Town of Harrison
Ordinance

Dog Ordinance

Adopted: _06/14/2016_
Amended: November 6, 2018

A true copy attest:

Amended November 6, 2018
1 PURPOSE

In accordance with the State of Maine, Title 7, Maine Revised Statutes regarding AGRICULTURE AND ANIMALS, the purpose of this ordinance is to promote responsible dog ownership throughout the Town of Harrison, in the interest of health, safety and the general welfare of its residents.

2 MUNICIPAL RESPONSIBILITY

2.1 The Town of Harrison, on an annual basis, shall appoint an Animal Control Officer with a term that expires annually on June 30th.

2.2 The Town of Harrison, on an annual basis, on or before April 1st, shall certify to the commissioner of the Department of Animal Welfare the name of a contracted Animal Shelter to accept stray dogs.

2.3 The Select Board shall be granted power to set/adjust fees in accordance with Title 7 MRSA.

2.4 All fees and court fines recovered shall be deposited in a separate account in accordance with the State of Maine, Title 7, MRSA Chapter 725, § 3945.

3 ENFORCEMENT

3.1 The town appointed Animal Control Officer shall have the primary responsibility of enforcing this ordinance. All Cumberland County law enforcement officers and Maine State Game Wardens may also enforce this ordinance.

4 DEFINITIONS

4.1 DOG – shall mean any male or female dog, or wolf hybrid, which is, or is not, spayed/neutered.

4.2 OWNER – shall mean any individual, corporation, partnership, association or any other legal entity owning, keeping, or harboring a dog.

4.3 AT LARGE – shall mean off the premises of the owner and not under the immediate command and control of any individual whose personal presence and attention would reasonably control the conduct of the dog.

4.4 PROBLEM DOGS - shall mean any dog which by loud, frequent and continual barking or howling, annoys or disturbs any person; or shall mean a dog which frequently causes damage to property not belonging to the owner; or shall mean any dog which frequently defecates on property not belonging to the owner and the owner does not immediately remove and dispose of the feces.

4.5 NUISANCE DOG –in accordance with 7 MRSA §3907, §20-A, shall mean any dog which has caused bodily harm to a person or domesticated animal who was not a trespasser on the owner’s premises at the time of the incident; or shall mean any dog that causes a reasonable and prudent person, acting in a peaceable manner, and who is not on the dog owner’s property, to be put in fear of imminent bodily harm to themselves or their domesticated animal or shall mean any dog that causes damage to property not belonging to the owner.

Amended November 6, 2018
4.6 **DANGEROUS DOG** – In accordance with 7 MRSA §3907, §12-D, shall mean any dog which has caused the death of or serious bodily harm bitten to a person or domesticated animal who was not a trespasser on the owner’s premises at the time of the incident; or shall mean a dog that causes a reasonable and prudent person, acting in a peaceable manner, and who is not on the dog owner’s property, to be put in fear of imminent serious bodily harm to themselves or their domesticated animal, and has been previously found by the court to be a nuisance dog.

5 **LICENSING**

5.1 In accordance with the State of Maine, Title 7, MRSA Chapter 721 § 3921, all dogs kept, harbored, and domiciled by their respective owners in the Town of Harrison shall be licensed.

5.2 Owners of any dog 6 months old or older, or within 10 days of obtaining a dog 6 months old or older, shall provide proof of rabies certificate, and shall obtain a license from the Town Clerk's Office or online at [www.harrisonmaine.org](http://www.harrisonmaine.org). (Online service only available 10/15 – 01/31)

5.3 Licenses expire annually on December 31st and shall be renewed annually by each January 1st. Renewing an expired license after January 31st will subject the owner to a State mandated fine. (7 MRSA, Ch 721, § 3923-B)

5.4 License fees and fines are mandated by the State per Title 7, Part 9, Chapter 721 §3923-A-5 or

5.4.1 See Town Fee Schedule

6 **AT LARGE**

6.1 It shall be unlawful for any dog, licensed or unlicensed, to run at large, except when used for hunting purposes.

6.2 The Town appointed Animal Control Officer, or law enforcement personnel, shall seize, impound, or restrain a dog at large, and shall take the dog to its owner if the owner is known; or shall deliver it to the Town designated animal shelter if the owner is not known.

