

ANIMAL CONTROL ORDINANCE

Whereas the inhabitants of the Town of Otisfield have become greatly concerned with the steadily increasing number of dogs in the Town, and in particular, the nuisances that many of them are allowed to create, and;

Whereas these animals are often uncontrolled or inadequately controlled and have consequently caused injuries to persons and property and discomfort and apprehension for the populace,

Now therefore, the following Ordinance is passed in the interest of providing for the public safety and promoting the general welfare of the Town.

- 1 All dogs must be licensed annually prior to or on January 1 of each year if, or upon becoming six (6) months old.
- 2 Dogs will not be allowed to roam uncontrolled in the town. All dogs must be penned or chained to, or within the property of the owner or the owner's authorized agent, or otherwise under the direct control of such owner or agent if not so penned, chained or housed.
 - a A dog is not properly controlled within the meaning of this Ordinance if it is allowed to use the property of another person besides its owner or the owner's agent for elimination of its wastes unless that is agreeable to the other property owner.
 - b A dog is not properly controlled within the meaning of this Ordinance if it is allowed to chase, follow or attack a vehicle or person, even though the owner or his agent is present.
- 3 Dogs will not be permitted to disturb the peace by frequent or prolonged barking, regardless of the reason therefore, or the time of the day or night when it occurs.

The Animal Control Officer, upon being called to pick up any domestic animal, other than a dog, must hold the animal for a period not to exceed three (3) days. After this waiting period, the animal will be placed or put to sleep. If the animal is placed, the new owner will reimburse the Shelter for costs incurred. If the animal is put to sleep, the Shelter will be reimbursed at a rate to be set annually, by mutual agreement between the Selectmen and the Shelter. The Veterinarian who lays the animal away will bill the Town separately for his services.

- 4 In the case of any infraction contrary to or in conflict with the provisions of this Ordinance, the owner of the dog, or the owner's agent then responsible for the dog, shall be liable to a fine of not less than \$25 nor more than \$100 for each such infraction and shall be personally responsible for damages to public or private property or injuries to individuals arising out of or in connection therewith. In addition, any person who shall violate any of the provisions of this Ordinance or fail to comply with any of the requirements thereof shall, upon conviction, be liable for all attorney's fees, court costs, and any other expenses incurred by the Town for legal actions against the person convicted of the violation. Any and all fines shall be payable to the Town of Otisfield

- 5 Validity & Severability. Should any section or provision of this Ordinance be declared invalid, such decision shall not invalidate any other section or provision of this Ordinance.

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or any other Ordinance, Regulation or Statute, the more restrictive provision shall control.

- 6 This Ordinance became effective August 18, 1980, amended 3/1/86 and amended 3/2/96.