**Schenectady Police Department**

**Animal Control**

531 Liberty St

Schenectady NY, 12305

(518) 382-5200 ext. 5655

**Appropriate Shelter for Dogs Left Outside**

**You must comply and meet with New York State Agriculture and Market Law 353-B standards in order to keep your dog(s) outside and to avoid possible animal cruelty charges, violation tickets, fines, and seizure of your dog.**

(a) "Physical condition" shall include any special medical needs of a dog due to disease, illness, injury, age, or breed about which the owner or person with custody or control of the dog should reasonably be aware.

(b) "Inclement weather" shall mean weather conditions that are likely to adversely affect the health or safety of the dog, including but not limited to rain, sleet, ice, snow, wind, or extreme heat and cold.

(c) "Dogs that are left outdoors" shall mean dogs that are outdoors in inclement weather without ready access to, or the ability to enter, a house, apartment building, office building, or any other permanent structure that complies with the standards

**Minimum standards for determining whether shelter is appropriate to a dog's breed, physical condition and the climate shall include:**

(a) For dogs that are restrained in any manner outdoors, shade by natural or artificial means to protect the dog from direct sunlight at all times when exposure to sunlight is likely to threaten the health of the dog.

(b) For all dogs that are left outdoors in inclement weather, a housing facility, which must:

(1) Have a waterproof roof

(2) Be structurally sound with insulation appropriate to local climatic conditions and sufficient to protect the dog from inclement weather

(3) Be constructed to allow each dog adequate freedom of movement to make normal postural adjustments, including the ability to stand up, turn around and lie down with its limbs outstretched

(4) Allow for effective removal of excretions, other waste material; dirt and trash. The housing facility and the area immediately surrounding it shall be regularly cleaned to maintain a healthy and sanitary environment and to minimize health hazards.

(5) Must have 24/7 access to fresh water that is free of dirt, debris and is not frozen.

Dogs that are young, old, have short coats, and/or health conditions should not be left outdoors for more than 15 consecutive minutes in weather below 32 degrees Fahrenheit and above 85 degrees Fahrenheit without proper shelter.

*\*\*Any person who knowingly violates the provisions of this section shall be guilty of a violation, punishable by a fine of not less than fifty dollars nor more than one hundred dollars for a first offense, and a fine of not less than one hundred dollars nor more than two hundred fifty dollars for second and subsequent offenses. Beginning seventy-two hours after a charge of violating this section, each day that a defendant fails to correct the deficiencies in the dog shelter for a dog that he or she owns or that is in his or her custody or control and that is left outdoors, so as to bring it into compliance with the provisions of this section shall constitute a separate offense.*