

**CITY OF MIDDLETOWN, NEW YORK  
COMMON COUNCIL  
RECORD OF VOTE**

*1888 --- 2013  
125<sup>th</sup> City of Middletown Celebration*

THE FOLLOWING WAS PRESENTED

By Ald. Smith

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Sec'd by Ald. Ramkissoon

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Date of Adoption 07-24-12

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Index No: 203-12

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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Amodio	X			
Ald. Burr	X			
Ald. Ramkissoon	X			
Ald. Smith	X			
Ald. Sommers	X			
Ald. Masi	X			
Ald. Sabnis	X			
Ald. Sierra	X			
Pres. Rodrigues				X
TOTAL	8			1

WHEREAS, the Common Council wishes to require additional protection for the general public from injuries caused by dogs in the City of Middletown.

Section 1. The Code of the City of Middletown, N.Y., Chapter 161, Animals, Article I, Dogs, be and is hereby further amended by replacing Paragraph (5) to Subsection D (Confinement and care of dangerous dogs) of Section 161-6 (Dangerous dogs) as follows:

(6) All persons owning or harboring or having the care or custody of a dangerous dog shall procure and maintain a liability policy with limits not less than \$100,000.00, combined single limit bodily injury and property damage, for injury or damage caused by the dog.

Section 2. The Code of the City of Middletown, N.Y., Chapter 296, Housing, Article III, Rooming, Lodging and Multiple Dwelling Units, be and is hereby further amended by adding a new Subsection F to Section 296-20 (Additional criteria for granting of permits) to read as follows:

F. No permit shall be issued to a property owner who has a tenant who owns, or has the care or custody, or harbors any dog weighing over thirty (30) pounds unless the owner or tenant provides the Department of Public Works with proof that the owner or tenant has procured and is maintaining a liability policy with limits not less than

\$100,000.00, combined single limit bodily injury and property damage, for injury or damage caused by the dog. The requirements of this Subsection shall apply separately to each such dog harbored on the premises. It shall be the continuing obligation of the permit holder to comply with the provisions of this Subsection if such dogs are brought into or harbored on the subject premises during the term of the permit. The provisions of this Subsection shall not apply to any dog (1) that is a trained service animal for persons with disabilities, or, (2) that has successfully completed the Canine Good Citizen program of the American Kennel Club.

Section 3. The Code of the City of Middletown, N.Y., Chapter 296, Housing, Article IV, Rental Permits, be and is hereby further amended by adding a new Subsection D to Section 296-30 (Rental permit required) to read as follows:

D. No permit shall be issued to a property owner who has a tenant who owns, or has the care or custody, or harbors any dog weighing over thirty (30) pounds unless the owner or tenant provides the Department of Public Works with proof that the owner or tenant has procured and is maintaining a liability policy with limits not less than \$100,000.00, combined single limit bodily injury and property damage, for injury or damage caused by the dog. The requirements of this Subsection shall apply separately to each such dog harbored on the premises. It shall be the continuing obligation of the permit holder to comply with the provisions of this Subsection if such dogs are brought into or harbored on the subject premises during the term of the permit. The provisions of this Subsection shall not apply to any dog (1) that is a trained service animal for persons with disabilities, or, (2) that has successfully completed the Canine Good Citizen program of the American Kennel Club.

Section 4. This Ordinance shall take effect immediately.