

DOG BY-LAWS:

Accepted the provisions of Chapter 140, Section 147A which authorizes Town by-laws for the control of dogs and which provides for all dog moneys to remain the property of the Town and not to be transferred to the County Dog Fund.

Section I: Purpose

All dog owners shall keep their dogs under control at all times for the purpose of

1. Protecting people and animals from injury
2. Protecting property from damage
3. Preventing dog-related nuisances

Section II: Definitions

- A. Licensing Board – Board of Selectmen
- B. Dog Officer – the person or persons appointed by the Selectboard to enforce this by-law.
- C. Owner – any person who licenses a dog or keeps a dog for (30) thirty days or longer and in the absence of substantial evidence, shall be presumed to be the owner of record of the parcel where the dog is kept for such (30) thirty day period.
- D. Guard dog – dogs which meet the provisions of Chapter 129, Section 39b of the Massachusetts General Laws
- E. Residence – within the boundaries of the land where the owner sleeps

Section III: Licensing

- A. The Town Clerk shall make a list of all dogs owned by the inhabitants of the Town of Williamsburg. An owner or keeper of a dog who refuses to answer or answers falsely to persons directed or authorized to make a list of owners of dogs shall be punished by a fine established by the Licensing Board. Chapter 140, Section 150 MGL
- B. Any owner or keeper of a dog six (6) months old or older, or the owner or keeper of a dog that becomes six (6) months old during a license period, shall cause it to be registered, numbered, described and licensed between April first and the following March thirty first, both dates inclusive. Chapter 140, Section 137 MGL
- C. Rabies Vaccination: When applying for a license the applicant must show proof of rabies vaccination by a veterinarian certificate dated within the last three years, if the dog is (6) six months of age or older. Chapter 140, Section 145B MGL

Section IV: Kennel Licensing

- A. Every person maintaining a kennel shall have a kennel license. Any owner with four or more dogs six months old or older, whether maintained for breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs are on sale, may choose to obtain a kennel license. Kennel fees vary according to the maximum number of dogs kept. Kennel licensing dates shall be the same as for individual licensing. Chapter 140, Section 136A MGL

Section V: Fees and Fines

The licensing Board of the Town of Williamsburg shall determine licensing fees annually for a male dog, a female dog and a spayed female and a neutered male; owners must provide a certificate of a registered veterinarian that said female dog has been spayed and said male dog has been neutered.

If a dog is not licensed before May 1, a late fee of \$25 per dog will be assessed to the owner in addition to the licensing cost. If a dog is not licensed before June 1, a late fee of

\$50 per dog will be assessed to the owner in addition to the licensing cost. All assessed late fees and violation fines must be paid before any new license will be issued. Dogs not licensed by June 30 will be caught and confined by the dog officers as prescribed by MGL Chapter 140, Section 151A.

- A. No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided, that the Massachusetts Commission for the Blind certifies that such dog is so trained and actually in the service of a blind person
- B. No fee shall be charged for a license for a dog professionally trained in the hearing dog business to serve a deaf person, provided that the Director of the Office of Deafness certifies that such dog is so trained and actually in the service of the deaf person. Chapter 140, Section 139 MGL
- C. No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal of the dog. Chapter 140, Section 139 M.G.L.
- D. Whoever violates any provision of the Dog By-laws, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in M.G. L. Chapter 40 section 21D.
 - ❖ \$25.00/dog for Renewal licensing between May 1st to May 31st
 - ❖ \$50.00/dog for Renewal licensing after May 31st
 - ❖ \$25.00/dog for pick up fee
 - ❖ \$15.00/day per dog – daily care fee

Collected fines will be used to pay the dog control officer for enforcing this by-law. Dogs picked up for violations will be confined in a place suitable for detention and care of dogs and kept in a sanitary condition, or they may be placed in the care of the holder of a kennel license or of a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse. The owner prior to release of the dog must pay all fines.

Owners will pay the dog control officer \$15.00 per day for the care of the dog in addition to the fine for the offense. The daily care and detention money will be paid to the Dog Control Revolving Fund and will then be disbursed to the Dog Control Officer.

Under the provision of Chapter 140, Section 151A, unclaimed dogs may be disposed of after five (5) days.

Section VI: Violations

- A. Running at large – A dog running at large is a violation. A dog beyond the boundaries of the owner's property is considered to be running at large unless the dog is in sight and under voice command of the owner in the act of walking, training, working, hunting or guarding. A dog on the premises of a property owner without the knowledge or permission of such owner is considered to be running at large and trespassing.
- B. Chasing – A dog chasing a pedestrian, bicycle, or any other vehicle is a violation.
- C. Barking – Excessive barking during the day or to bark between 10pm and 8am, so disturbing the reasonable quiet of the neighborhood is a violation.
- D. Worring Livestock – To worry, injure, or kill another's livestock, fowl or pet is a violation.
- E. Vicious Dog – To menace, attack, or bite a person, animal or fowl without provocation is considered vicious and a violation.

- F. Defecation – Permitting a dog to perform its natural body functions on the groomed and maintained areas of another’s property, a public sidewalk, public recreation areas, school property, the Town Memorial and Town Commons, and cemeteries is a violation. A dog owner shall be responsible for the removal of any fecal material deposited by his/her dog in these instances.
- G. Whoever violates any provision of the Dog By-laws, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in M.G.L Chapter 40, section 21D. The Dog Officer, any Police Officer and the Board of Selectmen of the Town are designated as the enforcing persons for non-criminal disposition enforcement of the Dog By-laws.

Violators of this section are subject to a fine according to the following schedule:

- \$25.00 first offense in a 365-day period
- \$50.00 second offense in a 365-day period
- \$75.00 third offense in a 365- day period

Section VII: Complaint and Hearing Process

- A. If any person shall make complaint in writing to the Selectmen of Williamsburg, or the Chief of Police, that any dog owned or harbored within his or their jurisdiction is a nuisance by reason of vicious disposition or excessive barking or other violation, or that any such dog by such barking or other disturbance is a source of annoyance to any sick person residing in the vicinity, Selectmen or the Chief or Police shall investigate or cause to be investigated such complaint, including an examination on oath of the complainant. Within fourteen days after such complaint is received a hearing will be scheduled with the owner or the keeper of such dog and the complainant. The Selectmen shall issue a decision with in seven (7) days to all parties concerned.

Any person owning or harboring such dog, who shall fail to comply with any order of the Selectmen or Chief of Police, shall be brought to District Court.