

A Town board meeting was held on July 14th 2025 at 7:00 p.m. The location of the meeting was the Town Hall Building on Pelon Road, in the Town of Indian Lake, State of New York, County of Hamilton.

Supervisor Wells called the meeting to order at 7:00 p.m. All said the Pledge of Allegiance followed by a roll call with the following board members present.

Roll Call:

Councilperson Mahoney: Present
Councilperson Eldridge: Present
Councilperson Rathbun: Present
Councilperson Howard: Present
Supervisor Wells: Present

Approval of minutes:

Supervisor Wells called for a motion for the approval of 6\9\25. Councilperson Rathbun made the motion. Councilperson Eldridge seconded the motion. No discussion. All were in favor.

Department Heads:

Supervisor Wells asked Eugene Darling Highway Superintendent to meet with him sometime this week to look at some issues with culvert pipes. Supervisor Wells stated he's received complaints regarding poorly operating culvert pipes put in by the Town that have resulted in damage to private property.

Councilperson Mahoney addressed Eugene regarding the broken fiber optic cable on John Rust Road extinction. Councilperson Mahoney asked Eugene what the status of this issue was. Eugene said he has spoken with Frontier regarding the issue.

Councilperson Howard asked Eugene for the projected cost of building a new storage shed. Councilperson Howard stated it would be helpful come budget time. Eugene will get a proposal together. Supervisor Wells asked Eugene if there was anything in the shed still. Eugene stated just some miscellaneous things.

Supervisor Wells thanked Bill Laprairie for being available for a water issue over the weekend.

Councilperson Howard asked Bill Laprairie how come the generator at the library has already been serviced. Bill stated it is called the first service, and he wasn't sure if that was something they charged for or not, that would be a question for Susan. Bill added that we want to purchase and have installed on all the generators is a call our system where if something is wrong or showing up codes. It would call Brian at ADK Generators. Supervisor Wells asked Bill if he spoke with him regarding looking into an emergency generator for our tower. Bill said that when he comes back to do these installs he would look at that.

Councilperson Howard wanted to thank Kylie for taking the initiative and getting her notary license. Councilperson Howard asked Christine Pouch how much the SWIMS grant was for. Christine responded with \$9,950.00.

Councilperson Rathbun wanted to thank the Account Clerk for the loan status report that the board members received in their packets. Supervisor Wells said he would make sure to tell her that.

John Slekman from the Chamber read aloud their report. John stated that Poker Paddle is at the end of this month, this year were having a food truck and music on the beach.

Councilperson Mahoney asked how the staffing situation is going, John responded with that they are open 7 days a week 4 hours during the week and 8 hours a day on the weekends.

Andy Cooney addressed the board with his idea of taking a trail came and attaching it to the swim float out on Blue Mountain Lake. In hopes to elevate some of the issues we had last year with times and who finished before who. Andy asked the board for permission to do so. All board members agreed to this.

Public Comment:

Reed Curry read aloud from a letter that she had written regarding the Zoning Board of Appeals voting on a variance in the Hamlet of Blue Mt. Lake. Attached is the letter. Bob Curry stated that the APA does not review projects in Hamlet. July 28th is the next ZBA board meeting. Supervisor Wells stated that the ZBA is an appointed board by the Town board, we do not hold any authority over them. Further discussion was held.

Claudia Cunniff from the public asked how come no one has received their water bills yet. Supervisor Wells stated there was an error and that they would be going out this week. Claudia also addressed the board with a concern regarding a social media policy and what should and shouldn't be posted on Facebook.

Connor Burgess Spoke on behalf of the fire department about the potential of taking over the fireworks. Connor stated that Mike Lamphear just got certified in Long Lake to do it and that the fire department is interested in getting people certified to be able to put on the show. Supervisor Wells stated that you're going to have to get licensed and have insurance, and to get a proposal put together for budget time.

