

TOWN OF BELGRADE

ANIMAL CONTROL ORDINANCE

PURPOSE: The purpose of this ordinance is to adopt policies and procedures for the care, handling and disposal of animals belonging to citizens of Belgrade.

GENERAL PROVISIONS FOR DOGS: No dog under the control or care of any person shall be permitted to leave the property of that person unless it is led on a leash of suitable strength or is under the supervision and verbal control of any person. Any dog found not to be under the above controls may be impounded by the Animal Control Officer at the owner's expense, including the Animal Control Officer's fee. A dog that has been impounded by the Animal Control Officer may be destroyed within fourteen (14) days following impoundment if it is not claimed and impoundment fees paid by its owner.

LICENSING OF DOGS: Dogs shall be licensed annually as specified in Maine Statutes. Anyone possessing a dog that is over 6 months of age must license the dog annually. If a dog is not licensed by February 1st owner shall pay an extra fee as provided by current Maine Statutes.

BARKING DOGS: For the purpose of this section, the following terms shall have the meaning given herein:

Dog shall be intended to mean both male and female.

Owner shall be intended to mean any person or persons, firm, association or corporation owning, keeping, or harboring a dog.

1. It shall be unlawful for anyone owning, possessing or harboring a dog to cause or permit such dog to disturb the peace of any person. Any owner or keeper causing or permitting a dog to bark, howl, or yelp continuously for thirty (30) minutes or intermittently for one (1) hour or more shall be in violation of this section.

2. Enforcement:

Any person who observes a dog acting in violation of the ordinance must file and sign a written complaint. This complaint may be filed at the Town Office or with the Animal Control Officer or Local Law Enforcement. This complaint must specify the objectionable conduct of the dog(s), the date and time thereof, a description of the dog(s), and the name and residence, if known, of the owner or other person harboring said dog. Upon receipt of such complaint, the Animal Control Officer or Local Law Enforcement shall issue a warning to said owner or other person harboring said dog(s).

In the event a second complaint of such nature is received within one (1) month from the date of the initial complaint, the Animal Control Officer or the Local Law Enforcement shall cause the complaint to be filed before the District Court in the County where such owner keeper resides.

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Any owner who violates this section after the initial written warning commits a civil violation for which a civil penalty of not less than \$50.00 or more than \$250.00 shall be assessed. In addition violators will be responsible for any and all costs incurred regarding the civil complaint by the Town of Belgrade.

Waiver option:

Any owner who is charged with violating this Ordinance may choose to pay a waiver fee to the Town as an alternative to having the Town proceed with prosecution of the civil complaint in court. The waiver fee option shall only be available to an owner for a total of three violations. The waiver fee must be received at the Town Office within 30 days after issuance of the summons. Waiver fees that are tendered more than 30 days after issuance of the summons shall only be accepted by the Town upon payment of an additional sum of money equal to any expenses and fees that have been incurred by the Town in preparation for the court hearing. The waiver fee schedule is as follows:

Waiver Fees

First violation:	\$ 50.00
Second violation:	\$100.00
Third violation	\$250.00

DISPOSAL OF DEAD ANIMALS.

1.No person shall deposit, place or throw any dead, mortally ill or injured animal or part thereof in any public or private place other than the Sanitary Landfill or land of animal's owner.

2.When any animal is found dead or dying on the land or premises of any person not the owner or person responsible for the animal, the Animal Control will dispose of the animal. If the owner of a sick or dying animal cannot be determined immediately, the Animal Control Officer will take the animal to a veterinarian for treatment or disposal. If the owner of such an animal is known or can be determined, the owner shall immediately cause the animal to be treated or disposed of by a veterinarian. When the owner of a dead animal can be determined, the owner will be responsible for proper disposal of the animal.

3.A dead animal may be buried on land of the animal's owner or, with permission of the landowner, upon land of a friend of the animal's owner.

4.By arranging with the supervisor of the Town of Belgrade's Sanitary Landfill, the Town Animal Control Officer or the owner of an animal may bury the animal at the Sanitary Landfill.

LIVESTOCK AT LARGE: No owner or person having charge of any horse, cow, ox, beef cattle, swine, goat or other grazing animal shall turn loose or permit such livestock to roam at large. Livestock found to be at large may be impounded by the Animal Control Officer and a fee charged for its release.

IMPOUND: The Animal Control Officer shall have the authority to impound animals under this Ordinance. Any animals impounded under these provisions may be reclaimed by an owner upon payment of an impoundment fee established by the Selectpersons. The impoundment fee will be paid directly to the Humane Society, in the case of an impounded dog or cat, and to the Town Treasurer for other animals.

FINES AND FEES: All fines and fees collected under authority of this Ordinance, with dog license fees excepted, shall be deposited to the Animal Control Account in the Town's General Fund.

(This ordinance was amended at the annual Town Meeting held on March 19, 2011, to add in the additional language regarding barking dogs.)