

Chapter 3 Animal Control

ARTICLE I GENERAL

Sec. 3-101 Definitions

For the purposes of this ordinance the following terms shall have the meaning indicated in this section.

A. **Animal Control Officer:** The term "Animal Control Officer", is the entity that enforces this ordinance.

B. **Domestic Livestock and Fowl:** The term "Domestic Livestock and Fowl" shall include all other animals other than cats and dogs kept for personal or commercial purposes.

C. **Owner:** The term "Owner" shall mean any person or persons, firm association or corporation owning, keeping, harboring or acting as custodian of any dogs or other domestic livestock and fowl.

Sec. 3-102 Riding or Showing of Animals

The riding or showing of horses or other livestock in conjunction with Town authorized parades, carnivals, circuses, or civic sponsored programs or events which are in compliance with all Town, state and federal laws, rules and regulations shall be permitted. It shall be the responsibility of the owners and/or sponsors of the event to provide for immediate or timely removal of manure or other excrement left by such horses or livestock on any Town street or sidewalk, park or public grounds.

ARTICLE II CONTROL OF DOGS

Sec. 3-201 Restrictions

It shall be unlawful for any owner of any dog to permit or allow such dog while in the Town of Houlton to:

A. Run at large off the premises of its owner unless said dog is restrained by an adequate collar and leash or unless accompanied by its owner or a responsible person to control the animal, except that any female dog in heat shall be at all times kept under physical restraint both on and off the premises of the owner. Dogs must be on a leash at public outdoor gatherings, be restrained and not demonstrate aggressive or intimidating behavior.

B. Engage in excessive loud howling or barking or conduct itself in such a manner so as to unreasonably annoy any person other than the owner.

C. Cause damage or destruction to property, or commit a nuisance upon the premises of a person other than the owner. No owner shall fail to immediately remove and lawfully dispose of any feces by their dog on any street, sidewalk, publicly owned property or private property of another.

D. While off the premises of the owner, chase or otherwise harass any person in such a manner as reasonably to cause intimidation or to put such a person in reasonable apprehension of bodily harm or injury.

E. Chase motor vehicles, bicycles and other means of transportation.

Sec. 3-202 Enforcement

A.. Authority to Enforce. This ordinance shall be enforced by the Animal Control Officer.

B. Seizure of Dogs, Shelter. An Animal Control Officer shall seize, impound or restrain a dog found in violation of Section 3-201 and deliver it to an animal shelter as provided for by Title 7 M.R.S.A. §3901 et seq. and as they may be from time to time amended, or shall take the dog to its owner, if known. If ownership can not be established, such animal may be handled as stray animals for the purpose of acceptance by an approved shelter. An Animal Control Officer is hereby authorized and empowered to go upon any premises and enter any building, other than a dwelling, to apprehend and shelter any dog or dogs which are in violation of any of the provisions of this article or Title 7 M.R.S.A. §3901 et seq. and as they may be from time to time amended or of any order issued hereunder, when such Animal Control Officer is in immediate pursuit of such dog or dogs.

C. Procedure for redemption of owner animals. If the owner of a dog, apprehended and delivered to the shelter as a stray, wishes to redeem their dog from the shelter, the shelter shall release any dog so sheltered to the owner upon payment to the Town of Houlton an Officer's fee in the amount of twenty-five dollars (\$25.00) of which fifteen dollars (\$15.00) is paid to the shelter. An additional five dollars (\$5.00) may be charged per day for sheltering of said dog.

ARTICLE III Domestic Livestock and Fowl

Sec. 3-301 Domestic Livestock and Fowl.

The keeping of animals other than cats and dogs for personal or commercial purposes shall be subject to the following:

Domestic livestock and fowl shall be restrained so as to prevent their entering any public way unless under complete control of the owner or to prevent their

unauthorized entering onto any public or private property. When such domestic livestock and fowl are found to be in violation of this section, the Animal Control Officer, or Houlton Police Department, may give written notice of such violation to the owner of such domestic livestock or fowl.

ARTICLE IV PENALTIES

Sec. 3-401 Penalties

Any person who violates any provisions of this Ordinance commits a civil violation for which a forfeiture not to exceed five hundred dollars (\$500.00) may be adjudged for each separate offense.

Sec. 3-402 Severability

If any provision of this Ordinance is determined invalid by a court of competent jurisdiction, such determination shall not render invalid the remaining portion of the Ordinance.