

**RELATING TO DOGS  
& OTHER ANIMALS**

**ORDINANCE**

**OF THE**

**TOWN OF MINOT**

ADOPTED: MARCH 2, 2002, (Article # 73)

The Town of Minot  
Ordinance Relating to Dogs and Other Animals

Section 1. Definitions

As used herein, unless the context indicates otherwise, the following terms mean:

A. Animal Shelter. Any premises designated by the Selectmen for the purposes of impounding and caring for animals held under the authority of this Ordinance.

B. Animal Control Officer. Any law enforcement officer or other person appointed as an Animal Control Officer by the Selectmen, and who qualifies to perform the prescribed duties under this Ordinance and the laws of the State of Maine.

C. Owner. Any person, partnership or corporation, owning, keeping or harboring animals.

D. Vicious Dog. A dog is considered to be vicious to persons or to property under the following conditions:

(1) If it growls, snaps at, runs after or chases any person or persons.

(2) If it runs after or chases bicycles, motor vehicles, motorcycles or other vehicles being driven, pulled or pushed on the streets, highways or public ways.

(3) If, whether alone or in a pack with other dogs, it bites, attacks or preys on game animals, domestic animals, fowl or human beings.

Section 2. Intent.

It is the intent of this Ordinance to regulate against the problem animal, that is, to control the animal, who because of his lack of supervision has become a nuisance to the community.

Section 3. Restraint.

All dogs within the Town of Minot shall be restrained from running at large. A dog shall be deemed to be restrained from running at large when it is kept upon the property of its owner and keeper, or is kept within an enclosure on the property of its owner or keeper, or is kept on a leash. Hunting dogs in training and/or pursuing legal game shall not come under the provisions of this Ordinance.

Nothing contained in this Section shall prevent the Town of Minot or its designated Animal Control Officer from bringing in any other type of action against the owner or keeper of a dog, as set out in this Ordinance.

Section 4. Impounding.

Any vicious dog or dog found unrestrained contrary to the provisions of this Ordinance may be taken by a Town-designated Animal Control Officer and impounded in a Town-designated animal shelter and there confined in a humane manner. The Animal Control Officer, upon receiving any dog, shall make a complete registry, which includes the breed, color and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs.

Section 5. Notice to Owner.

Not later than Twenty-Four (24) hours after the impounding of any dog, the Animal Control Officer shall serve a written notice on the owner of the dog stating that the dog has been seized and impounded and will be liable to be disposed of or destroyed if not claimed within Eight (8) days of service of such notice. Such notice shall be delivered in hand or left at the last known place of abode of said owner as determined by the registration tag or other available information.

Section 6. Redemption.

The owner shall reclaim such dog within Eight (8) days of receiving notice as provided above or shall authorize in writing disposition of such dog as provided herein. An owner complying with this Section shall pay the Town the fee specified in Section 7, if a notice of violation is also issued to the owner or keeper of the dog, the costs as set periodically by the Selectmen, incurred in impounding, maintaining and, if applicable, disposing of said dog and the license fee, if unpaid, for said dog. An owner failing to comply with this Section shall be liable for penalties under Section 14.

Section 7. Notice of Violation.

In addition to, or in lieu of impounding a dog, the humane officer or any police officer or sheriff shall issue in the name of the owner or keeper of such dog a notice of violation. Such notice shall impose on the owner or keeper of such dog a fee of Ten Dollars (\$10.00), which must be paid to the Town of Minot within Forty-Eight (48) hours of date and time notice is given, in full satisfaction of the assessed fee.

In the event such fee is not paid to the Town within the time limitations specified, a Summons or Warrant of Arrest shall be served for appearance in District Court, and upon conviction of a violation of this Ordinance, the owner or keeper shall be punished as prescribed under Section 14.

Section 8. Disposition of Dogs.

It shall be the duty of the Animal Control Officer to keep all impounded dogs for a period of Eight (8) days after delivery of notice provided herein, except that when any dog that is diagnosed by a veterinarian as suffering from rabies, mange or other infection or dangerous disease, the veterinarian shall authorize the Animal Control Officer to destroy the affected dog forthwith.

