

STATE OF NEW YORK

1489

2017-2018 Regular Sessions

IN SENATE

January 9, 2017

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to establishing the "pygmy pig regulation law"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Chapter 3 of title 17 of the administrative code of the
2 city of New York is amended by adding a new subchapter 10 to read as
3 follows:

SUBCHAPTER 10

PYGMY PIG REGULATION LAW

6 Section 17-385 Short title.

7 17-386 Definition.

8 17-387 Custody, care or control of pygmy pig; residential zone.

9 17-388 License.

10 17-389 Additional vaccinations.

11 17-390 Due care.

12 17-391 Control of animals affected with rabies.

13 17-392 Violations.

14 17-393 Rules and regulations.

15 17-394 Applicability.

16 § 17-385 Short title. This subchapter shall be known and may be cited
17 as the "pygmy pig regulation law".

18 § 17-386 Definition. Whenever used in this subchapter, the following
19 term shall have the following meaning: "pygmy pig" means a pig or hog
20 classified as *Sus scrofa jubatus* Muller, or *Sus scrofa (crinitatus)*
21 *vittatus*, and commonly referred to as a Vietnamese pot-bellied pig,
22 pygmy pig or mini-pig, which stands no higher than 22 inches at the
23 shoulder and weighs no more than 200 pounds.

24 § 17-387 Custody, care or control of pygmy pig; residential zone. Not
25 more than one pygmy pig shall be permitted per dwelling for any person

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 owning or having the custody, care or control of any pygmy pig in any
2 residential zone.

3 § 17-388 License. A person owning or having the custody, care or
4 control of a pygmy pig shall first pay a fee and obtain an animal
5 license from the department pursuant to chapter one hundred fifteen of
6 the laws of eighteen hundred ninety-four, as amended. No such license
7 shall be issued unless the person keeping or maintaining a pygmy pig in
8 a residential area as a pet or for personal use has submitted: (1) the
9 proof from a licensed veterinarian that the pig has been neutered or
10 spayed; and (2) has been vaccinated against pseudo rabies. Boars, or
11 male pygmy pigs, are to be neutered prior to nine weeks. Gilts, or
12 female pygmy pigs, are to be spayed prior to six months.

13 § 17-389 Additional vaccinations. The commissioner may promulgate
14 rules and regulations to require additional vaccinations for pygmy pigs.

15 § 17-390 Due care. Every person owning or having charge, care, custody
16 or control of any pygmy pig shall exercise due care to prevent the pig
17 from being stray or roaming on any highway, street, and any other public
18 place.

19 § 17-391 Control of animals affected with rabies. a. In accordance
20 with New York City Health Code section 11.27, when a pygmy pig is
21 exposed to the rabies virus, the person who owns, possesses or controls
22 the pig and any other person having knowledge of the exposure shall
23 immediately notify the department by telephone.

24 b. Sections 11.27 and 11.31 of the New York City Health Code shall
25 apply to pygmy pigs. Specifically, if any pygmy pig is exposed to the
26 rabies virus per New York City Health Code section 11.27, it shall be
27 kept isolated, at the owner's expense, in a manner prescribed by the
28 department in a veterinary hospital or other place approved by the
29 department, under daily veterinary supervision, for a period of six
30 months.

31 § 17-392 Violations. Any violation of this subchapter or any of the
32 rules promulgated hereunder shall upon conviction thereof be punishable
33 by a fine of not less than two hundred fifty dollars nor more than five
34 hundred dollars. Civil violations under this section shall be adjudi-
35 cated before the department's administrative tribunal.

36 § 17-393 Rules and regulations. The commissioner of health shall
37 promulgate rules and regulations in accordance with the provisions of
38 this chapter, and such other rules and regulations as may be necessary
39 for the purpose of implementing and carrying out the provisions of this
40 subchapter.

41 § 17-394 Applicability. The provisions of this subchapter shall not
42 supersede any existing lease or rental agreement for any cooperative,
43 condominium or homeowner association which contains a clause prohibiting
44 pets.

45 § 2. This act shall take effect immediately.