

TOWN OF PATTEN
Animal Control Ordinance

Section 1. Authority.

This ordinance is enacted pursuant to the authority of Title 7, §3950 and Title 30-A, §3001. All fees referred to in Title 7, C. 721 §3923-A are herein adopted including all future changes, unless otherwise stipulated.

Section 2. Definitions.

- A. "Dog" shall mean both male and female, whether or not neutered or spayed.
- B. "Owner" shall mean any person or persons, firm, association, or corporation, owning, keeping, harboring or in possession of, or having control of a dog.
- C. "At Large" shall mean 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 dog, either on a leash or under voice command control.

Section 3. License Required.

Each owner or keeper of a dog at the age of six (6) months or over, except dogs kept under a kennel license, shall on or before January 1, annually or at such time as such dog becomes six (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 said Clerk proof that such dog has been immunized against rabies in accordance with the rules and regulations promulgated by the Commissioner of Human Services, provided that the requirement of immunization may be waived by such clerk under conditions set forth by the Commissioner of Human Services.

A fee of \$5.00 shall be paid to the Town Clerk for each license issued for a neutered male and spayed female dog and a fee of \$10.00 shall be paid for all male and female dogs capable of producing young. All dogs shall be considered capable of producing young unless accompanied by a certificate issued by a licensed veterinarian stating that such dog was made incapable of producing young by spaying or neutering when such certificate accompanies the application, a fee of \$5.00 shall then be paid on such spayed female or neutered male.

In addition to the amount paid for license and tag, each applicant shall pay the Town Clerk \$1.00 for recording and making a return to the Commissioner of Agriculture, except that a license and tag shall be issued by the Town Clerk, upon application, for any trained guide dog owned or kept by a blind person, without payment of any fee required under this section. When any such dog has not been previously registered or licensed by the Town Clerk, to whom such application is being made, such Town Clerk shall not register such dog nor issue to the owner or keeper, a license and tag therefore, unless written evidence shall be exhibited to him that the dog is trained and educated and intended in fact to perform such guide service for such applicant.

A fee of \$40.00 shall be paid to the Town Clerk for each kennel license issued. In addition to the amount paid for the kennel license, each applicant shall pay the Town Clerk \$2.00 for recording and making a return to the Commissioner of Agriculture.

Any person becoming the owner or keeper of a dog after the first of January, not duly licensed as required, shall, within ten (10) days after it becomes the owner or keeper of said dog, cause such dog to be described and licensed as provided.

Any person who is found to be the owner of an unlicensed dog will be subject to the following provisions:

For a first offense, said owner will receive a written warning giving the owner seven (7) days to comply with the licensing requirements. After seven (7) days, if the licensing requirements have not been met, the Animal Control Officer will cite the owner and impose a fine of \$25.00 and an additional seven days to license the dog. Should the owner still not comply with the licensing requirements, a penalty of \$ 50.00 will be adjudged.

Section 3.1. Late Fees.

An owner or keeper required to license a dog under Section 3 and applying for a license for that dog after January 31st shall pay to the municipal clerk a late fee of \$25.00 in addition to the annual license fee paid in accordance with subsection. The clerk shall deposit all late fees collected under this subsection into the municipality's animal welfare account established in accordance with Title 7 § 3945.

Section 3.2. Recording.

Such license shall be made in triplicate, the original shall be mailed to the Commissioner of Agriculture, one copy given to the person applying for the license and one copy retained by the Town Clerk.

Section 3.3. Tag and Collar Required.

A suitable tag showing the year such license is issued and bearing such other data as the Commissioner of Agriculture may prescribe shall be given with each license and must be securely attached to a leather or metal collar which must be worn at all times by the dog for which the license was issued and it shall be unlawful for any person to remove such tag or to place either collar or tag on any dog not described or for which the license was not issued.

Section 4. Running at Large.

No person shall cause or permit any dog owned or kept by him to run at large within the Town. Dogs while on any premises other than those of the owner or while on any public way or place shall be under the restraint, within the meaning of this ordinance, if it is controlled by a leash, or at "heel", beside a competent person and obedient to that persons commands or on or within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper. Nothing in this ordinance shall be held to require the leashing of any dog while on the private premises of the owner. A leash shall not be more than 8 feet long.

Section 4.1. Penalties for Running at Large.

- A. For a first offense, said owner will receive a written warning.
- B. For a second offense, said owner must pay \$25.00 cost reimbursement for the return of the dog.
- C. For a third and any subsequent offense, the Animal Control Officer having jurisdiction in the Town of Patten may bring suit against the owner of any dog running at large, and that owner commits a civil violation for which a forfeiture of not less than \$25.00, nor more than \$100.00, shall be adjudged.

Section 5. Impoundment.

