

ARTICLE II. - DOGS

Sec. 2.5-16. - Definitions.

For purposes of this article, the word "street" shall mean any public or private street, road or highway, whether or not paved.

(Ord. of 3-31-92, § 1)

Sec. 2.5-17. - Prohibited conduct.

No person owning, keeping or having custody of any dog shall permit such dog on any property of a person other than the owner, keeper or custodian of such animal or on any street or sidewalk, unless such animal is accompanied by such owner, keeper or custodian and is firmly under the control of such owner, keeper or custodian, either by:

- (1) Being on a leash held by such owner, keeper or custodian; or
- (2) Being inside an enclosure.

(Ord. of 3-31-92, § 2)

Sec. 2.5-18. - Impoundment.

- (a) The ~~regional~~ Animal Control Officer may take into custody any animal found not accompanied by its owner, keeper or custodian in violation of this article and shall impound such dog at the ~~regional~~ animal control shelter. Such ~~regional~~ Animal Control Officer shall immediately notify the owner, keeper or custodian of any dog so taken, if known, of its impoundment. If the owner, keeper or custodian of any such dog is unknown, such ~~regional~~ animal control officer shall immediately tag or employ such other suitable means of identification of such dog as may be approved by the chief canine control officer of the state and shall promptly cause a description of such dog to be published once in the lost and found column of a newspaper having a circulation in the town.
- (b) If such dog is not claimed by and released to the owner, keeper or custodian within seven (7) days after the date of publication, the ~~regional~~ Animal Control Officer, upon finding such dog to be in satisfactory health, may sell such dog to any person who satisfies the ~~regional~~ Animal Control Officer that he is purchasing it as a pet and that he can give it a good home and proper care. The ~~regional~~ animal control officer may retain possession of such dog for such additional period of time as he may deem advisable in order to place such dog as a pet ~~or surrender such dog to an animal shelter. If, within such period, any dog is not claimed by and released to the owner, keeper or custodian or purchased as a pet, the regional animal control officer shall cause such dog to be mercifully killed by a licensed veterinarian or disposed of as the state veterinarian may direct.~~
- (c) Any dog taken into custody or impounded pursuant to this article shall be redeemed by the owner, keeper or custodian thereof, or the agent of such owner, keeper or custodian, upon proper identification and payment by such owner, keeper or custodian or his agent of the sum of (1) fifteen dollars (\$15.00) and (2) the cost of advertising incurred under the provisions of subsection (b) above. When the owner, keeper or custodian of any such impounded dog fails to redeem such dog within twenty-four (24) hours after receiving notification so to do, or where the owner, keeper or custodian was unknown within twenty-four (24) hours after notification was effected by means of publication in a newspaper, such owner, keeper or custodian shall pay, in addition to such redemption fee and the cost of advertising, the full cost of detention and care of such impounded dog. All of the above redemption fees are in addition to any fines that may have been levied pursuant to section 2.5-19 of this article. In addition, any owner, keeper or custodian of any such impounded dog who fails to redeem such dog within one hundred twenty (120) hours after receiving notification so to do shall have committed a violation of this article.

(Ord. of 3-31-92, § 3)

Sec. 2.5-19. - Penalties.

Any person who violates this article shall, for the first offense, be issued a written warning, for the second offense be fined not more than twenty-five dollars (\$25.00), and for the third and each subsequent offense be fined not more than one hundred dollars (\$100.00).

(Ord. of 3-31-92, § 4)

Sec. 2.5-20. - Enforcement.

Enforcement of this article rests with the ~~regional~~ animal control officers.

(Ord. of 3-31-92, § 5)

Sec. 2.5-21. - Appeal.

Any person who is cited for a violation of this article may appeal to the Board of Selectmen within thirty (30) days after the issuance of a Notice of Violation by the ~~regional~~ Animal Control Officer, by giving written notice thereof to the Board of Selectmen. The Board of Selectmen shall, within thirty (30) days of their receipt of a written notice of appeal, consider and act on the appeal. The Board of Selectmen shall give the accused violator written notice of the date, place and time in which the Board of Selectmen will hear his or her appeal, and the accused violator shall have the right to be present at such time and to present and cross-examine witnesses. The Board of Selectmen shall issue its decision on the appeal within fifteen (15) days of the time it considers the appeal and shall give written notice of its decision to the accused violator.

(Ord. of 3-31-92, § 6)