

TOWN OF STRAFFORD DOG ORDINANCE

SECTION 1. AUTHORITY. This ordinance is adopted by the Selectboard of the Town of Strafford under authority of 20 V.S.A. § 3549, 24 V.S.A. §§ 2291 (10) and 2291 (14 & 15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. It is the purpose of this ordinance to regulate the keeping of dogs, to protect public health and safety and to protect the residents' enjoyment of their homes and properties.

SECTION 3. DEFINITIONS. For purposes of this ordinance, the following words and/or phrases shall apply:

- A. **“Dog”** means any member of the canine species, including wolf hybrids.
- B. **“Wolf hybrid”** means:
 - 1. An animal that is the progeny of a dog and a wolf (*Canis lupus* or *Canis rufus*).
 - 2. An animal that is advertised or otherwise described or represented to be a wolf hybrid; or
 - 3. An animal that exhibits primary physical and/or behavioral wolf characteristics.
- C. **“Owner”** means any person who has actual or constructive possession of a dog. The term also includes those persons who provide food and shelter to a dog.
- D. **“Running at large”** means that a dog is not:
 - 1. on a leash; or
 - 2. in a vehicle; or
 - 3. on the owner's property; or
 - 4. on the property of another person with that person's permission; or
 - 5. clearly under the verbal or non-verbal control of the owner; or
 - 6. hunting with the owner.
- E. **“Vicious dog”** means a dog that attacks any person or causes any person to reasonably fear attack or bodily injury from such animal, unless the person is trespassing on the property of the owner of the animal. The term shall also mean any animal that, while running at large, attacks another domestic pet or domestic animal, as defined in 20 V.S.A. § 3541.
- F. **Multiple Offenses** - For purposes of this Ordinance, second, third and subsequent offenses are defined as those multiple and cumulative offenses committed by the dogs and/or wolf hybrids of a single owner.

SECTION 4. DISTURBANCES AND NUISANCES.

- A. No dog shall run at large in the town.
- B. No dog shall harass or attack other animals or people unless such animals or people are trespassing on the private property of the owner of the dog.
- C. A female dog in heat shall be confined to a building or other secured enclosure, except while under the direct control of the owner.
- D. No person shall own, keep, or harbor a dog that disturbs the quiet, comfort and repose of others by frequent, habitual, or persistent barking or howling at respective hours.

SECTION 5. POOPER SCOOPER. The person in control of a dog that defecates in any public area or on the private property of another person shall immediately remove the fecal material and dispose of it in a sanitary manner.

SECTION 6. COLLAR AND LICENSE.

- A. Each dog shall be licensed according to the laws of this state and shall wear a collar or harness with the current license attached. An animal that is visiting from out of state must wear a collar or harness with a current license from its home state attached.
- B. A dog that is found without a collar or harness and license shall be immediately impounded under authority of 20 V.S.A. § 3806 and shall be managed under the provisions of that statute.
- C. **Licensing** - Every owner of a dog or wolf-hybrid shall annually license said animal in accordance with the provisions of 20 V.S.A. Chapter 193, Subchapter 2. The owner of a dog or wolf-hybrid shall cause it to wear a collar and attach thereto a license tag issued by the Town Clerk. A late fee of \$20.00 shall be due after April 1 if a license is obtained after April 1, with subsequent fees due after May 1st, and July 1st.
- D. **Immunization** - All dogs and wolf-hybrid owners shall have their animals inoculated against rabies in accordance with 20 V.S.A., Section 3581, 20 V.S.A., Section 3581(a) and any rules adopted by the Commissioner of Agriculture.

SECTION 7. HUMANE CARE OF DOGS.

- A. All dogs shall be furnished with clean and safe facilities sufficient to protect the animal and the public health. Any dog determined by the constable, dog officer, or animal control officer to be without such clean and safe facilities may be impounded, with remedial action due at the Officers discretion.
- B. The state laws regarding animal neglect and abuse as set forth in Title 13 V.S.A. Sections 351-397 are hereby fully incorporated by this ordinance.
- C. Any violation of the provisions in the fore mentioned Title 13 V.S.A, within the limits of the Animal Control Officer, or Dog Officer may be enforced as a municipal violation of the ordinance and may be prosecuted in the same manner as any other violation set forth herein.

