

COPY

Town of Bradford
PO Box 339
Bradford, Vermont 05033

Dog ORDINANCE
Revised December 13,2007

1. AUTHORITY

This Ordinance is adopted under the provision of VSA Title 20, 3549 DOG OR WOLF-HYBRIDS, REGULATIONS BY TOWNS and Title 13: Chapter 8: HUMANE AND PROPER TREATMENT OF ANIMALS.

2. GENERAL REGULATIONS

- a. Each person owning and/or keeping a dog within the Town of Bradford shall bear sole responsibility for the actions of his or her dog from becoming a nuisance, as defined below, and shall be responsible for payment of all damages and expenses caused by his or her dog, including impoundment fees.
- b. Under this section, a dog is causing a nuisance, or is a menace to person or property, under the following conditions:
 1. If it barks or howls continuously for sustained periods of time, causing annoyance to persons or in any other manner unreasonably disturbs the quiet and comfort of any person in the Town.
 2. If while running at large on the roadways or on property other than that of its owner or keeper, it turns over garbage or waste to be scattered in yards or on streets or sidewalks.
 3. While it runs at large, it bites, attacks, or otherwise menaces persons using the streets or sidewalks.
 4. While at large, it barks at or runs after motor vehicles being driven along the roadways.
 5. If when loose, it chases or attacks game, domestic animals or human beings.
 6. While running at large upon property other than that of its owners or keepers, it destroys property.
 7. If a female is unconfined while in heat.
 8. If it wanders repeatedly upon property other than that of its owner or keeper.
- c. Pet owners shall provide animals with adequate, food, water and shelter, as denoted in VSA Title 13, Chapter 8.
- d. Any person who considers a dog to be a nuisance, or in any way to be a threat to persons or property may file a verbal or formal complaint to the Bradford Constables(s) Enforcement Official, who will investigate the complaint promptly.

3. LICENSING OF DOGS

All dogs kept within the Town of Bradford must be licensed in accordance with the provisions and fee schedule described in VSA Title 20, S3581. All dogs will

be licensed by April 1 each year. Fees for licenses shall be increased by 50% after April 1.

By April 15, the Town Clerk will prepare a list of licenses issued during the current year and a list of those dogs licensed in the previous year that have not yet been licensed in the current year (VSA Title 20 S3590). The Town Clerk will notify each owner of a dog or wolf-hybrid thus identified that the dog is unlicensed and will explain the penalties involved. This notice may be in writing or by telephone.

The Town Clerk will charge a \$10.00 dog late fee per dog, to each owner who licenses a dog after April 1. This late fee will increase to \$20.00 per dog for all dogs licensed after June 1. New dogs, dogs not yet six months old on April 1 and dogs who have moved into Bradford with their owners are exempt from the late fees.

On June 1, the Town Clerk will deliver to the Selectboard a list of those dogs still unlicensed. The Selectboard will write the owner or keeper that a late fee of \$20.00 has been charged and will be collected. Owners will be warned that non-payment could result in the destruction of the dog (VSA Title 20, S3621).

When the Bradford Constables or Enforcement Official(s), see a dog that is unlicensed for the current period, they will inform the owner of the need to license and the penalties that will be collected.

4. **DOG BITES** (protection from rabies)

Note: These regulations are based on the recommendations of the Vermont Department of Health.

When a complaint is received that a dog has bitten a human, the Constables or Enforcement Official shall identify the dog, if possible, and order the owner to confine the dog for 10 (ten) days. If no facilities exist for confining the dog at the owner's home, the dog will be placed in the care of the pound keeper for the Town of Bradford or in the care of a veterinarian for 10 (ten) days and all expenses thus incurred will be the responsibility of the owner. In the event that the owner cannot be found, the dog will be delivered to a veterinarian for destruction.

The Bradford Health Officer will be informed of the event and will ensure that the person who was bitten receives medical attention. The Health Officer will determine that the period of confinement of the dog is carried out. At the end of the 10 (ten) days the Health Officer will observe the dog and determine if it is normal. The Health Officer may decide that a veterinarian should examine the dog and issue a certificate of freedom from rabies. The cost, of such examination, will be paid by the dog's owner or keeper. The Health Officer will file an Animal Bite Report Form with the Vermont Department of Health.

If any doubt about the dogs health exists at the end of the 10 (ten) day confinement period, the dog will remain confined and advice be obtained from the Department of Health.

Should rabies be confirmed in the confined dog, the Town will take such actions as is directed be the Board of Health with the advice of the Department of Health.

