

TOWN OF WATERBORO DOG ORDINANCE

Section 1: License

Licensing of dogs and disposition of dogs running at large shall be in accordance with and pursuant to the Maine Revised Statutes Annotated, Title 7, Chapters 719, 721, 723 and 725, and this ordinance.

Each owner or keeper of a dog at the age of 6 months or over, kept or housed in the town of Waterboro, except dogs kept under a kennel license as provided by State Law, shall, on or before January 1st, annually, or at such time as such dog becomes 6 months old, cause such dog to be licensed in the municipal Clerk's Office. The Town Clerk shall not issue a license for any dog until the applicant has filed with such clerk proof that such dog has been immunized against rabies in accordance with rules promulgated by the Commissioner of Human Services. The license shall state the breed, sex, color and markings of such dog and the name and address of the owner or keeper. Exceptions to the immunization requirement shall be as specified by the Commissioner of Human Services.

Section: 2 Dog Tag

A suitable tag showing the year such license is issued shall be given with each license and must be securely attached to a leather or metal collar which must be worn at all times by the dog for which the license was issued. It shall be a violation of law for any person to remove such tag or to place either collar or tag on any dog not described or for which the license was not issued.

Section 3: Control

It shall be unlawful for any dog, licensed or unlicensed, to run at large, except when used for lawful hunting purposes.

"At large" means off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog.

"Reasonable control", for the purposes of this Ordinance shall mean as follows:

- a) Generally, including when the dog is located within an open vehicle, either Driven or parked: a leash, cord, chain or other similar device not more than eight (8) feet in length or, in the case of a trained dog, voice control or command may be used provided such control is effective and is strictly maintained; or
- b) Confinement within a closed vehicle or other secure cage or enclosure.

Section 4: Enforcement

Dogs roaming at large, in violation of the provisions of this Ordinance or applicable State Law, shall be taken and impounded and confined for a period of not

more than 10 days, after which they may be disposed of as provided by state law, 7 M.R.S.A. Section 3913. Any owner or keeper may regain possession of said dog anytime within this period by paying all charges due for licensing and impoundment to the Town Clerk and presenting a receipt verifying that payment to the shelter having custody of the dog. No animal shelter housing dogs impounded within the Town of Waterboro shall release any such dog until the owner displays a receipt from the Town Clerk verifying the issuance of a license and full payment of all licensing and impoundment charges due.

For the purpose of discharging the duties imposed by this Ordinance, any Town Animal Control Officer, Constable, Police Officer, Sheriff, Deputy Sheriff, State Police Officer, or Game Warden is empowered to enforce its provisions.

Section 5: Fees

Dog license fees, impoundment fees, and boarding fees are set forth as follows:

Dog License Fees:

Male Dog Capable of fathering offspring	\$10.00
Female Dog capable of producing offspring	\$10.00
Male dog neutered	\$6.00
Female dog spayed	\$6.00

License fees shall be assessed in accordance with the provisions of Title 7, Section 3923, M.R.S.A.

Impoundment fee: \$25.00 **(cash or bank check only)**

Boarding Fees:

All dogs impounded are subject to such boarding fees as set by the shelter having the custody of the dog, as well as the actual billed cost of all veterinarian care as the shelter determines may be required.

Kennel fees shall be assessed in accordance with the provisions of Title 7, Section 3931, M.R.S.A.

Section 6: General Provision

In addition to the provisions of this Ordinance, all applicable Maine Statutes relating to dogs and other animals shall be strictly enforced by those empowered to discharge the duties imposed herein.

Section 7: Nuisance Animals

A. Barking dog: No person shall own, keep or harbor any dog which, by loud,

frequent or habitual barking, howling or yelping shall disturb the peace of any person or persons for more than a period of 30 minutes between the hours of 6:0 am to 10:00 pm. Between the hours of 10:00 pm and 6:00 am, it is not necessary for the dog to have disturbed the peace of any person for more than fifteen (15) minutes to be in violation of this ordinance.

- B. Any person found in violation of Section 7 shall receive a verbal warning for the first offense.
- C. Any person again found in violation of Section 7, within six (6) months of receiving such a verbal warning shall be issued a written warning.

Following the written warning provided for above, the individual so warned shall be entitled to meet with the Selectmen at a regularly scheduled meeting to discuss the basis for said warning. If the Selectmen determine that the individual either was not in violation of this Section 7 or has taken sufficient remedial measures so that such a violation should not occur again, then the Animal Control Officer shall be so informed and any subsequent violation shall be pursuant to said Subsection C. Thereafter, any further violations will be pursuant to the following subsections of this Ordinance.

- D. Any person again found in violation of this Section 7 Ordinance within six (6) Months of receiving a written warning shall be fined \$100.00 and a summons shall be issued.
- E. Any person again found in violation of this Section 7 within six (6) months of Receiving a summons and being found guilty of violation of this ordinance shall be issued an additional summons and fined \$150.00
- F. All fines shall be payable to the Town of Waterboro.
- G. The Animal Control Officer shall also be empowered to enforce all provisions of the Maine Animal Control Ordinance specifically addressed in this article.

Adopted Annual Town Meeting June 8, 1991
Amended Special Town Meeting June 23, 2001
Amended Selectmen's Meeting April 15, 2004