SECTION 8. ENFORCEMENT. This is a civil ordinance and shall be enforced by the constable/ animal control officer/dog officer in the Vermont Judicial Bureau in accordance with 24 V.S.A. §§ 1974a et seq.

SECTION 9. IMPOUNDMENT.

- A. Any dog that is determined by a constable/animal control officer to be a vicious dog which presents an imminent danger to people or other animals shall be immediately impounded.

- B. Any dog that is apprehended for multiple subsequent violations of any provision of this ordinance shall be impounded.
- C. Any dog determined by the constable/animal control officer to be without clean and/or safe facilities may be impounded.

SECTION 10. NOTICE OF IMPOUNDMENT AND RELEASE FROM IMPOUNDMENT.

- A. The officer who impounds a dog shall, within 24 hours, give notice to the owner thereof, either personally, by telephone call, or by written notice at the owner's dwelling. Such notice shall inform the owner of the nature of the violations, the location of the animal and the steps that are necessary to have the animal returned to the owner.
- B. If an impounded dog has no license or other identification, the person who impounds it shall proceed under the provisions of 20 V.S.A. § 3806.
- C. Impounded animals shall be released to the owner only after payment of all penalties and impoundment fees and after remedial action by the owner. Remedial action shall include but is not limited to, pre-approved training with such dog using humane methods through a certified trainer, providing a collar and current license, providing a plan for compliance with the provisions of this ordinance and with state law and the rules of the department of health shall apply.
- D. Unclaimed animals, after five (5) days, may be transferred to the humane society, rehomed, or otherwise disposed of.

SECTION 11. INVESTIGATION OF VICIOUS DOGS

- A. When a dog has bitten a person or domestic animal while the dog is off the premises of the owner or keeper, and the person/domesticated pet bitten requires medical attention for the attack, such person/owner of domesticated pet may file a written complaint with the legislative body of the municipality. The complaint shall contain the time, date, and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the legislative body in conducting its investigation, including but not limited to medical bills.
- B. Upon receiving notice from Selectboard, Animal Control Officer, or Dog Officer that the owner's dog is suspected of having bitten another person or domesticated animal, the owner shall immediately provide proof of vaccination. Failure or inability to provide proof of current rabies vaccination shall require a 14-day confinement of the suspected animal. If deemed necessary, the Animal Control or Dog Officer may impound the animal pursuant to Section 10 above. The owner shall not vaccinate the animal for rabies during any period of confinement or impoundment and must vaccinate within 24 hours of release instead. Fines and/or penalties will apply to such impoundment pursuant to Section 12.
- C. The legislative body, within seven days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the dog which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date and place of hearing and the facts of the complaint.
- D. If the dog is found to have bitten the victim(s) without provocation, the municipal officials shall make such order for the protection of victim(s) as the facts and circumstances of the case may require, including, without limitation, that the dog is disposed of in a humane way, muzzled, chained, confined, and owner of such a vicious dog may be required to complete pre-approved training with such dog using humane methods through a certified trainer within 3 months of incident. It further shall be a violation for the owner or keeper on any vicious dog(s) or vicious wolf-hybrids(s) to maintain or otherwise allow said animal to be outside of

owner/keeper's private land or premises without safety measures in place to be set forth by Animal Control or Dog Officer. The order shall be sent by certified mail, return receipt requested. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in 20 V.S.A. § 3550.

- E. The procedures provided in this section shall only apply if the dog is not a rabies suspect. If a member of the legislative body or a municipal official designated by the legislative body determines that the animal is a rabies suspect, the provisions of Subchapter 5 of Title 20 Chapter 193 and the rules of the department of health shall apply.

SECTION 12. PENALTIES AND COSTS.

- A. Any owners whose dog has been impounded for subsequent offenses shall provide the Selectboard, Animal Control, or Dog Officer with proof of satisfactory completion of a responsible dog/owner training course pre-approved by such officials within 3 months of the anniversary date of impoundment. Failure to provide such certification may result in forfeiture of the offending animal.