5. DOGS CAUSING DAMAGE OR DEATH OF ANIMALS.

When the Selectboard receive a written complaint that a dog(s) have been harassing, injuring or killing domestic or farm animals they will appoint a person to investigate the incident who will give the Selectboard a description, in writing, of the damage done and its dollar value. The Selectboard will consider the report and may pay compensation to the complainant, recovering such sum from the owner or keeper of the dog if he/she is known. The Selectboard may take appropriate action to prevent a reoccurrence of the incident.

No owner or person having custody of a dog shall permit said dog to defecate on any public school ground, public sidewalk or walkway, public roadway, any public park or other public property, or on any privately owned property without such owner's consent unless said defecation is removed immediately and properly disposed of in a container for such trash or in some other legal manner other than on the premises aforementioned. This provision shall apply whether or not the owner or person having custody has knowledge that the dog is defecating on the premises aforementioned.

6. IMPOUNDING.

The Constables or Enforcement Official shall report the impoundment to the Town Clerk's Office giving the date, breed, color and sex of the dog, and whether it is licensed. If licensed they shall give the town where licensed and the tag number.

7. ENFORCEMENT.

The Selectboard will appoint an Enforcement Official to carry out and enforce the provisions of this ordinance. This position can be assigned to the position of Second Constable. However, First and Second Constables as well as the Bradford Police Department will enforce this ordinance. Payment of services incurred by the Constables will be set by the Selectboard.

The Constables or Enforcement Official shall have the following administrative alternatives at their disposal:

A warning, either verbal or written, to alert an owner or keeper that his/her dog is creating a nuisance or must be registered. Also at the First warning the owner or keeper shall be given a copy of the Bradford Dog Ordinance.

A citation (and fine) for violation of a provision of this ordinance. First incident- \$35.00 fine. Second incident \$60.00 fine. Third incident - \$100.00. Subsequent incidents - \$200.00 with possible removal of the dog (s) from the owners. Costs of impoundment being borne by the owner or keeper.

Temporary impoundment of the dog(s), until such time the owner or keeper can be found.

An order to restrain the dog(s). Such an order shall be in writing and a copy shall be delivered to the Selectboard,

An order of Confinement for biting dogs or females in heat.

Such action as the Selectboard shall determine.

8. APPEALS

Any person receiving a citation (and fine), an order to restrain or an order to confine a dog(s) may appeal that action in writing to the Selectboard within 10 (ten) days of issuance of the order or citation. On receiving such an appeal the Selectboard will schedule a hearing of the appeal and order the owner or keeper of the dog(s), Constables or Enforcement Official and the person making the complaint about the dog(s) to attend the hearing. The Selectboard will hear the merits of the incident at the hearing and shall affirm, modify or dismiss the actions taken by the Constables or Enforcement Official as justice may require.

If the person making the original complaint about the dog(s) declines to attend the hearing and the Constable or Enforcement Official affirms that the action taken by him was solely upon the information of the complainant and not corroborated by his personal observation, the fine or order shall be dismissed by the Selectboard

9. DEFINITIONS

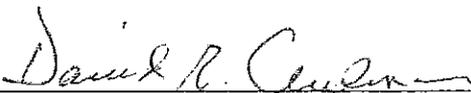
- “Sustained period”: Shall mean a continuous period of 15 minutes or more
- “Repeatedly”: Shall mean more than twice within a seven day period.
- “Impoundment”: Shall mean the taking of the dog(s) into physical custody by the Constable or Enforcement Official and transported to the Pound. The owner or keeper will be required to pay all expenses during the period that the dog(s) is impounded.
- “Restraint”: Shall mean physical restriction of the dog(s) by chaining, use of an electronic fencing, placing in a

fenced or enclosed area, or other similar action.

“Confinement”: Shall mean being kept in a closed space from which the dog(s) shall not be allowed to leave. The inside of a house or closed garage or a kennel is such a place. Note that an outdoor wire pen is not sufficient to confine a female dog that is in heat.

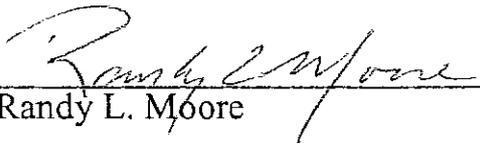
“Enforcement Official”: Shall mean any of the following—Bradford Police Department, Bradford Constables, Town Health Officer or the Animal Control Officer.

“Dog”: Shall mean dog or **wolf-hybrid**.



David R. Chipman, Chair

Robert D. Miller



Randy L. Moore



Thomas E. Unkles



Daniel Perry III

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