

**PROPOSED**  
**Dog Control Ordinance**



## TOWN OF BROWNFIELD, MAINE

### DOG CONTROL ORDINANCE

#### Definitions

As used in this ordinance, unless the context indicates otherwise, the following terms have the following meanings:

**Animal Control Officer:** The person appointed periodically by the Municipal Officers pursuant to 7 M.R.S.A. Chapter 725 § 3947.

**Animal Control:** Control of dogs, whether domesticated or undomesticated, which may be a problem in the community and which are not controlled by any other law.

**Animal Shelter:** A facility that houses animals and operates for the purpose of providing stray, abandoned, abused or owner-surrendered animals with sanctuary or for finding the animals temporary or permanent adoptive homes.

**Animal:** Both male and female dogs within the Town of Brownfield

**At Large:** Off the premises of the owner and not under the control of a person whose personal presence and attention would reasonably control the conduct of a dog.

**Dog:** Member of the genus or species known as *canis familiaris* or any canine, regardless of generation, resulting from the interbreeding of a member of *canis familiaris* with a wolf hybrid as defined by state statute.

**Dog in Heat:** The naturally occurring cycle of canine ovulation or estrus as a female dog becomes fertile for breeding.

**Keeper:** A person in possession and control of a dog.

**Ordinance:** The Dog Control Ordinance of the Town of Brownfield.

**Person:** An individual, corporation, partnership, association or any other legal entity.

**Warrant:** An order by the Municipal Officers directing a police officer, constable, sheriff, or animal control officer to enter a complaint or summons against the owners or keepers of unlicensed dogs following notice of non-compliance with the ordinance.

#### Violations:

1. **At Large.** It is a violation of this ordinance for any person, firm, partnership or corporation keeping or harboring a dog to cause or permit the dog to be at large except when actively engaged in legal hunting activity when dogs may be used in the pursuit of wild game, or when dogs are actively involved in training exercises.
2. **Disturbing the Peace.** It is a violation of this ordinance for any person keeping or harboring a dog to cause or permit the dog to disturb the peace of any person including, but not limited to biting, chasing, continued barking or howling, or behavior in any other manner that

would disturb the peace including destruction of a person's property. No owner or keeper of any dog kept within the legal limits of the Town shall allow such dog to unnecessarily annoy or disturb any reasonable person by continued barking, howling or other loud or unusual noises anytime day or night.

Dogs that are legally engaged in herding livestock, or dogs engaged in protecting livestock, or warning the owner of danger to the livestock, are exempt from this section.

3. **Dogs in Heat.** It is a violation of this ordinance for any person harboring a dog to cause or to permit any female dog from leaving the owner's property while in heat unless the dog is restrained by leash or other device to control the movement of the dog.

Dogs actively involved in legal hunting and/or training exercises are exempt from this provision.

4. **Licensed Dogs.** It is a violation of this ordinance for any person to keep or harbor a dog beyond the age of 6 months without obtaining a license for the dog in accordance with 7 M.R.S.A. Chapter 721 § 3922.

#### **Authorizations**

The Animal Control Officer, or the Animal Control Officer's designee, is authorized to enforce the provisions of the ordinance as is any duly authorized law enforcement officer. The Animal Control Officer may capture or seize any dogs found to be at large and, at his or her discretion, return the dog to the owner or take the dog to an approved animal shelter.

#### **Penalties**

Any person found to be in violation of any of the provisions of this ordinance shall be guilty of a civil violation and upon conviction thereof shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) to be recovered by a complaint before the Maine District Court. The person shall also be responsible for the Town of Brownfield's attorney fees and costs. All fines collected shall be recovered for the use of the Town of Brownfield and deposited in a separate account as required by 7 M.R.S.A. Section 3945 (Use and License Fees Retained by Municipalities).

#### **Enforcement**

Primary enforcement of this ordinance will be conducted by the Animal Control Officer; however, any police officer, sheriff or constable is statutorily empowered to enforce the provisions of this ordinance.

#### **Severability**

In the event that any part of this ordinance is found to be contrary to state or federal laws, state or federal laws will prevail. In the event that any part of this ordinance is found to be invalid, the remaining parts of the ordinance will remain in full force and effect.

#### **Effective Date of this ordinance:**

**DOG CONTROL ORDINANCE**

The Town of Brownfield, Maine:

Signed by:



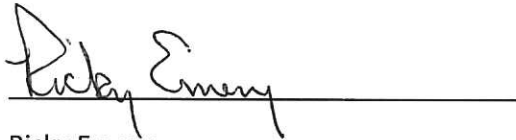
William J Flynn  
**Chair, Board of Selectmen**

Signed by:



Erik T Walker  
**Selectmen**

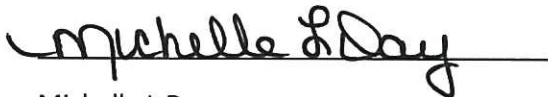
Signed by:



Ricky Emery  
**Selectmen**

A true copy, attest:

Signed by:



Michelle L Day  
**Town Clerk**

09/30/2020

Date

