

Chapter 3 Animals and Fowls

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Chapter 3 Animals and Fowl

ARTICLE 1 IN GENERAL (*RESERVED*)

ARTICLE 2 CONTROL OF DOGS

SEC. 3-201 Definition of Words and Phrases

For the purposes of this article, the following definitions shall apply unless the context clearly indicates another meaning:

Dog: both male and female.

Owner: any person or person, firm, association or corporation owning, keeping or harboring a dog.

At large: off the premises of the owner and not under the control of the owner or another person.

SEC. 3-202 License and Registration Required

All dogs kept, harbored or maintained by their owners in the Town of Bucksport shall be licensed and registered in accordance with the appropriate laws of the State of Maine.

SEC. 3-203 Tag and Collar

All dogs shall be provided with a suitable collar to which the license tag shall be attached as required by appropriate laws of the State of Maine.

SEC. 3-204 Running at Large Prohibited

No owner or keeper of any dog shall permit such dog to run at large at any time. This section shall not be construed, however, to prevent the use of dogs for lawful hunting purposes or for the use of dogs on a farm for any lawful purpose. No owner shall permit any dog to run at large at any time along the waterfront on public property, which includes the area between Main Street and the north shore of the Penobscot River and extends from the Bucksport-Verona Bridge to the so-called Webber Docks, unless such dog(s) is on a leash. 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 to appear in court to answer charges of violation of this article.

SEC. 3-205 Impounding

It shall be the duty of every Police Officer or the Animal Control Officer to apprehend any dog found running at large contrary to the provisions of Sec. 3-204 and to impound such dog in the town pound or other suitable place. The Poundmaster, or other designated official, upon receiving the dog, shall make a complete registry, entering 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.

SEC. 3-206 Impounding Unlicensed Dogs

The impounding of unlicensed dogs shall be done in accordance with the appropriate laws of the State of Maine.

Sec. 3-207 Confinement of Certain Dogs

Dogs of fierce, dangerous or vicious propensities shall be properly confined or tied by the owner in a reasonable manner to prevent harm to the public. Female dogs in heat shall be confined in some reasonable manner to avoid the creation of a nuisance by other dogs congregating in the vicinity. If fierce, dangerous or vicious dogs and female dogs in heat are found in violation of this provision they shall be impounded and shall not be released except upon the approval of the Animal Control Officer after payment of all costs or charges incurred by the town. Dangerous, fierce or vicious dogs so found at large may be slain by any Policeman or the Animal Control Officer in accordance with appropriate State law where they cannot be safely taken up and impounded.

SEC. 3-208 Notice of Impoundment

When any dog is impounded under the provisions of this article, notice shall be given to the owner, if known, by any reasonable means within three (3) days after the date of impounding. If the owner cannot be ascertained, a notice shall be posted at the Town Office describing the dog and the place and time of taking. If the owner does not reclaim the dog within ten (10) days following notice of the impounding or posting of said notice, the dog may be sold or destroyed by the town. The charges for impounding and keeping a dog and for posting notices shall be set by the Town Manager with the approval of the Town Council.

SEC. 3-209 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 or persons.

SEC. 3-210 Other Animals at Large Prohibited

No owner or keeper of any cows, sheep, horses or any other animals including poultry shall permit or suffer the same to go at large on any highway, street, roadway, lane, alley, common square or any other public place within the Town of Bucksport.

SEC. 3-211 Removal From Public Property

Any owner or person having custody of any dog shall not permit said dog to defecate on any public property including public streets, alleys, sidewalks, parks or any other public grounds within the Town of Bucksport unless said person in control has in his possession a means for the removal of excrement; nor shall said

owner or person in control fail to expeditiously remove any excrement deposited by said dog in any such place.

This section shall not apply to a dog accompanying any handicap person, who by reason of his/her handicap, is physically unable to comply with the requirements of this section.

SEC. 3-212 Removal From Private Property

Any owner or person having custody of any dog shall not permit said dog to defecate on any private property other than the premises of the owner or the person having custody of said dog unless said owner or person in control has in his or her possession a means for the removal of excrement; nor shall said owner or person in control fail to expeditiously remove any such excrement deposited by said dog in any such place.

This section shall not apply to a dog accompanying any handicap person, who by reason of his/her handicap, is physically unable to comply with the requirements of this section.

SEC. 3-213 Penalties

Any person who shall violate the provisions of this article, upon conviction, shall be subject to a minimum penalty of fifty (\$50.00) after the first offense and for a period of two years after the first offense, one hundred dollars (\$100.00) for any second offense, and two hundred and fifty dollars (\$250.00) for the third or any subsequent offense, up to a maximum of five hundred dollars (\$500.00). Any designated representative of the Police Department, Animal Control Officer or Harbor Master may enforce the provisions of this article. All fines so assessed shall be recovered for use of the Town of Bucksport through District Court.

The provisions of this chapter were originally adopted by referendum, November 3, 1970; subsequent amendments have been incorporated into the text.

Amend Section 3-211 of Article 3 and replace with new section and then Sections 3-205 and 3-207 by changing the words "Dog Constable" to read "Animal Control Officer" adopted 12-10-98

Replaced existing section 3-211, added new section 3-212, renumbered existing 3-211 to 3-213 and amended. Adopted 2-10-2000.

Corrected title 3-212 from public to Private, corrected numbering sec 3-211 to 3-213. 3-5-02

9-29-05 Section 3-204 amended to prohibit dogs running at large along the waterfront public property.

Town Clerk's note: *A scrivener error occurred in Chapter 3 when the Bucksport Town Code was translated to an electronic format. The following error found in Chapter 3 was corrected on August 2, 2007:*

Section 3-211: The third from the last word was changed to "any" from "ant".

Also, an amendment to Section 3-204, approved on 9-29-05, was belatedly incorporated in Chapter 3 on August 2, 2007.