Amber Hutchins addressed the board regarding the lifeguard's hours being only part time. Supervisor Wells stated further into the meeting we will be discussing the lifeguard situation because we have to come up with the money because it we didn't budget for six full-time lifeguards. Councilperson Howard stated she crunched some numbers and if we have three senior guards and three junior guards were going to need \$28,000 for 35 hours a week. Councilperson Howard made a motion to move \$28,000 for lifeguards for 35 hours a week and work towards opening the beaches on Sunday. Councilperson Rathbun seconded the motion. All were in favor

Bonnie Eldridge asked the board when did the person being in charge of the life guards change and how come it isn't Parks and Rec anymore. Supervisor Wells stated Parks and Rec takes care of the physical part of the beach, the other part is under Christine Pouch and that was done last year when Julie retired we switched it. Bonnie asked who was responsible for reporting the street lights out on the causeway because there is a lot out. Eugene offered to take a ride and get the pole numbers to give to the Town Clerk to report the outages.

New Complaint form:

Supervisor Wells stated that we have a new complaint form as we have been getting a lot of different complaints, some are emails and some are phone calls and some are for different departments, so it was just easier to standardize it. If you need a sample, we can get one out to you.

National Grid tree maintenance:

Supervisor Wells stated there was a national grid tree maintenance letter that went out if any one wants a copy we can get that to you it was just an fyi.

Pro Housing:

Supervisor Wells addressed the public with the news that we are now a pro housing community. Supervisor Wells wanted to thank Christine, Taylor, Tyler, Kim and Kylie for working on this, it is not as easy as they say. We did this because of all the grants that aren't available unless you are a pro housing community. Supervisor Wells stated that this is something that has to be kept up every year so there will be work to do every year to keep the status.

Snow Warriors Agreement:

Supervisor Wells addressed the board with the snow warrior's agreement letter. Supervisor Wells stated that we contract with them every year, but we have certain stipulations due to the weather or to them not grooming. This year the report did not show a lot of grooming unfortunately we can't tell if there was grooming done and just not recorded.

Councilperson Howard motioned that we split the mileage and the time groomed and give them \$2400. Councilperson Rathbun seconded the motion. All were in favor.

4-Rivers Alliance Skating Night:

Supervisor Wells addressed the board with the request from Victoria Moore representative of 4-Rivers Alliance to use the skating rink at the Skit Hut for a Roller Skating night, they would supply us with the insurance certification. Councilperson Howard motioned, Councilperson Rathbun seconded. All were in favor

Supervisor Comments:

Supervisor Wells stated that at the beginning of July we had an algae bloom on Adirondack Lake, Supervisor Wells thanked John for getting the information to use and Christine for laminating and posting the signs. We have had them in the past; it's a good thing to not swim in them or let your dogs in them. It's not the real harmful kind but it will make you sick. ADK Local Government review, the Governor has appointed two new board members and is also looking at a new chairman. Local Government is not happy with what she is proposing, we would like to see Mark Hall he is a forming Supervisor for the Town of Fine, he currently sits on the board now. Supervisor Wells asked the board for permission to draft a Resolution of support for Mark Hall for chairman. All were in favor. New York State Association of County's released the Legislative session summary. If anyone would like a copy of it, please see Taylor. Supervisor Wells stated that the County passed Local Law #4