Unlicensed dogs or dogs found running at large, shall be taken up and impounded by the Animal Control Officer for a period of twenty-four hours. If the dog's owner does not come forward to claim the animal and pay all fees cited in this Ordinance, the animal will be transported to and impounded in the shelter designated by the Town of Patten as the Town Animal Shelter, and there confined in a humane manner for a period of not less than ten (10) days; and may thereafter be disposed of in a humane manner if not claimed by their owner.

The Town or its duly authorized agent may transfer title of all animals held by it at its Animal Shelter after the legal detention period has expired, and the animal has not been claimed by its owner.

When dogs are found running at large, and their ownership is known, such dogs need not be impounded, but the Town through its duly authorized agents may, at its discretion, cite the owners of such dogs for penalties as cited in Section 4.1 of this Ordinance, to answer charges of violation of this ordinance.

The owner shall be entitled to resume possession of any impounded dog upon compliance with the license provisions of Section 3.1 of this ordinance and the payment of impoundment fees as set forth herein. (See Section 5. I). Any other animal impounded under the provisions of this ordinance may be reclaimed by the owner upon payment of the impoundment fees as set forth herein.

Any animal impounded under the provisions of this ordinance and not reclaimed by its owner within 10 days may be humanely destroyed or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this ordinance.

Section 5.1. Conditions of Release.

Any dog impounded under the provisions of this Ordinance shall be released only after the following conditions have been complied with:

- A. Such dog shall be licensed in accordance with Maine State Statutes Annotated.
- B. All impoundment charges shall be paid to the person or shelter where the dog is impounded in accordance with fees established by the State of Maine.
- C. All costs of the Town of Patten cited in Section 4.1 of this Ordinance plus costs in capturing and transferring the dog for impoundment shall be paid to the Treasurer of the Town of Patten during normal office hours and a receipt for such payment shall be presented to the person or shelter where the dog is impounded for inspection.

(See Section 5.2 Amended 03/09/04) Section

6. Disturbing the Peace Prohibited.

It shall be unlawful for the owner of a dog to cause or permit such dog to disturb the peace of any person through continued barking or howling. It shall also be unlawful for the owner of a dog to cause or permit such dog to damage or destroy the property of any person. It shall also be unlawful for the owner of a dog to cause or permit such dog to urinate or defecate on private property, not owned by the owner of the dog, without the permission of the owner of such private property.

Section 7. Rabies vaccinations for cats. M.R.S.A. Title 7, § 3916.

An owner or keeper of a cat over 3 months of age must have that cat vaccinated against rabies. Rabies vaccine must be administered by a licensed veterinarian or under the supervision of a licensed veterinarian, Upon receiving an initial vaccination, a cat is considered protected for one year and an owner or keeper of that cat must get a booster vaccination for that can one year after the initial vaccination and subsequent booster vaccinations at intervals that do not exceed the intervals recommended by a national association of state public health veterinarians for the type of vaccine administered.

The Animal Control Officer will have the authority to ask the owner or keeper of a cat to present proof of a certificate of rabies vaccination from the State. Failure by the owner to show proof of a rabies vaccination will be found in violation of this ordinance and will be subject to the penalty provisions as cited in Section 9.

Section 8. Enforcement.

It shall be the duty of the Animal Control Officer to enforce all provisions of this Ordinance. Said Animal Control Officer shall be appointed by the Board of Selectmen annually and shall perform under the direction and supervision of the Town Manager. The Board of Selectmen shall set the compensation for the Animal Control Officer.

Section 9. Penalties.

Any owner found in violation of any of the provisions of this Ordinance shall be guilty of a civil violation; and upon conviction thereof; shall be fined not less than \$25 nor more than \$100 for the first violation; shall be fined not less than \$50 nor more than \$250 for the second violation; shall be fined not less than \$100 nor more than \$350 for the third and subsequent violations. The penalties cited in this section are applicable to the entire ordinance, excepting those penalties which are separately addressed in Section 4 of this Ordinance. All fines so assessed shall be recovered for the use of the Town of Patten.

Section 10. Separability.

It is the intention of the Town of Patten that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Town of Patten that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Section 11. Effective Date.

This Ordinance shall be in full force and effect when enacted. Ordinance originally enacted by Special Town Meeting vote on May 30, 2000.

AMENDMENT

Section 5.2. Prohibition of Wolf Hybrids.

It shall be unlawful for any person to be the owner or keeper of a wolf hybrid dog in the Town of Patten. The definition of a wolf hybrid means a mammal that is the offspring of the reproduction between a species of wild canid or wild canid hybrid and a domestic dog or wild canid hybrid. "Wolf Hybrid" includes a mammal that is represented by its owner to be a wolf hybrid, coyote hybrid, coydog or any other kind of wild canid hybrid. The owner or keeper of any dog found to be in violation is subject to impoundment of the animal.

Ordinance revisions adopted by Town Vote on November 7, 2023.