

**ANIMAL CONTROL ORDINANCE  
VASSALBORO, MAINE**

As a general rule, municipalities may legislate where there is a local concern or interest. This is so, even if the State has acted in the same area, provided the municipal ordinance imposes higher standards and does not conflict with the statutes. It is intended that this “ANIMAL Control Ordinance” meet the following requirements.

### **1. ANIMALS TO BE LICENSED**

No animal “required to be licensed” shall be kept within the limits of the Town of Vassalboro unless such animal shall have been licensed by its owner in accordance with the statutes of the State of Maine.

For the purpose of this Chapter “Owner” shall mean any person or persons, firm, association or corporation owning, keeping or harboring an animal.

### **2. ANIMALS RUNNING AT LARGE.**

No owner of any animal, shall permit such animal to run at large within the town of Vassalboro.

For the purposes of this Chapter “Run At Large” shall mean off the premises of the owner and not under the control of any person by leash, cord, chain, voice control or otherwise.

### **3. BARKING DOGS**

No owner shall keep or harbor any animal within the legal limits of the Town of Vassalboro, which by loud, frequent, or habitual barking, howling, yelping, or other loud or unusual noises shall disturb the peace of any person or persons anytime day or night.

Upon written complaint by the person disturbed, signed and sworn to, any constable, duly qualified law enforcement official or animal control officer may investigate and may give written notice to the owner or keeper of such animal that such annoyance or disturbance must cease. The warning shall be made part of the complaint. Thereafter, upon continuance of such annoyance or disturbance, such owner shall be guilty of a civil violation and upon conviction thereof shall be punished by a fine of \$50.00 for the first offense. Each additional conviction after the first conviction shall be punished by a fine of \$50.00. All fines so assessed and attorney fees shall be recovered for the use of the Town of Vassalboro through District Court.

### **4. IMPOUNDMENT**

Any police officer “or Animal Control Officer” of the Town of Vassalboro on complaint shall apprehend any animal kept in violation of the licensing provision of Section 1, animals running at large, or disturbing the peace by barking in violation of Section 3 and impound such animal in a suitable place.

The person in control of impounding upon receiving any animal shall make a complete registry, entering the breed, color and sex of such animal and whether licensed or unlicensed. If licensed he shall enter the name and address of the owner and the number of the license tag.

### **5. NOTICE OF IMPOUNDMENT**

If the owner or keeper of such impounded animal is known or can be ascertained with reasonable diligence, then the person in control of impounding shall notify such owner or keeper as soon as possible, and in any case not later than 3 days of the receipt of such animal. If the owner of such animal is not known and cannot be ascertained with reasonable diligence, then the person who has control of impounding shall deliver such animals to a suitable place.

### **6. RELEASE FROM IMPOUNDMENT**

The owner or keeper of any impounded animal may obtain the release of such animal by appearing before the person in control of impounding within 7 days of receiving notice of such impounding and satisfy the following requirements:

- (a) Compliance with all licensing requirements of the State of Maine and Town of Vassalboro.
- (b) Payment to the Town Treasurer of impoundment fee of \$25.00.

## **7. DISPOSITION OF ANIMAL**

Upon the expiration of the 7 day period and such animal has not been reclaimed by its owner or keeper, the animal may be humanely destroyed or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this ordinance. The person having control of impounding shall keep a record of the disposition made of each animal placed in his control. Such record shall include the manner of disposing of such animal and, if such animal is transferred to another person, the name and address of the transferee. In addition, the transferee shall sign a statement giving his name, address and the date of delivery or receipt of the animal.

## **8. PENALTIES:**

Any person who fails to comply with the provisions of the Ordinance shall be punished by a fine of not less than \$75.00, nor more that \$400.00 plus reasonable attorney's fees and costs incurred by the Town of Vassalboro, Maine, recoverable in a civil action in Maine District Court. The Town of Vassalboro or any appropriate officer may institute proceedings to enjoin violations of this Ordinance. Any fines imposed under this Ordinance shall revert to the Town of Vassalboro.

## **9. This animal control ordinance as revised and approved replaces any other animal control ordinance, which may be in force at the present time.**

Enacted: March 1970

Amended: November 2, 2004