

CHAPTER 29 ANIMAL POPULATION CONTROL PROGRAM

§29-01 Authority to establish a program and expend funds.

In accordance with this Chapter, the Department is authorized to expend funds maintained in the Animal Population Control Fund established pursuant to §§17-811 and 17-812 of the Administrative Code of the City of New York, to the extent such funds are available, by subsidizing provision of free or low cost spay and neuter services directly to owners of cats and dogs who would otherwise be unable to pay for such services, and by establishing and supporting programs for the education of owners of dogs and cats regarding the benefits of having their dogs and cats spayed or neutered.

§29-02 Definitions.

When used in this Chapter, the following terms shall have the following meanings.

Animal shelter or shelter for homeless animals. Animal shelter or shelter for homeless animals means a not-for-profit facility holding a permit in accordance with §161.09 of the New York City Health Code (Health Code), or successor provision, where homeless, lost, stray, abandoned, seized, surrendered or unwanted animals are received, harbored, maintained and made available for adoption to the general public, redemption by their owners or other lawful disposition, and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other organization devoted to the welfare, protection or humane treatment of animals.

Cat. Cat means a domesticated animal of the species *Felis catus* kept as a pet, but does not mean any animal that is a hybrid or cross-breed of such species whose possession is prohibited in New York City pursuant to §161.01 of the Health Code, or successor provision.

Dog. Dog means a domesticated animal of the species *Canis familiaris* kept as a pet, but does not mean any other animal that is a hybrid or cross-breed of such species whose possession is prohibited in New York City pursuant to §161.01 of the Health Code or successor provision.

Owner. Owner shall mean any individual who resides in the City of New York who possesses, harbors or cares for one or more dogs or cats.

Spay/neuter services. Spay/neuter services shall mean services provided by a veterinarian licensed to practice veterinary medicine in the State of New York to alter dogs and cats by surgical methods, or by other methods approved by the US Food and Drug Administration or US Department of Agriculture and acceptable to the Department, to prevent such animals from reproducing, and shall include all accessory or supportive veterinary services deemed necessary by the veterinarian, including, but not limited to, rabies and other vaccinations, and an assessment of the general health of the animal receiving such service.

§29-03 Eligibility requirements.

- (a) *Service providers.* The Department may enter into contracts with or award grants or otherwise reimburse for spay and neuter services New York City animal shelters or animal protective associations, and to the extent that funds are or become available, to private veterinarians practicing in New York City, for the purpose of providing free or low cost spay/neuter services. Service providers receiving such contracts or grants shall

provide free or low cost spay/neuter services to eligible persons, including, but not limited to, persons receiving Medicaid or other government subsidized health insurance, Medicare, Social Security, Social Security Disability, other disability benefits, food stamps, public assistance; seniors and disabled persons holding reduced fare MetroCards; and residents of public housing or recipients of Section 8 or successor federal housing program subsidies or vouchers.

- (b) *Owners.* To receive spay/neuter services for their dogs or cats, owners of animals shall be residents of New York City, and shall submit proof to the provider of spay/neuter services to demonstrate the owners' eligibility for free or low cost spay/neuter services. Such proof may include, but shall not be limited to originals or copies of documents showing that the owner is a recipient or beneficiary of a program providing a subsidy or benefit listed in subdivision (a) of this section. An owner with a complaint about services provided or denied pursuant to a contract authorized by this Chapter may contact the Department via 311.