for the County of Hamilton to establish a registry for animal abusers. I reached out to Swazzo engineering to draft a proposal of what they could do at the Museum, nothing outstanding just at two story building and the numbers are shocking, I think we can cut some of the numbers down, \$549,773.21 is what the proposed. We received \$300,000 from New York State as part of the five-town initiative and there were requirements. Swazzo reached out to DEC about the requirements, and they feel it is a good fit for the money. Supervisor Wells said he spoke with Susan about the possibility of adding on to the library for the museum and she said she was open to ideas. DANC had a meeting with the APA on the Lewey Lake to Lake Pleasant project, it went well. It would close a significant loop of power for the Town of Indian Lake. Supervisor Wells read a postcard from a little boy from the fishing derby. Supervisor Wells stated that there is a \$ foot decorative fence being put up at the damn, half of the old parking lot will be seating area, and the other half will be parking. Water line project replacement on Blue Mt. hill. NYSDOT wants to move the water line, I believe out further away from the road. Supervisor Wells said the budgeted \$330,000 for this project. Our previous water Superintendent and Evan meet with DOT multiple times to tell them that if they put it 20 feet under the road it would be un accessible. Swazzo made a proposal of running the water line along the side of the bridge it is \$375,000. The state does not want to pick up the other \$45,000 and they need to get going on this project. \$45,000 is a lot for 50 feet of line but if something goes wrong then we can't fix it. Supervisor Wells stated the board needs to think about our investment of \$45,000 now, is that going to solve our issues and be cost effect in the long run. Councilperson Howard stated she would go with what our current Water Superintendent recommended. Supervisor Wells stated that if we approve this we will be doing the project not the State, this project needs to be done by July 1st of next year. Supervisor Wells made a motion to take over the NYSDOT project and go with the proposed modification that Swazzo engineering has done in a draft, we will tighten it up as best as we can to get the number down but as of right now we need to budget \$45,000. Councilperson Eldridge seconded the motion. All were in favor.

Board Members:

Councilperson Mahoney asked if the new modifications to Lake Shore drive have seemed to slow the drivers down. Peggy stated that it really hasn't changed much and doesn't think it's working on slowing people down.

Councilperson Howard asked if we could get a permit to shoot the geese on Blue Mt. beach. Supervisor Wells stated we can look into it.

Councilperson Rathbun stated that he had the Weed district meeting the other night. Tim Farrell has a son in law that works for Carver, and got some decent prices on bog removal. \$8,800 a day \$12,000 to bring stuff in \$12,000 to bring stuff out, spend a couple days to get ride of them, they will do the work for us. Supervisor Wells told Councilperson Rathbun to get a proposal together from him to give to the Wedd advisory board to present to the Town Board. August 16th 8am to 4pm at the ski hut there I will be holding another Boater Safety course.

Abstracts and Bills

42348 to 42407

42415 to 42583

Councilperson Howard motioned to pay the bills. Seconded by Councilperson Rathbun.

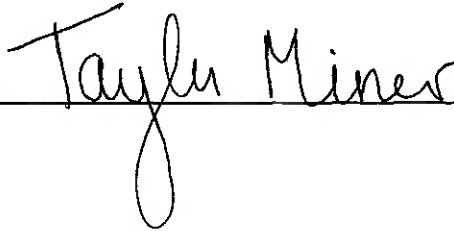
Supervisor Wells motioned to enter executive session at 8:05 for the discussion of contractual and litigation. Councilperson Eldridge seconded the motion.

Councilperson Eldridge motioned to exit executive session at 9:05, seconded by Councilperson Mahoney.

No action was taken.

Councilperson Rathbun motioned to adjourn the meeting at 9:10, seconded by Councilperson Mahoney.

Respectfully submitted by:

A handwritten signature in black ink, reading "Taylor Miner". The signature is written in a cursive style with a large, looping "T" and a long, trailing "y". The name "Miner" is written in a more straightforward, slightly cursive script. The signature is positioned above a horizontal line that extends across the page.

The Indian Lake Zoning Board of Appeals is about to make a decision that could fundamentally alter the character of Blue Mountain Lake. At their July 28 meeting, the ZBA is scheduled to vote on a resolution approving a variance that would allow a landowner to replace a 960-square-foot cabin with a 6,260-square-foot house on just 0.66 acres of shoreline property. *If approved, this structure would become the largest residence on Blue Mountain Lake—a nearly six-fold increase in size on an undersized lot.*

As the fourth- and fifth-generation owners of Curry's Cottages, a 125-year-old family-run business that welcomes nearly 600 visitors to our cabins each year, we are very concerned about this precedent-setting decision. The new mansion will be over 33 feet high and will tower over our small, single-story cabins and beach. Our property, which borders this tiny lot, includes the beach where paddlers complete the first day of the 90-Miler canoe race, making this area vital to both our business and the region's recreational heritage.