Sections 4 - 5 (DISTURBANCES AND NUISANCES & POOPER SCOOPER)

- A. First offense \$30.00 penalty/ \$15.00 waiver
- B. Second offense \$50.00 penalty/ \$25.00 waiver
- C. Third offense \$100.00 penalty/ \$50.00 waiver
- D. Subsequent offenses Impoundment & Impoundment costs, plus \$100.00 penalty
- E. Impoundment cost to be set annually by the Selectboard or whenever the Selectboard in the exercise of its judgment considers it to be necessary. Additional, daily impoundment fees may apply, to be set yearly by the Dog Officer.

Sections 6 (COLLAR AND LICENSE)

- A. First offense between April 1st – July 1st \$25.00 penalty per animal/ \$20.00 waiver
- B. Second offense after July 2nd \$50.00 penalty per animal/ \$30.00 waiver

Section 7 (HUMANE CARE OF DOGS)

- A. First offense \$100.00 penalty per animal/ \$50.00 waiver
- B. Second offense \$250.00 penalty per animal/ \$100.00 waiver
- C. Subsequent offenses Impoundment & Impoundment costs, plus \$250.00 penalty
- D. Impoundment cost to be set annually by the Selectboard or whenever the Selectboard in the exercise of its judgment considers it to be necessary. Additional, daily impoundment fees may apply, to be set yearly by the Dog Officer

Section 8 – 11 (ENFORCEMENT, IMPOUNDMENT, NOTICE OF IMPOUNDMENT AND RELEASE FROM IMPOUNDMENT, INVESTIGATION OF VICIOUS DOGS)

- A. First offense \$200.00 penalty/ \$75.00 waiver
- B. Second offense \$500.00 penalty/ \$200.00 waiver
- C. Subsequent offenses Impoundment & Impoundment costs, plus \$500.00 penalty
- D. Impoundment cost to be set annually by the Selectboard or whenever the Selectboard in the exercise of its judgment considers it to be necessary. Additional, daily impoundment fees may apply, to be set yearly by the Dog Officer.

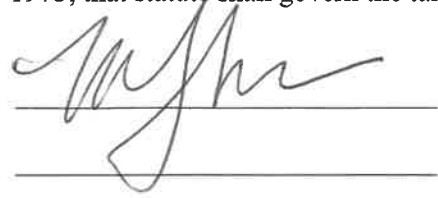
SECTION 13. OTHER LAWS. This ordinance is in addition to all other Ordinances of the Town of Strafford and all applicable laws of the State of Vermont.

SECTION 14. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION 15. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Strafford Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.



SIGNATURES



DATE 10/24/2024

Adoption History

Amended: October 24, 2024

1. Agenda item at regular Selectboard meeting held on 07/25/2024, 08/08/2024, 09/26/2024, 10/10/2024.
2. Read and approved at regular selectboard meeting on 10/24/2024 and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on 11/18/2024.
4. Notice of adoption published in the Valley News newspaper on 11/20/2024 with a notice of the right to petition.
5. Other actions [petitions, etc.]

Amended: February 26, 2020

1. Agenda item at regular Selectboard meeting held on 01/22/2020, 02/12/2020, 02/26/2020.
2. Read and approved at regular selectboard meeting on 02/26/2020 and entered in the minutes of that meeting which were approved on 03/11/2020.
3. Posted in public places on 03/02/2020.
4. Notice of adoption published in the Valley News newspaper on 03/02/2020 with a notice of the right to petition.
5. Other actions [petitions, etc.]

Amended: May 25, 2011

1. Agenda item at regular Selectboard meeting held on 4/6/2011, 4/20/2011, 05/25/2011.
2. Read and approved at regular selectboard meeting on 05/25/2011 and entered in the minutes of that meeting which were approved on -6/01/2011.
3. Posted in public places on 05/30/2011.
4. Notice of adoption published in the Valley News newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]

Amended: June 18, 2009

1. Agenda item at regular selectboard meetings held on 6/3/09 and 6/08/09.
2. Read and approved at regular selectboard meeting on 6/08/09 and entered in the minutes of that meeting which were approved on 06/16/2009.
3. Posted in public places on 06/18/2009.
4. Notice of adoption published in the Valley News newspaper on 06/18/2009 with a notice of the right to petition.
5. Other actions [petitions, etc.]