

ANIMAL CONTROL ORDINANCE

TOWN OF GLENBURN, MAINE

An ordinance to protect the life, health, property and public peace of the Inhabitants of the Town of Glenburn by establishing the position of Animal Control Officer and by establishing local regulations dealing with animal control.

The Town of Glenburn hereby ordains that there shall be an animal control program covering the entire area of the town with provisions as follows.

1. ANIMAL CONTROL OFFICER

- A. **APPOINTMENT.** The Town Council shall appoint one, and may appoint more than one, Animal Control Officer pursuant to 7 MRSA Sec. 3452-A. Appointments under this section shall be for one year terms, or less, with termination to coincide with the end of the Town's fiscal year.
- B. **DUTIES.** The Animal Control Officer shall perform all duties required by 7 MRSA Sec. 3452-A, and shall enforce all provisions of this ordinance.
- C. **REPORTS.** The Animal Control Officer shall submit to the Town Manager a monthly log of all activities performed including the date, time on/time off, elapsed time, description of activity including location etc. and the number of miles traveled. This report shall serve both as an activity report and an expense voucher to back up payment to the Animal Control Officer.
- D. **NOTIFICATION.** The Animal Control Officer shall notify the Municipal Clerk within 24 hours after impounding any dog. Such notice shall include a detailed description of the dog and the circumstances of its finding.
- E. **COMPENSATION.** The Animal Control Officer shall receive an annual stipend payable in four quarterly installments. In addition, the Animal Control Officer shall be paid an hourly rate and an expense reimbursement for mileage traveled in a personal vehicle. The stipend, hourly rate and mileage rate shall be determined by the Town Manager within the guidelines of the annual budget. The Animal Control Officer shall not be entitled to a mileage reimbursement for any animal control activities performed with a municipally owned vehicle nor shall the Animal Control Officer be entitled to an hourly rate for any animal control activities performed while on duty with the County or municipal police force. Normally, municipal vehicles will not be used for transporting animals to and from the animal shelter.

- 2. **IMPOUNDMENT.** The Municipal Officers shall designate the shelter to which dogs picked up within the Town of Glenburn shall be taken under 7 MRSA Sec. 3456 or under provisions of this ordinance. The designated shelter shall have the approval of the Commissioner of Agriculture. The Municipal Officers shall develop an agreement with the owner of the designated shelter outlining the full financial arrangements and procedural matters concerning the use of such shelter as the Town of Glenburn's impoundment facility. The agreement shall expire at the end of the municipal fiscal year but may be renewed if so desired by both parties. The Town of Glenburn will not be responsible for any fees incurred at any shelter other than the one so designated.

impounded in the shelter designated by the Dogs found running at large in violation of 7 MRSA Sec 3455 shall be taken up and Municipal Officers, and there confined in a humane manner for a period of not less than 8 days, unless earlier claimed by their owner, except that when dogs are found running at large and theft ownership is known, such dogs need not be impounded, but the Animal Control Officer may institute proceedings to enjoin such violation in accordance with Section 7 of this ordinance.

The owner shall be entitled to resume possession of any impounded dog within the abovementioned 8 day period upon the payment of impoundment fees as set forth herein.

After the legal detention period for any particular dog has passed, and if the animal has not been claimed by its owner, the Animal Control Officer may transfer ownership to some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this ordinance. The sale price, if any, thus received shall be turned over to the Municipal Treasurer for receipt into the proper revenue account. If the Animal Control Officer has not found a new owner, he shall see that the dog is disposed of in a humane manner.

3. IMPOUNDMENT FEES.* Any animal impounded hereunder may be reclaimed by the owner during regular shelter hours only upon payment of the following fees:

A. Payment of an impoundment fee of \$20.00* for each dog, except that on the second and subsequent impoundments of the same dog in any six month period the fee shall be \$30.00*. A treasurer's receipt showing that the impoundment fee has been paid at the municipal office must be presented to the shelter operator before any dog can be released.

B. Payment of the board fee in the amount of \$5.00* per day to be paid to the shelter operator.

C. Payment of the cost of any shots which the dog may have received while impounded to be paid to the shelter operator.

D. Presentation to the shelter operator of a valid dog license for the impounded dog.

* The Town of Glenburn Fees Ordinance supersedes any and all fees quoted in this ordinance.

4. WHEN DOGS MAY BE KILLED. If any dangerous, fierce, or vicious dog cannot be safely taken up and impounded, such dog may be slain by the Animal Control Officer.

5. BARKING OR HOWLING DOGS. Repealed Effective 06/24/89

6. DOMESTIC LIVESTOCK AND FOWL. 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 private property. When such domestic livestock and fowl are found to be in violation of this section, the Animal Control Officer may give written notice of such violation to the owner of such domestic livestock or fowl. "Owner" means any person or persons, firm, association or corporation owning, keeping, or harboring such domestic livestock or fowl. If within 60 days of the issuance of the abovementioned written notice, the owner again fails to keep his domestic livestock or fowl in compliance with this ordinance, the Animal Control Officer may institute proceedings to enjoin such violation in accordance with Section 7 of this ordinance.

7. PENALTY. Any person who fails to comply with the provisions of this ordinance shall be punished by a fine of not less than \$50.00 nor more than \$100.00, plus reasonable attorney's fees and costs, recoverable in a civil action in Maine District Court. The Town of Glenburn or

any appropriate officer may institute proceedings to enjoin violations of this ordinance y fines imposed under this ordinance shall inure to the Town of Glenburn

8. SEVERABILITY. If any portion of this ordinance is held to be unconstitutional or invalid, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions thereof.
9. REPEAL OP EXISTING ORDINANCE. Upon the effective date of this ordinance, the ordinance entitled “Dog Control Ordinance” as adopted March 12, 1981, shall be repealed.

ORDINANCE HISTORY:

ADOPTED 06/12/76

AMENDED 04/12/81

AMENDED 10/12/85

AMENDED 12/21/85

AMENDED 05/25/89

11/08/07: 3. Impoundment Fees Asterisk added to reflect that the Town of Glenburn Fees Ordinance supersedes any and all fees quoted in this ordinance.