We urge the ZBA to deny this variance for these four critical reasons:

The variance exceeds what is minimally necessary. Zoning law requires that variances grant only the minimum relief needed. A nearly six-fold increase in building size clearly exceeds this standard and suggests the applicant could rebuild within more reasonable parameters.

Environmental risks threaten Blue Mountain Lake. Construction of this magnitude on such a small shoreline lot poses serious risks to water quality, including the town's drinking water source and the lake's fragile ecosystem. Our pristine waters deserve better protection.

This sets a dangerous precedent. Approving such an oversized structure signals that the ZBA will rubber-stamp similar requests, opening the door to unchecked development that could permanently damage the lake's character and environmental integrity.

The review process was inadequate. The board did not have sufficient time to evaluate the materials, including critical engineering reports, submitted during the public comment period. As a result, errors and inconsistencies in the application were overlooked, such as septic system, stormwater control, and flimsy building plans.

The ZBA has a responsibility to balance property rights with community interests and environmental protection. We call on board members to reject this excessive variance and send a clear message that responsible development—not unchecked growth—will guide Blue Mountain Lake's future. The lake's pristine character, our local businesses, and future generations depend on their thoughtful stewardship.

Sincerely,

The Curry Family
Robert, Carrie, Reed, and Kyle



KATHY HOCHUL
Governor

Homes and Community Renewal

RUTHANNE VISNAUSKAS
Commissioner/CEO

June 2, 2025

Town of Indian Lake
Attention: Mr. Brian E. Wells
117 Pelon Road
Indian Lake, New York 12842

Dear Brian E. Wells,

Thank you for submitting the Town of Indian Lake's application to New York's Pro-Housing Communities Program. We are delighted to inform you that we have completed the review of your application and the Town of Indian Lake has been certified as a Pro-Housing Community.

The housing shortage that New Yorkers face affects residents of all ages and income levels, and the urgent need to take action to address the issue is only growing. In New York State, rents have risen 40 to 60 percent since 2015 and home prices have risen 50 to 80 percent. More than half of New York renters are rent-burdened, meaning that they pay more than 30 percent of their income on rent – the second-highest rate in the nation. Here at HCR, we understand the nexus between supply and affordability. In order to achieve true equity of opportunity and to erase the gaps in access to health, education, and wealth-building, we must guarantee that people have a choice as to where they live and raise their families. So much of the housing progress we have made and want to make is dependent on the support of municipalities like yours who are on the front lines helping families fight for housing that meets their needs.

As a certified Pro-Housing Community, the Town of Indian Lake will now be eligible to apply for various discretionary funding programs with up to \$650 million in funding available.

We are excited that the Town of Indian Lake has chosen to join the Pro-Housing Communities Program and we look forward to continuing to work with the Town of Indian Lake to ensure that all New Yorkers have access to a safe, affordable, equitable place to live.

Sincerely,

RuthAnne Visnauskas
Commissioner/CEO

Notification of Routine Tree Maintenance

1000629 SP 3530 -C01-P00629-I1



TOWN OF INDIAN LAKE
TOWN HALL
PO BOX 730
INDIAN LAKE NY 12842

Start: 7/1/2025
Duration: 12/1/2025
Circuit: 31076
Crews: LEWIS TREE
Account: 0033198006



For Service Address:

W MAIN ST
INDIAN LAKE NY 12842

Dear Customer:

As a recognized National Arbor Day Foundation Tree Line USA Utility award winner since 2000, National Grid strives to provide safe, reliable energy to our more than 1.5 million customers throughout our New York service territory. In order to maintain safe and reliable energy services to our customers, we will be in your area on or about the **START** date noted above and will continue for the **DURATION** noted with our cyclic tree/vegetation management program.

Our programs provide that diseased and/or weakened trees, together with those that have been planted or allowed to grow in hazardous locations and that have the potential to contribute to power outages, will be pruned; or in some cases, may include their removal if they pose a severe threat to our facilities to provide you with continual reliable service. We share your concerns and appreciation for trees, as well respecting the environment in which we serve.

