

TOWN OF EDDINGTON

LICENSING AND CONTROL OF DOGS ORDINANCE

Accepted March 25, 1985

Revised March 19, 2001

SECTION 1. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates.

- (a) **“Dog”** shall be intended to mean both male and female.
- (b) **“Owner”** shall be intended to mean any person, firm, partnership, association of corporation owning, keeping or harboring a dog or other animal.
- (c) **“At Large”** shall mean off the premises of the owner and not under the control of any person whose personal presence and attention would reasonably control the conduct of the animal.
- (d) **“Animal Control Officer”** means the person appointed by the Board of Selectmen in accordance with Title 7, Chapter 725 of the Maine Revised Statutes.
- (e) **“Keeper”** means a person in possession or control of a dog or other animal.

SECTION 2. LICENSE REQUIRED. Each owner or keeper of a dog at the age of six (6) months or older, except dogs kept under a kennel license shall, on or before January 1st annually, or at such time as such dog becomes six (6) months old, cause such dog to be licensed in accordance with Title &, Chapter 725 of the Maine Revised Statutes.

SECTION 2.1 AGENT FOR THE TOWN. The Eddington Board of Selectmen shall appoint one or more Animal Control Officers in accordance with Title 7, Chapter 721 of the Maine Revised Statutes Annotated as amended. Said Animal Control Officers shall hereinafter be referred to as agents of the Town and have all the powers provided under this Ordinance and the laws of the State of Maine.

SECTION 3. TOWN CLERK TO KEEP RECORDS. The Town Clerk shall keep a record of all dog licenses issued by his/her office.

SECTION 4. RUNNING AT LARGE. It shall be unlawful for the owner of any dog, licenses or unlicensed, to permit such dog to run at large, except as permitted under Title 7, Chapter 719 of the Maine Revised Statutes Annotated, as amended.

SECTION 5. BITCH IN HEAT. The owner of any bitch in heat shall keep the same confined or on a leash at all times and shall not permit such dog to be at large within the Town or on any premises other than those of the owner. Every bitch found running at large in violation hereof, is hereby declared to be a public nuisance and shall be impounded and the owner, keeper or person harboring such bitch shall be deemed guilty of a misdemeanor.

SECTION 6. IMPOUNDMENT FEES. Unlicensed dogs or dogs found running at large in the Town shall be taken by an agent of the Town and impounded in one of the shelters designated by the Town and kept for a period not less than eight (8) days, and after a reasonable effort to locate the owner thereof, has been made, such animal shall be disposed of by such agent in such manner as such agent may determine is required. Any dog impounded under the authority of this Ordinance at the designated shelter, may be reclaimed by the owner thereof, or his agent, upon the payment of impoundment and board fees for each day or portion thereof, that the dog has been kept at said shelter. Owners will also be responsible for any additional costs incurred by the animal at the Shelter prior to reclamation. Fees must be paid and a receipt of same presented to the Shelter prior to the release of an animal. All fees to be deposited in the separate account as required by MRSA 7 Section 3945. (Future fees may be adjusted by the Board of Selectmen to adhere to the Shelter's fees.) Impoundment Fees: \$30.00 for each offense paid to the Town plus cost for room and board, quarantine, veterinary care and shots paid to the shelter.

SECTION 7. NUISANCE. Any dog kept within the Town of Eddington may be declared to be a nuisance upon finding of evidence that the dog is a dangerous animal because such dog has bitten a human being. Upon finding evidence that a human being was bitten by a dog, the Animal Control Officer or Law Enforcement may proceed with an action against the owner in accordance with Title 7 of Maine Revised Statutes Annotated Chapter 709, as amended.

Further, any dog kept within the Town of Eddington may be declared to be a nuisance upon the finding by the Animal Control Officer or Law Enforcement that the owner or occupant of a property within one thousand feet (1,000) radius of the property owned or occupied by the owner of the dog has been annoyed by the noise of a dog which the owner has failed to restrain from being noisy. Upon finding such evidence, the Animal Control Officer or Law Enforcement shall give the owner of the dog a written warning the first time he receives a complaint from the owner or occupant of property within the said one thousand feet (1, 000) radius. If the owner of the dog fails to comply with this section after receiving the written warning, the Animal Control Officer or Law Enforcement may proceed with an action against the owner of the dog for violating this Ordinance.

A dog owner shall not be penalized for more than one (1) violation of this section during any consecutive twenty-four (24) hour time period; however, no further written warning need be given after the first written warning is given.

SECTION 8. DISPOSITION OF DOGS WHICH HAVE BITTEN PERSONS. It shall be unlawful for the owner or persons keeping or harboring any dog when notified that such dog has bitten any person or has so injured any person as to cause abrasion of the skin, to sell or give away such dog or to permit or allow such dog to be taken beyond the limits of the Town, except under the care of a licensed veterinarian. It shall be the duty of such owner or keeper upon receiving notice of the character aforesaid, to immediately place such dog under confinement for a period of at least ten (10) days, or to deliver such dog under confinement to Law Enforcement. Owner/Keeper is responsible for any cost to the animal. Health Officer shall be notified immediately by the person in charge of the death of any dog while under confinement. The Health Officer shall investigate all dog bites referred to him/her by Law Enforcement.

Any dog which shall have been bitten by another dog having or suspected of having rabies shall be immediately impounded for observation. It shall be unlawful for the owner or person keeping or harboring any dog when notified that such dog has bitten any person or has so injured any person as to cause abrasion of the skin to destroy such animal without permission from the Town's Health Officer.

The Public Health Officer shall direct the disposition of any animal found to be infected with rabies. No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when demand is made therefore by the Health Officer.

SECTION 9. WAIVER COURT HEARING FOR VIOLATION. Any person accused of keeping a dog in violation of this ordinance or any part hereof may voluntarily waive his right to appeal and defend before the District Court the charge made against him for violation of Section 5 & 7 by paying the Town of Eddington the sum of \$35.00 within ten (10) days of the time such alleged offense was committed.