



## PUBLIC NOTICE

Notice is hereby given that the Planning Board of the Town of Newfield will hold a **PUBLIC HEARING** on **Wednesday, June 26, 2019** from **7:00 - 7:30 pm** at the Newfield Town Hall located at 23 South Effingham Road in said Town to hear public comment on the following:

### **TOWN OF NEWFIELD DOG CONTROL ORDINANCE**

#### **Sec. 1. Title**

This ordinance shall be known as the Town of Newfield Dog Control Ordinance.

#### **Sec. 2. Purpose**

The purpose of this ordinance is to require that all dogs in town be licensed and under reasonable control at all times so as not injure persons, damage property, or create a nuisance.

#### **Sec. 3. License**

Licensing of dogs and disposition of dogs at large shall be in accordance with and pursuant to the Maine Revised Statutes Annotated, Title 7, Chapters 719, 721, 723 and 725, and this ordinance.

Each owner or keeper of a dog at the age of 6 months or over, kept or housed in the Town of Newfield, except dogs kept under a kennel license as provided by town ordinances and/or state law 7 M.R.S.A. §3923-C, shall on or before January 1<sup>st</sup>, annually, or at such time as such dog becomes 6 months old, cause such dog to be licensed in the Town Clerk's Office. The Town Clerk shall not issue a license for any dog until the applicant has filed with the Clerk proof that such dog has been immunized against rabies in accordance with rules promulgated by the Commissioner of Human Services. The license shall state the breed, sex, color and markings of such dog, whether the dog has been determined by a court of competent jurisdiction to be a dangerous dog or a nuisance dog, and the name and address of the owner or keeper. Exceptions to the immunization requirement shall be as specified by the Commissioner of Human Services.

#### **Sec. 4. Application to owner, custodian.**

The provisions of this ordinance which apply to the owner of a dog apply equally to any person having its custody or possession.

#### **Sec. 5. Dogs at large.**

Any dog, licensed or unlicensed, is not permitted to be at large. A dog which is under reasonable control is permitted to be at large while engaged in field trials, training or legal hunting.

#### **Sec. 6. Definitions**

The following words, terms and phrases, when used in this ordinance shall have the meanings ascribed to them in this section:

At large shall mean off the premises of the owner or person charged with the responsibility of control of a dog and not under the control of any person whose personal presence and attention would reasonably control the dog.

Reasonable Control for the purposes of this ordinance shall mean as follows:

- a) the dog is located within a vehicle, on a leash, cord, chain or other similar restraining device not more than eight (8) feet in length or, in the case of a well-trained dog, voice control or command provided that such control is effective and strictly maintained; or
- b) Confinement within a secure cage or enclosure.

**Sec. 7. Impounding**

The animal control officer (ACO) shall apprehend any dog found at large and impound it in the animal shelter or other suitable place, except that if the owner of the dog is known, the ACO may take the dog directly to its owner. The ACO shall register the breed, color, sex, license number, and name and address or telephone number of the owner in a record kept for that purpose. If ownership cannot be established, the dog may be handled as a stray dog for the purposes of acceptance by an animal shelter and confined for a period of 6 days as provided by and according to the process outlined in 7 M.R.S.A. §3913. An owner or keeper may regain possession of a confined dog any time within this 6-day period by paying all licensing, impounding and/or boarding fees to the animal shelter and a municipal impoundment fee which shall be determined by the Board of Selectman from time to time. No animal shelter housing impounded dogs shall release any such dog until the owner pays the municipal impoundment fee.

Provisions of this ordinance shall be enforced by the Animal Control Officer or Constable.

**Sec. 8. Penalties**

All licensing and municipal impoundment fees under this ordinance shall be payable to the Town of Newfield.

**Sec. 9. Authority**

This ordinance is enacted pursuant to the municipal authority granted in 7 M.R.S.A. §3950 and 30-A M.R.S.A. § 3001.

**Sec. 10. Effective date.**

This ordinance shall become effective when enacted by the legislative body of the Town of Newfield.

**Sec. 11. Severability.**

The invalidity of any section of this ordinance shall not render the entire ordinance invalid.

**Sec. 12. Conflict with other laws.**

This ordinance shall not affect the requirement to comply with any other law, ordinance, rule, or regulation. When this ordinance imposes a greater restriction on owners or other persons responsible for dogs than provisions of any other law, ordinance, rule or regulation, the provisions of this ordinance shall prevail.

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