The work will be performed by our qualified contractors noted as **CREWS** and they will make every attempt to notify you in person at the time work is completed. There is no charge for this work, and you do not have to be at home when the work is being performed.

To help keep you informed, we have enclosed an insert explaining our tree/vegetation management programs in detail and helpful tips on how to avoid planting trees near electric lines.

If your electric service is provided by underground connections rather than overhead, this notice is as a courtesy so you'll be aware of the intentions and actions of tree service personnel and equipment you'll see in your neighborhood in the near future.

We thank you for your understanding and cooperation during this process. If you have questions or concerns, please visit our website at www.nationalgridus.com and scroll to the **Important Information About Trees And Your Electric Service** section at the bottom of the page about the work that is scheduled or you may contact our **Customer Service Contact Center** at 1-800-642-4272.

Sincerely,
National Grid
Distribution Forestry

300 Erie Boulevard West, Syracuse, New York 13202-4250 * www.Nationalgridus.com

7100-3530-01-m1-1000629-0001-0000630

PROPOSED LOCAL LAW NO. 4 OF 2025

COUNTY OF HAMILTON

A LOCAL LAW OF THE COUNTY OF HAMILTON, NEW YORK, ESTABLISHING A
REGISTRY FOR ANIMAL ABUSERS

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF
HAMILTON, NEW YORK, AS FOLLOWS:

Section 1. Title.

This Local Law shall be known as the “Animal Abuser Registry Law”.

Section 2. Board Findings.

The Board finds and determines that animal cruelty is a serious concern for Hamilton County and its citizens. Criminal statutes are helpful in deterring cruelty to animals but unfortunately cruelty to animal offenses still occur in Hamilton County and throughout New York State.

It is the Board’s goal to reduce the number and frequency of animal cruelty offenses occurring in Hamilton County. In order to further that goal, the Board believes that identifying individuals who are convicted of animal cruelty charges and limiting their access to animals could reduce the likelihood of future animal cruelty offenses.

The Board determines that it is in the best interest of the residents of Hamilton County and their animals that an online registry be established identifying individuals residing in Hamilton County who have been convicted of animal abuse crimes with the purpose of prohibiting these individuals from adopting, purchasing, or otherwise obtaining animals from any animal shelter, pet dealer or other person or entity involved in the exchange of animals by adopted, sale, or other means.

Section 3. Definitions.

As used in this local law, the following terms shall have the meanings indicated:

“Animal Abuse Crime” – Any of the following crimes:

- (a) A violation of any of the following provisions of the New York State Agriculture Markets Law (“AML”) Article 26:

Section 351 – Prohibition of animal fighting

Section 353 – Overdriving, torturing and injuring animals; failure to provide proper sustenance

Section 353-a – Aggravated cruelty to animals

Section 355 – Abandonment of animals

Section 356 – Failure to provide proper food and drink to impounded animal

Section 359 – Carrying animal in a cruel manner

Section 360 – Poisoning or attempting to poison animals

Section 361 – Interference with or injury to certain domestic animals

Section 362 – Throwing substance injurious to animals in public place

Section 365 – Clipping or cutting the ears of dogs

Section 366 – Companion animal stealing

Section 366-a – Removing, seizing or transporting dogs for research purposes

- (b) Sexual misconduct with an animal in violation of New York State Penal Law (“PL”) §130.20 (3)
- (c) Harming a service animal in violation of PL §242.10 and §242.15
- (d) Killing or injuring a police animal in violation of PL §195.06
- (e) Harming an animal trained to aid a person with a disability in violation of PL §195.12
- (f) Any conviction of a crime based upon a reduced charge when the original offense was a charge listed in Section 3 (a) – (e) above.

“Animal Abuse Offender” – Any person eighteen (18) years of age, or older, convicted of an Animal Abuse Crime, except youthful offenders whose convictions or adjudications include sealed records.

