



ANIMAL CONTROL ORDINANCE

ARTICLE I. IN GENERAL

Sec. 1-1. Feeding of Birds. No person shall feed or bait any bird upon any public property within the congested business area, as defined in the ordinance governing Licenses, Permits and Business Regulations.

ARTICLE II. DOGS

Sec. 2-1. Definitions.

For the purpose of this article, the following terms shall have the meanings 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.

At large means off the premises of the owner and not under the control of any person by means of a leash or personal presence and attention as will reasonably control the conduct of such dog.

Sec. 2-2. License.

Each owner of a dog of the age of six (6) months or older must secure a license for such from the city clerk pursuant to all rules and regulations set forth in 7 M.R.S.A., Section 3451.

Sec. 2-3. Running at large.

Any dog running at large may be seized and impounded. The owner of such dog commits a civil violation for which a forfeiture of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) shall be adjudged, no portion of which shall be suspended or deferred.

Sec. 2-4. Number of dogs limited.

(a) It shall be unlawful for any person to keep or harbor within the city more than three (3) dogs over four (4) months old in or about any premises, house, barn or other building, or in or about all buildings on any one (1) premises occupied by any one (1) family, and the keeping or harboring of dogs as aforesaid is hereby declared to be a nuisance.

(b) The payment for a license or licenses on dogs shall not be construed to allow the keeping of more than three (3) dogs, as aforesaid, on any one premises.

(c) This limitation shall not apply to any person engaged in the commercial business of breeding, buying, selling or boarding of dogs, or operating a veterinary hospital as long as any such operation complies with all zoning and other city ordinances and state licensing requirements.

Cross references: Kennels and veterinary hospitals allowed as special exceptions in RR zone, Appendix A, Zoning, § V(A)(5)(c)(3).

Sec. 2-5. Barking or 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.

Sec. 2-6. Disposal of dog waste.

(a) It shall be a violation of this chapter for any person who owns a dog, or anyone having a dog under his or her control, to fail to immediately remove and lawfully dispose of any feces left by the dog on any street, sidewalk, publicly owned property, or private property of another.

(b) Failing to immediately remove and lawfully dispose of any dog feces left upon any street, sidewalk, publicly owned property, or private property of another is a civil violation for which a forfeiture of not less than fifty dollars (\$50.00) for a first offense one hundred dollars (\$100.00) for a second or subsequent offense imposed, none of which may be suspended.

(c) This section shall be enforced by the animal control officer or Waterville Police Department.

State law references: Licensing, 7 M.R.S.A. §§ 3451--3454; dogs running at large, 7 M.R.S.A. §§ 3455--3457; owner must pay impoundment fees, 7 M.R.S.A. § 3459; dangerous dogs, 7 M.R.S.A. § 3605; owner liable for damages, 7 M.R.S.A. §§ 3651, 3652-A, 3653; authority for game warden to kill a dog, 12 M.R.S.A. § 7504(6); department of human services authority, 22 M.R.S.A. § 1311; quarantine, 7 M.R.S.A. § 1755; killing for assault permitted, 7 M.R.S.A. § 3604.

APPROVED

Waterville City Council
Effective: September 30, 2006
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