6.3 A person who finds and takes control of a dog at large shall take that dog to its owner if the owner is known; or shall deliver it to the Town designated animal shelter if the owner is not known. (7 MRSA, Ch 719, § 3913)

6.4 Owners of dogs delivered to the town designated animal shelter may reclaim their dog within a 6-day period and upon proof of license and payment of all fees including, but not limited to, the municipal impoundment fee and actual fees incurred for food, shelter, and veterinary care.

6.5 Any person who is found guilty of this Ordinance shall be imposed a fine in accordance with M.R.S.A. Title 7, Part 9, Chapter 719 §3915 or See Town Fee Schedule

Amended November 6, 2018
7  PROBLEM DOGS

7.1 It shall be unlawful for any owner to cause or permit a dog to bark, howl or yelp continuously for thirty (30) minutes or intermittently for (1) hour or more.

7.2 It shall be unlawful for any owner to cause or permit a dog to defecate on property that does not belong to the owner unless the feces is removed immediately by the dog owner.

7.3 It shall be unlawful for any owner to cause or permit a dog to repeatedly trespass on property that does not belong to the owner unless permission is granted by the property owner.

7.4 Persons afflicted by problem dogs may file a complaint with the town appointed Animal Control Officer using the Witness Statement/Complaint Form found in the Town Clerks office or online at www.harrisonmaine.org.

7.5 If any owner, after receiving sufficient warning, from the Animal Control Officer, and opportunity to correct the issues, is found in violation of this section they shall be subject to a municipal penalty of $25 for the first offense; $50 for the second offense & $100 for third and any additional offense.

8  NUISANCE DOGS

8.1 It shall be unlawful for an owner to permit or cause a dog to inflict bodily harm or otherwise assault or threaten assault against a person or domesticated animal that is not a trespasser on the owner's property.

8.2 It shall be unlawful for an owner to permit or cause a dog to inflict bodily harm or otherwise assault or threaten assault against a person or domesticated animal acting in a peaceable manner off of the owner's property.

8.3 It shall be unlawful for any owner to cause or permit a dog to damage property that does not belong to the owner and is off the owner's property.

8.4 Persons afflicted by nuisance dogs may, within 30 days of the assault or threatened assault, make written complaint, using the Witness Statement/Complaint form, to the town appointed Animal Control Officer or with the Cumberland County Sheriff's Department.

8.5 Any owner found in violation of this section by a court of competent jurisdiction will be subject to Title 7, MRSA Chapter 727, § 3952-A.

9  DANGEROUS DOGS
9.1 It shall be unlawful for an owner to permit or cause a dog to inflict serious bodily injury or death to a person or domesticated animal that is not a trespasser on the owner's property.

9.2 It shall be unlawful for an owner to permit or cause a dog to inflict serious bodily injury or death to a person or domesticated animal acting in a peaceable manner off of the owner's property.

9.3 It shall be unlawful for an owner to permit or cause a dog that has been previously determined to be a nuisance dog, by a court of competent jurisdiction, to inflict bodily injury on a person or domesticated animal that is not a trespasser on the owner's property.

9.4 It shall be unlawful for an owner to permit or cause a dog to inflict serious bodily injury or death to a person or domesticated animal that is not a trespasser on the owner's property.

9.5 It shall be unlawful for an owner to permit or cause a dog to inflict serious bodily injury or death to a person or domesticated animal acting in a peaceable manner off of the owner's property.

9.6 It shall be unlawful for an owner to permit or cause a dog that has been previously determined to be a nuisance dog, by a court of competent jurisdiction, to inflict bodily injury on a person or domesticated animal that is not a trespasser on the owner's property.

9.7 Persons afflicted by dangerous dogs may, within 30 days of the assault or threatened assault, make written complaint, using the Witness Statement/Complaint form, to the town appointed Animal Control Officer or with the Cumberland County Sheriff's Department.