“Animal Abuse Registry” – The online registry established by this Local Law for registering any person residing in Hamilton County convicted of an Animal Abuse Crime.

“Animal Shelter” – Any public or privately owned organization including, but not limited to, any duly incorporated humane society, pound, animal protective association or animal rescue group which maintains buildings, structures, or other property for the purpose of harboring animals which may be stray, unwanted, lost, abandoned, or abused and seeks to find appropriate temporary or permanent homes for such animals.

“Companion Animal or Pet” – Any dog or cat or any other domesticated animal normally maintained in or near the household of the owner or person who cares for such domesticated animal. It shall not include a Farm Animal.

“Conviction” – An adjudication of guilt by any court of competent jurisdiction whether upon verdict after trial, plea of guilty, or nolo contendere plea.

“Farm Animal” – Any ungulate (a hoofed mammal), poultry, species of cattle, sheep, swine, goats, llamas, horses or fur bearing animals (as defined in the Environmental Conservation Law 11-1907) which are raised for commercial or subsistence purposes. Fur bearing animals shall not include dogs or cats.

“Pet Dealer” – (1) Any person or entity that engages in the sale or offers to sell more than nine (9) dogs and/or cats per year to the public; or (2) If the dogs and/or cats being sold or offered to be sold were born and raised on the premises of the person or entity who bred the dogs and/or cats that person or entity is considered a Pet Dealer if he/she/it engages in the sale or offers to sell twenty-five (25) or more dogs and/or cats per year to the public; (3) An Animal Shelter shall not be considered a Pet Dealer.

“Service Animal” – Any animal that has been partnered with a person who has a disability (as defined in Executive Law 5292(21)) and has been trained or is being trained, by a qualified person, to aid or guide a person with a disability.

Section 4. Establishing an Animal Abuser Registry

The Hamilton County Sheriff, or his/her designee, is hereby authorized, empowered and directed to establish an online Animal Abuser Registry that shall contain the names and residence information of all available Animal Abuse Offenders living in Hamilton County who are convicted of an Animal Abuse Crime on or after the Effective date of this law. The online Registry will be maintained by the Hamilton County Sheriff's Office and shall be listed on the Hamilton County website within the Hamilton County Sheriff's Office web page. The online Animal Abuser Registry shall also contain links to other county Animal Abuser Registries that are available, or as they become available in the future, in the State of New York, with such other county registries to be used as informational resource by Animal Shelters or Pet Dealers located in Hamilton County when they shall sell, exchange or otherwise transfer the ownership of any Companion Animal or Pet.

The registry shall contain the required information about each Animal Abuse Offender for a period of seven (7) years following his or her release from incarceration or, if not incarcerated, from the date of the judgement of conviction. Any currently or previously registered Animal Abuse Offender convicted of a subsequent Animal Abuse Crime shall be placed on the Animal Abuser Registry for life following the second judgment of conviction. Upon notification to the Hamilton County Sheriff's Office of a successful appeal of a conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this Local Law, the registration information for that individual shall be removed from the Hamilton County Animal Abuser Registry within five (5) days following the notification.

Section 5. Registry Requirements.

- (A) All Animal Abuse Offenders who reside in Hamilton County and who are convicted of an Animal Abuse Crime on or after the effective date of this Local Law must register with the Hamilton County Animal Abuse Registry within five (5) days of their release

from incarceration or, if not incarcerated, from the date of rendering of judgment. The registration requirements of this section shall be applicable for seven (7) years following the Animal Abuse Offender's release from incarceration or the date sentencing was rendered, whichever is later, and any Animal Abuse Offender who is convicted of a subsequent Animal Abuse Crime the registration requirement of this section shall apply for life following a second conviction.

