

*** § 433. Violations.**

1. Any animal shelter that violates any provision of this article may be subject to licensure denial, revocation, suspension, or refusal of license renewal in accordance with the provisions of subdivision seven of section four hundred twenty-one of this article.

2. Violation of any provision of this article shall be a civil offense, for which a penalty of not less than one hundred dollars and not more than one thousand dollars for each violation may be imposed by the commissioner; provided, that whenever there shall be a violation of this article, application may be made by the attorney general in the name of the people of the state of New York to a court or justice having jurisdiction by a special proceeding to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violations; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this article, an injunction may be issued by such court or justice, enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. In any such proceeding, the court may make allowances to the attorney general as provided in paragraph six of subdivision (a) of section eighty-three hundred three of the civil practice law and rules, and direct restitution. Whenever the court shall determine that a violation of this article has occurred, the court may impose a civil penalty of not less than one hundred dollars and not more than one thousand dollars. In connection with any such proposed application, the attorney general is authorized to take proof and make a determination of the relevant facts and to issue subpoenas in accordance with the civil practice law and rules.

3. Any animal shelter that violates any provisions of this article shall correct such violations to the satisfaction of the commissioner within a period not to exceed ten days; provided, however, that where such violation poses a severe or immediate threat to public health or animal safety or well-being, such violation shall be corrected to the satisfaction of the commissioner within a period not to exceed seventy-two hours.

4. Nothing in this section shall preclude the commissioner from taking additional actions to address violations related to the immediate threat to animal safety or well-being, including but not limited to, suspension of animal shelter operations until such violations are corrected to the satisfaction of the commissioner.

5. Upon identification of one or more violations, the commissioner shall provide the animal shelter with a written description of all violations issued and the steps necessary to correct such deficiencies.

* NB Effective December 15, 2025