

Proposed Local Law #7 of the year 2019

Add new subsection to §200-21B(1): Permitted Uses

1) Definition:

- a) **DOG DAY CARE FACILITY** – A commercial facility for the supervised care and socialization of dogs, not to include facilities that provide overnight boarding, breeding or selling of dogs, or facilities whose primary source of revenue is licensed veterinarian services.

2) Permitted Uses:

- a) Dog Day Care Facilities shall only be permitted in Agriculture & Open Space, Rural Agriculture, General Business Districts.
 - i) All Dog Day Care Facilities shall require the issuance of a special use permit approval pursuant to §200-45 from the Evans Town Board. The Town Board shall refer all special use permit applications to the Planning Board and Code Enforcement Office for review and recommendations prior to the issuance of site plan approval and the special use permit.

3) Design Criteria:

- a) Dogs may be groomed, trained, exercised and socialized, but not boarded overnight, bred or sold.
- b) All activities related to the dog day care facility shall be undertaken indoors with the exception of short-term outdoor periods for the dogs to relieve themselves.
- c) Indoor areas designed for dog supervision, training, exercising, socializing, grooming and resting (not to include office, retail, reception, bathrooms) must consist of a minimum 100 sq ft per dog.
- d) Dog Day Care Facilities may include an accessory use for the retail sale of products related to the operation of the facility.
- e) Dog Day Care Facilities shall be soundproofed to the best of the owner's ability to prevent a noise nuisance to surrounding properties. Any and all noise complaints will be reviewed by the Code Enforcement Officer to determine if additional action is required.
- f) The operation of the facility shall not allow the creation of noise by any animal or animals under its care which can be heard by any person at or beyond the property line of the lot on which the facility is located repeatedly over a ten-minute period.
- g) The hours of operation of a Dog Day Care Facility shall begin no earlier than 6:00 AM and shall end no later than 11:00 PM with no dogs allowed outdoors prior to 7:00 AM or after 10:00 PM.

- h) Outdoor areas shall be located in either the rear or side yards and a minimum of 100 feet from the nearest residential property line.
- i) Outdoor areas shall be screened by solid wood, vinyl or masonry fencing or other visual barrier that is six (6) feet high and not to extend into the front yard or past the front line of the building.
- j) All animal waste must be placed in closed waste disposal containers and collected and disposed of by a qualified waste disposal company at least weekly. Waste receptacles are to be screened appropriately with fencing and/or landscaping from neighboring properties.
- k) The operator of the facility will be required to maintain all required licenses and permits.

Associated definition to include in Article III, §200-7: Definitions

DOG DAY CARE FACILITY – A commercial facility for the supervised care and socialization of dogs, not to include facilities that provide overnight boarding, breeding or selling of dogs, or facilities whose primary source of revenue is licensed veterinarian services.

Delete **ANIMAL HOSPITAL OR VETERINARIAN** and replace with:

ANIMAL GROOMING, ANIMAL HOSPITAL OR VETERINARIAN – An animal grooming facility, animal hospital or veterinarian is permitted in accordance with the GB district, provided that all activity associated with the operation shall take place within a completely enclosed building.