

Vershire Dog and Pet Ordinance

Adopted Feb. 25, 2003; revised June 13, 2006

Pursuant to the provisions of Title 20, Section 3549 of Vermont Statutes annotated as amended, it is hereby ordained by the Board of Selectman of the Town of Vershire, that the following Dog and Pet Ordinance be adopted.

Section 1. DEFINITIONS: As used in this ordinance the following terms shall have the respective meanings:

- (a) Dogs: Shall include male and female of the canine species, wolf or wolf-hybrids.
- (b) Pet: Shall mean any dog cat ferret, wolf-hybrid or any other animal which is kept for the owner's enjoyment.
- (c) Owner: Shall include any person or persons, firms, association, or corporation owning, keeping, or harboring a dog, ferret, cat wolf-hybrid or other pet. Unless otherwise identified on the dog or pet license, the head of the household shall be presumed to be the owner of the dog or pet.
- (d) Pound Keeper: Shall mean any person designated by the Selectboard or elected by the Town to serve as authorized dog agent.
- (e) Officer: Shall mean any police officer, game warden, sheriff, constable, the town Animal Control Officer, the Pound Keeper, or any member of the Selectboard if none of the aforementioned Officers are immediately available.
- (f) Vicious Animal: Shall mean any dog, cat, ferret, wolf-hybrid or any other animal which is kept for the owner's enjoyment which bites, or snaps at any person or tears at the clothes of any person or attempts to bite any person, unless such dog, wolf-hybrid, or pet is actively protecting owner's property which has been entered unlawfully.
- (g) Public nuisance: Shall mean any dog or cat which may be running at large, and creates a disturbance or menace off the premises of the animal's owner, through its stalking, barking, feces and/or urine deposits, scattering refuse, harassing passersby, causing damage to real or personal property, attacking persons or other animals, obstructing traffic, or worrying another animal shall be deemed to be creating disruption to the general public.
- (h) Running at large: see section 2 below.

Section 2. RUNNING AT LARGE: All dogs and wolf-hybrids within the Town of Vershire shall be restrained from running at large off the property of the owner. A dog or wolf-hybrid shall be deemed to be restrained from running at large when it is kept within an enclosure on the property of its owner or keeper or is kept on a leash, or is under the immediate control of a competent and responsible attendant. Hunting dogs in training and pursuing legal game and under reasonable control of its owner or keeper shall not come under the provisions of this ordinance.

Section 3(a). DISTURBANCE BY NOISE: It shall be unlawful for any person owning or possessing a dog, cat, or wolf-hybrid to permit it to disturb the quiet of any person by habitually crying, barking or howling for a period of more than 30 minutes, day or night. This section may be acted upon notification in writing by one complainant and one witness

by any of the Officers listed in Section 1(e). Complainant shall make a reasonable attempt to contact dog or wolf-hybrid owner before contacting the Town of Vershire.

Section 3(b). **DISTURBANCE BY A NUISANCE ANIMAL:** It shall be unlawful for any person owning or possessing a dog, cat, or wolf-hybrid to permit it to be a nuisance as defined in section 1. This section may be acted upon notification in writing by one complainant and one witness by any of the Officers listed in Section 1(e). Complainant shall make a reasonable attempt to contact dog or wolf-hybrid owner before contacting the Town of Vershire.

Section 4. **LICENSE REQUIRED:** it shall be the duty of every owner of any dog or wolf-hybrid over 6 months of age, within the Town of Vershire to procure a license therefore in accordance with Title 20, Sections 3501-3592 of the Vermont Statutes Annotated, as amended.

Section 5. **IMPOUNDING:** Any dog, ferret, cat, wolf-hybrid or pet found running at large within the Town of Vershire may be taken up by an officer and impounded. Notice of such impoundment shall be promptly given to the owner of such can be determined. If the owner of such animal is unknown, a notice of such impoundment shall be posted in the Town Office.

Section 6. **REDEMPTION:** An owner may reclaim his impounded dog, wolf-hybrid or pet upon payment to the Barre pound keeper of current applicable fees for maintenance and care, plus payment to the Animal Control Officer for transportation and handling, the following fees: \$50.00 for a registered or unregistered animal, first offense, \$100.00 second offense, \$150.00 third and subsequent offenses all within a six month period.

Section 7. **ANIMAL BITE:** The owner of a dog, wolf-hybrid, cat, ferret or pet that attacks another dog or pet, shall be fined as stated in Section 10 of this ordinance and must pay all related expenses, such as pound fees, medical expenses, or veterinary fees incurred. The Town of Vershire shall have the right to impound, for a period of 10 days, any dog, ferret, wolf-hybrid, cat or other vicious animal which bites a person and/or is suspected of carrying rabies. If the owner of said animal is not immediately known or if an officer determines that such owner cannot adequately provide restraint the Town of Vershire may confiscate said animal and impound. If impounded, an animal may then be released back to the owner upon satisfaction of damages made to all parties involved. All reports must be file within 24 hours of any such incident to the Town of Vershire. Selectman and the Animal Control Officer will meet to review the incident to deem whatever action shall be taken. If an animal so impounded is proven to have rabies, it shall be destroyed at the owner's expense.

Section 8. **DISPOSITION OF UNCLAIMED DOG & PETS:** It shall be the duty of the Pound Keeper to keep all animals so impounded for a period of ten (10) days. Any animals not reclaimed within the ten days may be destroyed within the next two days.

Section 9. **CRUELTY:** Any person who shall torture, torment or cruelly neglect to provide with necessary sustenance or shelter, or shall cruelly beat, needlessly mutilate or kill any dog or pet, shall be guilty of violating this ordinance.

Section 10. **PENALTIES:** The failure of the owner or keeper of a dog or pet to comply with any section of this ordinance may subject the owner or keeper to a fine as noted below:

Dog Bite: Each offense \$500 full penalty/\$375 waiver penalty

Cruelty: Each offense \$100 full penalty/\$75 waiver penalty

Unlicensed dog/wolf-hybrid:

First notice: Warning to license dog within 14 calendar days

Second notice: \$ 50 per unlicensed dog or wolf-hybrid plus

\$1 per day every day after May 1st per unlicensed dog or
wolf-hybrid and/or disposal of such dog/ waiver penalty

Running At Large or Disturbance by noise or nuisance animal:

First offense: written warning

Second offense within 6 months:

up to \$100 full penalty/up to \$75 waiver penalty

Third offense within 6 months: up to \$500 full penalty and/or
disposal of such dog or pet/ up to \$375 waiver penalty

Section 11. CIVIL ORDINANCE: This Ordinance shall be a civil ordinance and shall be prosecuted in civil court as provided under 24 VSA sections 1974 and 1977. Each day the violation continues may constitute a separate violation of this ordinance.

Section 12. ORDINANCE REPEALED: All Ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 13. SEPARABILITY: If any sections, subsection, sentence clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdictions, such provision shall be deemed separate, district and independent provision and such holding shall not effect the validity of the remaining portions hereof.

Dated this 13th day of June, 2006 by the Selectboard, Town of
Vershire, County of Orange, State of Vermont.

Witness to all:

Naomi LaBarr
Naomi LaBarr, Town Clerk

Richard L. Johnson
Richard L. Johnson, Chair

Louis Cadwell III
Louis Cadwell, III

Sydney Veysey
Sydney Veysey