9.8 Any owner found in violation of this section by a court of competent jurisdiction will be subject to See Title 7, MRSA Chapter 727, § 3952-A.

10 PARKS & RECREATION AREAS
10.1 Crystal Lake Park:

10.1.1 Owners visiting Crystal Lake Park shall keep their dog under their immediate command and control at all times.

10.1.2 Dogs shall not be allowed on the sandy beach area of Crystal Lake Park.

10.1.3 Dogs shall not wander, urinate on, or defecate on the playing fields at any time.

10.1.4 Dogs may join their owners as spectators on the playing field sidelines at sporting events so long as they remain leashed.

10.1.5 Dogs are not allowed on/in the basketball court.

10.1.6 Dogs may be allowed on the grassed areas of the park and may access water in the area of the boat launch. Owners and their dogs shall give right-of-way to boaters at all times.

10.1.7 Owners shall immediately remove, and dispose of properly, any feces left by their dog.

10.2 Long Lake Beach:

10.2.1 Owners visiting Long Lake Beach shall keep their dog under their immediate command and control at all times.

10.2.2 Dogs may access water in the swimming area so long as they are not a problem to swimmers.

10.2.3 Owners shall immediately remove, and dispose of properly, any feces left by their dog.
10.3 Long Lake Beach:
   10.3.1 Owners visiting Long Lake Beach shall keep their dog under their immediate command and control at all times.
   10.3.2 Dogs may access water in the swimming area so long as they are not a problem to swimmers.
   10.3.3 Owners shall immediately remove, and dispose of properly, any feces left by their dog.

10.4 Zakelo Beach / Boat Launch:
   10.4.1 Owners visiting Zakelo Beach/Boat Launch shall keep their dog under their immediate command and control at all times.
   10.4.2 Dogs may access water in the swimming area so long as they are not a problem to swimmers or boaters.
   10.4.3 Owners shall immediately remove, and dispose of properly, any feces left by their dog.

10.5 RADR Complex (in its entirety):
   10.5.1 Owners visiting RADR Complex shall keep their dog under their immediate command and control at all times.
   10.5.2 Owners will immediately remove, and dispose of properly, any feces left by their dog.

10.6 RADR Playing Fields
   10.6.1 Dogs shall not wander, urinate on, or defecate on the playing fields at any time.
   10.6.2 Dogs may join their owners as spectators on the playing field sidelines at sporting events so long as they remain leashed.

10.7 RADR Fenced In Areas
   10.7.1 Owners shall not use ANY fenced in areas of the complex to contain their dog.
   10.7.2 Dogs are not allowed on the tennis court or the basketball court.

10.8 Play Ground/Grassy Rim/Wooded Trail
   10.8.1 Owners and their dogs may enjoy the outer grassy rims of the RADR complex as well as the wooded trail system and playground.
   10.8.2 Owners will immediately remove, and dispose of properly, any feces left by their dog.

10.9 Any owner found in violation of Section 10 shall be subject to a municipal penalty of $25.00 for the first offense; $50 for the second offense; $100 for the third offense and any additional offenses. An owner will also be responsible for any court costs from a court of competent jurisdiction.
11 IMPOUNDING, IMPOUNDMENT, IMPOUNDMENT FEES

11.1 In accordance with the State of Maine, Title 7 MRSA;

11.1.1 Chapter 719, § 3912 & 3913

11.1.2 Chapter 727, § 3952

11.1.3 Chapter 741, § 4041

11.2 The town appointed Animal Control Officer or Cumberland County Sheriff’s Department shall seize, impound, or restrain any dog violating this ordinance or state law.

11.3 Owners may reclaim their dog by proof of license and by proof of reimbursement of municipal fines and fees to the Animal Shelter and/or Town of Harrison.

12 SEVERITY CLAUSE

12.1 If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

13 AMENDMENTS

13.1 This ordinance may be amended by a majority vote of any Town Meeting, (annual or special) when such amendment is published in a warrant calling for such meeting.

14 EFFECTIVE DATE

14.1 This ordinance shall be in full force and effect upon passage by the legislative body.