

Town of Carmel

Animal Control Ordinance

Adopted March 1, 1999

Attested: *Thomas F. Richmond*
Thomas F. Richmond
Town Clerk

PREAMBLE

WHEREAS THE INHABITANTS OF THE TOWN OF CARMEL, MAINE DESIRE TO ESTABLISH STANDARDS CONTROLLING DOMESTIC AND/OR WILD ANIMALS RUNNING AT LARGE WHICH MAY BE A DANGER TO LIFE, HEALTH, PROPERTY AND THE PUBLIC PEACE; AND

WHEREAS, THE INHABITANTS OF CARMEL, MAINE DESIRE TO MAKE EVERY EFFORT TO ENFORCE THE STATE STATUTES (Title 7, Section 3454 to 3458 and 3701 to 3704) REGARDING ANIMAL CONTROL; AND

NOW, THEREFORE, THE TOWN OF CARMEL, MAINE HEREBY ORDAINS THIS ANIMAL CONTROL REGULATION EFFECTIVE UPON THE DATE OF ITS ADOPTION BY THE TOWN OF CARMEL, MAINE.

**ANIMAL CONTROL ORDINANCE
TOWN OF CARMEL, MAINE**

ARTICLE 1: GENERAL

1.1 TITLE

This ordinance shall be known and may be cited as the "Animal Control Ordinance of the Town of Carmel, Maine".

1.2 PURPOSE

The purpose of this ordinance is to assure the comfort, convenience, safety, health and public peace of the people.

1.3 EFFECTIVE DATE

These regulations shall be effective after the passage by the Town of Carmel. The effective date of these regulations-September 20, 1982.

ARTICLE 2: APPOINTMENTS

2.1 ANIMAL CONTROL OFFICER

The Town Manager is responsible for appointing an Animal Control Officer and setting his/her salary, subject to confirmation of the Selectmen. Term of office may be one (1) to three (3) years, at the option of the Town Manager and approved by the Selectmen.

ARTICLE 3: AUTHORITY

3.1 DUTIES AND RESPONSIBILITIES

The Animal Control Officer is hereby authorized and empowered to seize and impound any domestic animal found running at large. Additionally, the Animal Control Officer is responsible for checking for unlicensed dogs and causing to have removed, any wild animal effecting the safety, health and public peace of the people.

ARTICLE 4: LICENSING AND CONTROL OF DOGS

4.1 DEFINITIONS

As used in this Ordinance, unless the context otherwise indicates:

- a) **“DOG”** shall be intended to mean both female and male.
- b) **“OWNER”** shall be intended to mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.
- c) **“AT LARGE”** shall be intended to mean off the premises of the owner, and not under the control of the owner or a member of his immediate family, either by leash, cord, chain or otherwise.
- d) **ACO** shall be intended to mean Animal Control Officer..

4.2 RUNNING AT LARGE

No person shall cause or permit any dog owned or kept by him to run at large within the Town. Dogs while on any premises other than those of the owner or while in public way or place shall be under the restraint, within the meaning of this Ordinance. If he is controlled by a leash or at “heel” beside a competent person and obedient to that person’s commands or on or within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper. Nothing in the Ordinance shall be held to require the leashing of any dog while on the private premises of the owner.

4.3 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 in the Town limits 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.

4.3 IMPOUNDMENT

Unlicensed dog(s) running at large , shall be taken up and impounded in the shelter designated by the Town, and there confined in a humane manner, of not less then six (6) days; and may thereafter be disposed of in a humane manner, if not claimed by its owner.

The Town or its duly authorized agents may transfer title on all animals held by it at its animal shelter after the legal detention period has expired and the animal has not been claimed by its owner.

When such dogs are found running at large, and their ownership is known, such dogs need not be impounded, but the Town, through its duly authorized agents may, at its discretion, cite the owners of such dogs to appear in court to answer the charges of violation of this Ordinance.

The owner shall be entitled to resume possession of any impounded dog upon compliance with the license provisions of MRSA, Title 7, Section 3451 and the payment of impoundment fees set forth herein.

Any animal impounded under the provisions of this Ordinance and not reclaimed by its owner within six (6) days, may be humanely destroyed or placed in the custody of some person deemed to be responsible and suitable owner, who will agree to comply with the provisions of this Ordinance.

4.5 IMPOUNDMENT FEES

Any animal impounded hereunder may be reclaimed during Town Office hours, Monday through Friday, as herein provided upon payment by the owner to the Town of the following fees:

\$ 20.00 Basic Impoundment

\$ 50.00 Second Impoundment within twelve months of the initial impoundment

\$ 10.00 Per day for board, plus the cost of all related expenses such as medical, time and transportation.

4.6 DANGEROUS DOGS

A dangerous dog is hereby defined to be a dog, which shall cause reasonable fear of bodily injury to any person by attacking or threatening to attack such person. Any such dog is hereby declared to be a nuisance. The owner of any dangerous dog shall keep the same confined in a secure enclosure or on a chain or leash controlled by the owner or his agent at all times and shall not permit such dog to run at large within the Town.

4.7 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 to Police Department. The director of Public Health shall be notified immediately by the person in charge of the death of any dog while under confinement.

4.8 BARKING AND HOWLING DOGS

No person shall own, keep or harbor any dog which by loud, frequent or habitual barking, howling or yelping shall disturb the peace of any person or persons.

4.9 LICENSES

All dogs living in Carmel for a period of ten days must be licensed. This would cover all dogs living outside or in an owner's home.

4.9-1 FEES

\$ 4.00 for a neutered or spayed dog.

\$ 7.50 for male or female dog

\$ 6.00 late fee for all dogs found unlicensed by the ACO after January 31st

\$ 20.00 extra for all dogs not licensed within seven (7) days of notification by the ACO

ARTICLE 5. VIOLATION

5.1 *Fines*

Any person found to be in violation of any of the provisions of this Ordinance shall be subject to a fine not to exceed one hundred dollars (\$100.00). Each day a violation occurs shall be considered to be separate violation.