- (B) When a person is convicted of an Animal Abuse Crime, the prosecuting agency shall forward to the Sheriff's Office the name and address of the convicted person along with the name of the Animal Abuse Crime the person was convicted of, thereby notifying the Sheriff's Office that the person is required to register with the Animal Abuser Registry.
- (C) Each person required to register with the Animal Abuser Registry shall submit to the Hamilton County Sheriff's Office:
 - (i) Their name and any aliases they may be known by;
 - (ii) Their residence township;
 - (iii) Their date of birth: and
 - (iv) A photograph using a clear image of their face which is not changed by using computer software, phone apps or filters, or artificial intelligence; not less the 2" x 3" or a digital image commonly known as a digital photograph.
- (D) Within twenty (20) days of the anniversary day of the date an individual originally registered with the Animal Abuse Registry, said individual must personally appear at the Hamilton County Sheriff's Office. The individual must confirm the accuracy or change the information provided pursuant to Section 5 (C) (i), (ii) and (iii) above and must provide a new photograph in compliance with Section 5(C)(iv) above. The individual must comply with this Section 5(D) every year the individual remains on the Animal Abuser Registry.
- (E) Every person required to register with the Animal Abuser Registry shall update their registry information within five (5) days of any change of residential address and/or upon any official change of name.
- (F) Every person required to register with the Animal Abuser Registry shall pay a onetime fee of one hundred twenty-five (\$125.00) dollars to the Hamilton County Sheriff's Office at the time of registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the registry. In the event that a person is financially incapable of paying the registration fee said individual can make an application to the Hamilton County Sheriff to waive the fee. The Hamilton County Sheriff will investigate the application and shall have the sole discretion to grant or deny the application.

- (G) The Hamilton County Sheriff is hereby authorized and empowered to promulgate such rules and regulations as may be necessary to implement the Animal Abuser Registry.

Section 6. Prohibition on Contact with Animals.

No person who is registered or required to register pursuant to Section 5 of this Local Law shall own, possess, reside with, have custody of, or intentionally engage in any physical contact with any Companion Animal or Pet.

Section 7. Animal Shelters, Pet Dealers, Individuals and Entities Prohibited from Transferring Animal Ownership to Animal Abuse Offenders.

No Animal Shelter, Pet Dealer, Individual and Entity, located in Hamilton County, shall sell, exchange or otherwise transfer the ownership of any Companion Animal or Pet to any person having a residence in Hamilton County and listed as an Animal Abuse Offender on the Animal Abuser Registry. An Animal Shelter, Pet Dealer, Individual and Entity prior to the sale, exchange, or other transfer of ownership of any Companion Animal or Pet, shall examine the Animal Abuser Registry to confirm that the name of the potential owner of the Companion Animal or Pet is not listed. In the event an entity or individual subject to this Section 7 cannot access the Animal Abuser Registry they can call the Hamilton County Sheriff's Office at (518)548-3113 to confirm whether or not the name of a potential owner appears on the Animal Abuse Registry.

This section shall not apply to Farm Animals for farmers or to Service Animals for people with disabilities.

Section 8. Penalties.

- (A) Any Animal Abuse Offender required to register with the Animal Abuser Registry who fails to so register shall be guilty of a misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed two thousand (\$2,000.00) dollars.
- (B) Any Animal Abuse Offender who violates the prohibition against possessing, owning, adopting, or purchasing a Companion Animal or Pet – except for Farm Animals for farmers, and Service Animals for people with disabilities – shall be guilty of a misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed five thousand (\$5,000.00) dollars.
- (C) Any Animal Shelter, Pet Dealer, Individual or Entity that knowingly violates Section 7 of this Local Law shall be guilty of a violation and subject to a fine not to exceed five thousand (\$5,000.00) dollars. A first-time violation of Section 7 of this Local Law shall not subject an Animal Shelter, Pet Dealer, Individual or Entity to a fine but all subsequent violations shall be subject to prosecution and fine. It shall not be a violation of this Local Law if the Animal Shelter, Pet Dealer, Individual or Entity can show

proof that it/they checked with the Hamilton County Animal Abuser Registry and the name did not appear thereon.

Section 9. Severability.

If any clause, sentence, paragraph, section, subdivision or other part of the Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order of judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgement.