

# **ANIMAL CONTROL ORDINANCE**

## **Town of Readfield, Maine**

“Readfield Dog & Cat Ordinance: Adopted at Town Meeting on June 11, 1985

“Animal Trespass Ordinance” Adopted at Town Meeting on March 11, 1978

“Animal Ordinance”: Adopted at Town Meeting on June 13, 1992

“Animal Ordinance”: Adopted at Town Meeting on June 9, 2011

“Animal Ordinance”: Adopted at Town Meeting on June 12, 2018

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### ARTICLE I

#### A. TITLE

This ordinance shall be known and may be cited as the “Animal Control Ordinance of the Town of Readfield, Maine.”

#### B. PURPOSE

The purpose of this Ordinance is to provide regulations in addition to those contained in State Law with respect to controlling dogs and other animals throughout the Town of Readfield in the interest of the health, safety and general welfare of its residents.

#### C. DEFINITIONS

“**Animal Control Officer (ACO)/Alternate Animal Control Officer**” means qualified persons who are employed by the Town of Readfield and appointed to perform the duties of , Animal Control. The ACO or Alt. ACO, shall be principally responsible for the enforcement of all laws related to dogs, cats, and other domesticated animals and ~~also~~ ~~to~~ undomesticated animals.

“**At Large**” means off the premises of the owner and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such animal-

“**Owner**” means any person or persons, firms, partnership, association or corporation owning, keeping or harboring a dog or animal.

“**Domesticated**” means any animal owned or kept by an Owner, including but not limited to dogs, cats, cows/cattle, horses, chickens, swine, sheep, llama etc.

## **D. REGULATIONS**

Barking dog: No owner or keeper shall keep or harbor any animal with the legal limits of the Town of Readfield, which by loud, frequent, or habitual barking, howling, yelping or sound that, through its frequency or duration, unreasonably disturbs the peace of any person or persons anytime day or night.

Any person who observes a dog acting in violation of the ordinance may 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 of the owner or other person harboring said dog(s) in known. Upon written complaint by the person disturbed, which has been signed and sworn to, any constable, duly qualified law enforcement official, animal control officer or duly appointed alternate animal control officer may investigate and may give written notice to the owner or keeper of such animal that such annoyance or disturbance must cease. The warning shall be made part of the complaint. Thereafter, upon continuance of such annoyance or disturbance, such owner shall be guilty of civil violation and upon conviction there of shall be punished by fees and penalties set in Article VI-A-1 & 2.

## **ARTICLE II**

### **A. LICENSES WILL BE IN ACCORDANCE TO STATE LAW**

## **ARTICLE III**

### **A. ENFORCEMENT**

1. Animal Control Officer. The Town Manager shall appoint an Animal Control Officer and Alternate Animal Control Officers for the purpose of enforcement of the provisions of this Ordinance and State Law relating to animals.

### **B. IMPOUNDMENT**

1. Stray dogs, cats and other small domesticated animals found running at large, shall be taken to its owner if known or if owner is not known, shall be taken to the animal shelter designated by the municipality in which the animal was found for the period set forth in current Maine State Law.
2. Any owner may regain possession of an impounded dog or cat upon payment of the impoundment fee set by the Readfield Select Board and boarding fees set by the Animal Shelter, as well as any other penalties provided by Maine law.
3. Where the ownership of any such dog or cat is known, or can be reasonably ascertained by the Animal Control Officer, such officer shall, if possible, notify the owner within three (3) days of such impoundment, but failure to give such notice shall in no way impose any liability upon the Town for the destruction or transfer to another of any dog or cat so impounded and not reclaimed within applicable periods under current Maine State Law.

## **ARTICLE IV**

### **A. ANIMALS NOT TO RUN AT LARGE**

It shall be unlawful for any domesticated animal or livestock, licensed or unlicensed, to run at large on any highway, street, roadway on public owned property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his/her property), except when used for hunting during the appropriate season.

**B. SANITATION**

It shall be unlawful for any person who owns, possesses or controls an animal to fail to promptly remove and dispose of any feces left by his/her animal on any sidewalk, street, or public owned property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his/her property).

1. This provision shall not apply to an assistance dog accompanying a handicapped person who, by reason of his/her disability, is unable to remove and properly dispose of the feces.

**C. PROHIBITED PROPERTY**

All domesticated animals are prohibited on the grounds of any town cemeteries and the Town’s beach property.

**ARTICLE V**

**A. INTERFERENCE FORBIDDEN**

No person shall interfere with, hinder or molest any Animal Control Officer in the performance of any duty of such officer, or seek release of any animal in the custody of an Animal Control Officer, except as herein provided.

**ARTICLE VI**

**A. PENALTIES**

For violation of Articles I.D, or IV, or V.

1. Any person convicted of violation any provisions of this ordinance shall be subject to a court determined fine of not less than \$50.00 no more than \$250.00 plus attorney fees and costs for the first violation. For subsequent violations, the fines shall be not less than \$100.00 no more than \$500.00. All fines so assessed by the court and attorney fees and cost to the Town shall be recovered for the use of the Town of Readfield through District Court. In addition the Court may make such further order regarding the destruction, restraint, or disposition of the offending animal as the Court deems appropriate.
2. A person, not previously convicted of a violation under this ordinance, may elect to pay the minimum penalty of \$50 specified above in lieu of appearing in court to answer the citation. Such payment must be received by the office of the Town Clerk within seven (7) business days from the date the citation was issued. Upon receipt of such payment by the Town Clerk, the Animal Control Officer shall cause the citation to be dismissed.
3. In addition, the court may make such further order regarding the destruction, restraint or other disposition of the offending animal as the court deems appropriate