If any owner shall not have claimed such impounded dog and paid the applicable license fee and costs and charges within Eight (8) days after delivery of the notice, the Animal Control Officer may destroy the dog in the least painful and most humane manner practicable, as approved by the Selectmen.

Section 9. Unclaimed Dogs.

In lieu of destroying an unclaimed dog, the Animal Control Officer may place the dog in a new home. The Animal Control Officer may keep a dog in the shelter while a new home is sought for the dog, if in the opinion of the Animal Control Officer the dog is valuable or amenable to new ownership. The Animal Control Officer shall maintain a listing of such dogs, prospective owners and other persons desiring to place dogs in new homes.

Section 10. Title.

The ownership of any dog which remains unclaimed under the provisions of this Ordinance shall pass to the Town Eight (8) days after delivery or posting of the notice to the owner, in accordance with the provisions of this Ordinance.

Section 11. Agent for Town.

Any person employed or contracted with by the Town and appointed as Animal Control Officer or any owner of any animal hospital or shelter whose services are utilized in carrying out the provisions of this Ordinance is an agent of the Town for the purposes of this Ordinance and his actions thereunder are deemed to be for governmental purposes.

Section 12. Removal of Dog Defecation from Public and Private Properties.

A. An owner or person having custody of any dog shall not permit said dog to defecate on any school ground, Town athletic field, public sidewalk, pedestrian walkway or any private property within the Town, other than the premises of the owner or person having custody of said dog, unless said defecation is removed immediately and properly disposed of in a container for trash or litter or similar manner. Further, no defecation or manure shall be dumped or left on any school ground, public sidewalk, Town athletic field, pedestrian walkway, or any private property within the Town, nor on any other open area or lot in any portion of the Town, without consent of the property owner.

B. Any person having control over a dog or any other animal, whether or not the owner, who allows the dog off his or her premises (that is, premises occupied by that person) and has knowledge that such dog or other animal is defecating on any school ground, public sidewalk, Town athletic field, pedestrian walkway or any private property within the Town, nor on any other open area or lot in any portion of the Town, and does not remove and properly dispose of the defecation shall be in violation of this Ordinance, without consent of the property owner.

Section 13. Licensing

All dogs kept, harbored or maintained in the Town of Minot shall be licensed in accordance with the applicable provisions of Maine Revised Statutes Amended.

Section 14. Penalties.

Any person violating any provision of this Ordinance shall be fined not less than Twenty-Five Dollars (\$25.00) and not to exceed Five Hundred Dollars (\$500.00). Each day of violation shall constitute a separate offense.

Section 15. Abandonment.

Any owner of a dog, cat or other domestic animal who intentionally abandons such animal or fails to dispose of its remains in a sanitary manner shall be guilty of a violation of this Ordinance.

Section 16. Injury by Vehicle.

It shall be unlawful for any person who, while operating a motor vehicle on any public way in the Town, strikes and injures or kills any dog, cat or other domestic animal, to continue on without stopping such vehicle at the scene and informing the animal's owner or the police of the injury.

Section 17. Nuisance by Animals.

It shall be unlawful for any owner to fail to exercise proper care and control of his animal to prevent them from becoming a public nuisance. Excessive, continuous and untimely barking, molesting paperboy, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds or trespassing upon private property in such manner as to damage property shall be deemed a nuisance.

Section 18. Separability.

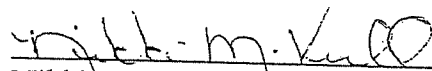
If any section, provision, portion, phrase or paragraph of this Ordinance shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, provision, portion, phrase or paragraph of this Ordinance.

Section 19. Date of Effect.

This Ordinance shall take effect and be in force from and after its approval in accordance with law.

Dated this 2 day of March, 2002.

Attest:

  
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Nikki Verrill, Town Clerk