

# Town of West Paris, Maine

## Dog Control Ordinance

### Section 1. TITLE

This ordinance shall be known and may be cited at the "Dog Control Ordinance of the Town of West Paris, Maine."

### Section 2. PURPOSE

The purpose of this ordinance is to provide regulations in addition to those contained in Title 7, M.R.S.A., with respect to controlling dogs throughout the Town of West Paris ("the Town") in the interest of the health, safety and general welfare of all its residents.

### Section 3. DEFINITIONS

As used in this ordinance, unless the context indicated otherwise:

- A. "Owner" - shall mean any person, firm, association or corporation, owning or keeping, harboring or in possession of, or having control of a dog.
- B. "At large" – shall mean a dog that is off the premises of its owner, and is not under the control of its owner by means of a leash, cord or chain, or by means of auditory or visual command signals.
- C. "Nuisance" – shall mean a dog that disturbs the peace by loud, frequent, habitual barking, howling or yelping, or engages in the destruction of property not belonging to its owner.
- D. "Dangerous dog" – shall mean a dog that, for no apparent reason, or by training, will attempt to or actually inflict bodily injury upon a domesticated animal, or upon a person who is neither trespassing on the owner's premises, nor has acted in an unreasonable, aggressive or hostile manner toward the dog or its owner.

#### **Section 4. REGULATIONS**

- A. An owner shall not permit a nuisance.
- B. An owner of a dangerous dog:
  - 1. Shall maintain continuous control over said dog, either by Means of keeping the dog in a secure enclosure, or on a chain or leash.
  - 2. Shall post conspicuous warning signs concerning the dog.
- C. It shall be unlawful for the owner of a dog (other than a service dog accompanying a person whose disability precludes compliance) to fail to promptly remove and properly dispose of any feces left by the dog on any sidewalk, street, or publicly or privately owned property (other than that belonging to the owner).

#### **Section 5. ENFORCEMENT**

- A. Impoundment:
  - 1. An animal control officer, acting with or without complaint, will impound a licensed or unlicensed dog found running at large.
  - 2. An animal control officer, acting with or without complaint, and at that officer's discretion, may impound a licensed or unlicensed dog when the dog's welfare is in question.
  - 3. An impounded dog will be placed in a shelter designated by the Town, and once there, will be confined in a humane manner for a period of not more than eight days.
  - 4. Impounding and boarding fees will be set by the impound facility, and will be payable, along with any incidental fees, before the dog is released to its owner. Said incidental fees

may include, but may not be limited to, per diem and mileage costs of the officer who impounds the dog on each occasion.

B. Interference forbidden:

No person shall interfere with, hinder or molest any animal control officer in the performance of any duty in furtherance of this ordinance, or seek release of any dog in the custody of an animal control officer.

## Section 6. PENALTIES

- A. If not previously convicted of a violation under this ordinance, an owner may elect, within seven business days from the date of the citation, to pay the above specified, minimum penalty of **\$50.00** directly to the Town of West Paris at the Town Office. Upon receipt of such payment by the Town Clerk, the animal control officer that issued the citation shall cause the citation to be dismissed.
- B. Any owner convicted of violating any provisions of this ordinance shall be subject to a fine of not less than **\$50.00**, nor more than **\$100.00**, plus costs, which shall include the Town's attorney fees, for the first violation. For subsequent violations, the fine shall be no less than **\$100.00**, or more than **\$500.00**. In addition, if it deems appropriate, a court may issue a further order regarding such things as restraint, destruction or disposition of the offending dog.
- C. All fines and costs recovered by the Town of West Paris shall be put to the use and benefit of the inhabitants of the Town of West Paris in furtherance of animal control.

## Section 7. VALIDITY

It is the intention of the Town that each section of this ordinance shall be deemed independent of all other sections herein. Further, it is the intention of the Town that, if any provision within this ordinance is declared invalid, all other sections shall remain valid and enforceable.

## Section 8. EFFECTIVE DATE

The effective date of this ordinance is: MARCH 4, 2017