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**ARTICLE XI. DOG CONTROL**

1. License fees, Exemptions for Seeing-Eye Dogs, Refund of Fees

The annual fee for every dog license, except as otherwise provided by law, shall be one dollar in addition to that provided for by the General Laws, unless a certificate of a registered veterinarian who performed the operation that such female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the Town Clerk, in which case the fee shall be the same as that charged for a male dog. A certified copy of such certificate on file in the office of any City or Town Clerk within the Commonwealth may be accepted as evidence that such operation has been performed. If the Town Clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the Commonwealth describing the dog and stating that he has examined such dog and that it appears to have been and, in his opinion has been, spayed and thereby deprived of the power of propagation. No fee shall be charged for a license for a dog specially trained to lead or serve a blind person, provided that the Division of the Blind certifies that such dog is so trained and actually in the service of a blind person. No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal of the dog. All fees collected pursuant to the provisions of this section and not otherwise committed by General Law or bylaw shall be turned over to the Animal Control Officer as collected for his own use.

2. Disturbing the Peace

No person shall own or keep in the Town any dog which by biting, excessive barking, howling or in any other manner disturbs the quiet of the public. No person shall own or keep in the Town any dog unless it is restrained at all times while off the owner's or keeper's premises by a leash no greater than ten feet in length. Any owner or keeper of a dog in violation of this section shall be fined as follows:

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|--------------------------|-------------------------|
| 1 <sup>st</sup> offense: | \$25 or written warning |
| 2 <sup>nd</sup> offense: | 50                      |
| 3 <sup>rd</sup> offense: | 50                      |
| All subsequent offenses: | 50                      |

Said funds collected shall be refunded to the Town. (5/9/94)

3. Complaints of Nuisance

If any person shall make a complaint in writing to the Animal Control Officer that any dog owned or harbored within his jurisdiction is a nuisance by reason of vicious disposition or excessive barking or other disturbance, the Animal Control Officer shall investigate such complaint, which may include an examination under oath of the complainant, and submit a written report to the Selectmen of his findings and recommendations together with the written complaint. Upon receipt of such report and examination of the complainant under oath, the Selectmen may make such order concerning the restraint, muzzling or disposal of such dog as may be deemed necessary. The Animal Control Officer, after investigation, may issue an interim order that such dog be restrained or muzzled for a period not to exceed fourteen days to enable the Selectmen to issue their order following receipt of the report of the Animal Control Officer. If the Selectmen fail to act during the period the interim order automatically is vacated.

#### 4. Restraint by Dog Officer

The Animal Control Officer may restrain or muzzle, or issue an interim order to restrain or muzzle, until the next available Board of Selectmen meeting, any dog for any of the following reasons:

- a. For having injured any person;
- b. If found at large or un-muzzled, as the case may be, while an order for the restraint of such dog is in effect;
- c. If found in a school, school-yard or public recreational area;
- d. For having killed or maimed or otherwise damaged any other domesticated animal;
- e. For chasing any vehicle upon any public way or way open to public travel in the Town;
- f. For any violation of Section 2.

Upon restraining or muzzling, or issuing an interim order to restrain or muzzle, the Animal Control Officer shall submit in writing to the Selectmen a report of his action and the reasons therefore. Upon receipt of such report, the Selectmen may make such order concerning the restraint, muzzling or disposal of such dog as may be deemed necessary. If the Selectmen fail to act upon the report during the period the dog is restrained or muzzled, upon expiration of the period the interim order is automatically vacated.

#### 5. Appeal of Restraint or Muzzling

The owner or keeper of any dog that has been ordered to be restrained or muzzled, or has been restrained under this article, may file a request in writing with the Animal Control Officer that the restraining order be vacated or that the dog be released; and after investigation by the Animal Control Officer, such officer may vacate such order or release such dog, if the order of restraint was issued by him. If the order was imposed by the Selectmen, the Animal Control Officer shall submit a written report of his investigation, with his recommendations, to the Selectmen, who may vacate such order. Any person aggrieved by any order made by the Board of Selectmen pursuant to this bylaw may appeal to the District Court under the provisions of Section 157 of Chapter 140 of the General Laws.

#### 6. Fine

Any owner or keeper of a dog who shall fail to comply with any order of the Animal Control Officer or Selectmen issued pursuant to this article shall be punishable by a fine of fifty dollars (\$50).

#### 7. Failure to License Fine

Any owner or keeper of a dog who shall fail to purchase a dog license within thirty days of the due date shall be fined an additional twenty-five dollars (\$25) per license. (3/23/70) (5/16/88)

#### 8. Vaccination

Any owner or keeper of a dog age six months or older shall properly vaccinate said dog against rabies and shall display a proper metal rabies tag bearing expiration date on collar at all times.

Failure to comply with the order of this section (and Massachusetts General Laws, Chapter 140, Section 137, 137A, 145B and 330, Commonwealth of Massachusetts Regulations) shall be punishable by a fine of fifty dollars (\$50). (5/12/92) (5/10/93)

#### 9. Posted Public Property

Any owner or keeper of a dog shall not allow the dog on the premises of public property which is posted with signs stating, 'No Dogs Allowed.' Violators shall be subject to fines as listed in section 2. This provision shall not apply to dogs specially trained to lead or serve a handicapped person. (5/14/01)