Clifton Park Town Clerk.

2. All dogs that have been deemed “dangerous” as defined by this Local Law and/or as deemed “dangerous” by a judge as defined in section 209-cc of the General Municipal Law, following a hearing, will be included in this registry. The owner (s) of the dog, or the Animal Control Officer, shall report the “dangerous” dog to the Town Clerk’s office to be added to the “Registry of Dangerous Dogs”.

3. The “Registry of Dangerous Dogs” shall be available at the Town Clerk's office and shall be viewable on the Town of Clifton Park website. The registry shall include the dog’s residence, description, picture and the date on which the dog was deemed dangerous by a judge.

4. Upon the death of the dog listed in the “Registry” or upon proof of the permanent relocation of the dog from the Town of Clifton Park, the Town Clerk shall remove the dog from the Registry.