

TO NEWS...
9-23-87

TOWN OF WATERVILLE

(1)

DOG ORDINANCE: 0002

AUGUST 18, 1987

Preamble: The Selectmen of the Town of Waterville being mindful of the fact that there are numerous dogs running at large in the Town and that these dogs represent a danger not only to young children, but also are a source of annoyance and concern to many citizens, hereby, declare that it is in the best interest of the health and safety of all citizens that the keeping of dogs within the Town limits be controlled.

WHEREFORE, the Town of Waterville, pursuant to Title 20, V.S.A. Section §3549, hereby ordains:

A. DEFINITIONS:

As used in this Ordinance, the following words or phrases shall have the following meanings:

DOG: Shall mean both male and female.

OWNER: Shall mean any person owning, keeping or harboring a dog. The head of a household having a dog in its possession, shall be presumed to be the owner or possessor such dog.

RUNNING AT LARGE: Shall mean off the premises of the owner and not under control of the owner or other person.

VICIOUS DOG: Shall mean any dog which bites or snaps at, or tears the clothes in attempt to bite any person or persons, upon the streets or sidewalks or other places.

TOWN POUND: Shall mean a pound designated by the Board of Selectmen whether or not operated by the Town or whether or not within the Town limits.

OFFICER: Shall mean any Police Officer of the Town of Waterville, State Police Officer, Deputy Sheriff or a person appointed as "Dog Officer" by the Board of Selectmen.

B. LICENSE REQUIRED:

A person who owns, harbors or keeps a dog within the Town, that is more than four (4) months old, shall cause it to be registered, numbered, described and licensed in accordance with the provisions of Title 20, Chapter 193 of V.S.A. as amended.

C. COLLAR REQUIRED:

A person who owns, harbors or keeps a dog within the Town limits, shall keep on such dog, whenever such dog shall be off the premises of the licensed owner, a collar or harness and fasten securely to the collar or harness, and keep attached to it the license tag

Posted Oct 5, 1987 at 7:00 o'clock

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C. COLLAR REQUIRED:

issued by the Town. It shall be unlawful for any person other than the owner or his agent or any officer to remove a license tag from a dog.

D. FAILURE TO LICENSE:

A person who keeps a dog contrary to license provisions of this Ordinance, shall be guilty of a misdemeanor. All UNLICENSED dogs found within th limits of the Town shall be impounded.

E. RUNNING AT LARGE PROHIBITED:

It shall be unlawful for any person owning or possessing a dog to permit it to run or be at large within the Town, and every person owning or having a dog shall confine it to his or her premises when not on leash or under the immediate control of a competent and responsible attendant.

F. BARKING DOGS:

No owner, keeper or other person having control shall permit a dog to disturb the quiet of any other person by barking, howling, or biting or in any other manner. Violation of this Ordinance will subject the owner, keeper or other person to a fine of not more than \$25.00. Each week the violation continues shall constitute a separate offense.

G. IMPOUNDING AUTHORIZED; RECORDS:

It shall be the duty of every officer to apprehend any dog found running at large and to impound such dog in the Town pound. Upon impounding any dog, a record shall be made by the impounding officer of the: Breed, Color and Sex of such dog, where it was caught and whether licensed. The record of the impounding officer shall be filed with the Town Clerk.

H. PROPERTY OWNER MAY IMPOUND:

Any person finding any dog upon his property to his injury or annoyance, may take up same and remove it to the Town pound or he may hold the dog in his possession, and as soon as possible notify the Town Clerk and Dog Officer of this custody, giving a description of the dog and the name of the owner if known.

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I. NOTICE, DISPOSITION OF IMPOUNDED DOG:

Upon any dog being impounded, it shall be the duty of the Dog Officer to notify the owner, possessor, or person who harbors or keeps the same, if known, and if not known, to post at the Town Clerk's office a NOTICE containing a description of said dog and when and where caught. If no owner or person entitled to or claiming the possession of any such dog shall claim the same within five (5) full days after such notice, the Dog Officer or any person duly authorized by the Board of Selectmen to do so, may at the expiration of five (5) days from the date of the receipt or posting of the NOTICE provided for in this section, sell, give away or dispose of in a humane manner, any such dog not re-deemed or claimed by anyone, taking a receipt therefore, from the purchaser or recipient thereof. "DAY" as used in this section shall mean "Business Days".

J. REDEMPTION OF IMPOUNDED DOGS:

The owner or person entitled to possession of any dog impounded for having been found without a license or being at large, may re-claim such dog upon payment of all fees, costs and charges incurred by the Town for impounding and maintaining the said dog. The following charges shall be paid to the Dog Officer for impounding any dog, ten (\$10.00) dollars, impounding fee; plus the lower of an additional charge of three (\$3.00) dollars for board for each day or fraction thereof, during which the dog is impounded or the actual cost to the Town of impounding said dog. Upon payment of the impounding fee and boarding charge, the Dog Officer will issue a receipt therefore together with an order to the Pound Keeper authorizing the release of said dog. The impounding fee for dogs which are impounded the second time within a calendar year shall be fifteen (\$15.00) dollars and for the third time within a calendar year, shall be twenty (\$20.00) dollars, plus the additional charges as outlined above.

K. VICIOUS DOGS:

IF any dog bites, snaps at, or tears the clothes in attempt to bite any person or persons, and that fact shall be proven to the Board of Selectmen, that dog shall be deemed and declared by the Board of Selectmen to be a vicious animal. Such animal shall be confined to the premises of the owner or muzzled with a muzzle of sufficient strength to prevent it from biting any person. Any such vicious dog which is found un-muzzled an running at large shall be seized and killed without notice to the owner. If any dangerous, fierce, vicious or rabid infected dog

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K. VICIOUS DOGS:

running at large cannot be safely caught and impounded, such dog, may be slain by a Policeman or Dog Officer. It shall be unlawful for the owner, possessor or person harboring any dog, when notified by the Dog Officer that such dog has bitten any person, to sell or give away such dog, or to permit it to be taken beyond the limits of the Town, except with the permission of the Board of Selectmen or under the care of a licensed veterinarian.

L. CRUELTY:

Any person who shall torture, torment, or cruelly neglect to provide with necessary sustenance or shelter, or shall cruelly beat, needlessly mutilate or kill or cause or procure to be tortured, tormented, beaten needlessly mutilated, killed or deprived of necessary sustenance or shelter, any dog or other animal, shall be guilty of a misdemeanor.

M. POISONING DOG(S):

Any person who shall poison any dog(s) or distributes poison in any manner, whatsoever, with the intent or for the purpose of poisoning any dog or dogs, shall be guilty of a misdemeanor.

N. PENALTY:

A person who violates any of the provisions cited in Ordinance may be fined not more than twenty-five (\$25.00) dollars together with the cost of prosecution, and in the event of a continuing violation, each day shall constitute a separate offense.

Adopted SEPT 17, 1987, by the Waterville Board of Selectmen.

(Effective sixty (60) days after publication.)

Mark W. Perry
Shayl Little
Paul Wardlaw

Selectmen

Citizens have the right to partition for a vote on the Dog Ordinance at an Annual or Special Meeting as provided in Title 24, Section 1973 V.S.A.

Mark Perry, R.F.D. #1 Box 508, Waterville, Vermont, 05492
Phone 644-5877, is a person with knowledge of this ordinance who is available to answer questions about it.