

SECTIONS 1-2 of the TOWN OF PHILLIPS DOG ORDINANCE SHALL BE REPEALED AND REPLACED BY SECTIONS 1-2, 1-2A, 1-2B and 1-2C. SECTION 1-4 SHALL BE REPEALED AND REPLACED WITH NEW SECTION 1-4 AND ADD SECTION 1-5.

SECTION 1-1 DEFINITIONS

AS USED IN THIS ORDINANCE, UNLESS THE CONTEXT OTHERWISE INDICATES

- A. "DOG" SHALL MEAN BOTH MALE AND FEMALE DOGS.
- B. "OWNER" SHALL MEAN ANY PERSON OR PERSONS, FIRM, ASSOCIATION OR CORPORATION OWNING, KEEPING, HARBORING OR IN POSSESSION OF, OR HAVING CONTROL OF A DOG.
- C. "AT LARGE" SHALL BE INTENDED TO MEAN OFF THE PREMISES OF THE DOG'S OWNER OR A MEMBER OF HIS IMMEDIATE FAMILY, EITHER BY LEASH, CORD, CHAIN AT HEEL OR UNDER COMMAND.

SECTION 1-2 ANIMAL CONTROL OFFICER

THE SELECTMEN SHALL APPOINT AN ANIMAL CONTROL OFFICER FOR THE PURPOSE OF ENFORCEMENT OF THE PROVISIONS OF THIS ORDINANCE AND M.R.S.A. TITLE 7, CHAPTERS 719, 721, 725, 727 AND 729. THE ANIMAL CONTROL OFFICER MAY BE ANY PERSON OR PERSONS, CONSTABLE OR POLICE OFFICER DULY APPOINTED, AND SHALL BE AUTHORIZED TO ISSUE COMPLIANCE ORDERS AND COURT SUMMONSES AS REQUIRED BY THIS ORDINANCE.

SECTION 1-2A LICENSING OF DOGS

1. THE OWNER OF ANY DOG SHALL CAUSE SAID DOG TO BE LICENSED IN ACCORDANCE WITH TITLE 7, SECTION 3922, 2923 AND 3924.
2. THE OWNER OR KEEPER OF ANY DOG NOT DULY LICENSED MAY BE ISSUED A COMPLIANCE ORDER WHICH SHALL DEMAND THAT THE OWNER OBTAIN A LICENSE FROM THE TOWN CLERK FOR SAID DOG WITHIN SEVEN DAYS FROM THE DATE OF ISSUANCE, PAYING TO THE CLERK, IN ADDITION TO THE LICENSE FEE, A COMPLIANCE FEE OF FOUR ( \$ 4.00) DOLLARS OR AS PROVIDED IN M.R.S.A TITLE 7, SECTION 3943.
3. THE OWNER OR KEEPER OF ANY UNLICENSED DOG MAY, IN ADDITION TO THE COMPLIANCE ORDER, BE SUMMONED TO COURT AS PROVIDED IN M.R.S.A. TITLE 7, SECTION 3943.

SECTION 1-2B SICK OR INJURED DOGS.

1. ANY PERSON FINDING A SICK OR INJURED DOG WITHIN THE TOWN OF PHILLIPS, MAY TAKE SAID DOG TO THE ANIMAL CONTROL OFFICER, WHO SHALL TAKE SAID DOG TO ANY VETERINARIAN OR HUMANE SOCIETY SHELTER IN ACCORDANCE WITH TITLE 7 SECTIONS 3943 AND 3948.
2. THE OWNER OF SAID DOG MAY BE REQUIRED TO PAY THE TOWN OF PHILLIPS A FEE OF FIVE ( \$ 5.00) DOLLARS FOR THIS SERVICE. THE TRANSIT FEE MAY BE IN ADDITION TO ANY AND ALL OTHER FEES.

SECTION 1-2C NOISE, DISTURBANCE PROHIBITED, COMPLAINT, NOTICE TO ABATE

1. NO OWNER OR PERSON HAVING CUSTODY OF ANY DOG WITHIN THE LEGAL LIMIT OF THE TOWN SHALL KEEP OR MAINTAIN A DOG WHICH CREATES A NUISANCE BY CONTINUED OR REPEATED BARKING, HOWLING, MAKING OF OTHER LOUD OR UNUSUAL NOISES OR IN ANY OTHER MANNER DISTURBING THE PEACE OF ANY PERSON. A PERSON WHO KEEPS OR MAINTAINS A DOG WHOSE BARKING OR HOWLING SUSTAINED FOR ONE HALF HOUR OR INTERMITTENTLY FOR THREE HOURS, WHICH CAN BE HEARD AT OR BEYOND THE BOUNDARY OF THE PROPERTY ON WHICH THE DOG IS LOCATED, VIOLATES THIS SECTION.

SECTION 1-2C CONTINUED

2. NO PERSON SHALL KEEP OR MAINTAIN A DOG WHICH CREATES A NUISANCE BY HABITUALLY CHASING, BITING OR IN ANY OTHER MANNER DISTURBING THE PEACE AND QUIET OF ANY OTHER PERSON.

SECTION 1-3 RUNNING AT LARGE PROHIBITED

NO OWNER SHALL CAUSE OR PERMIT ANY DOG OWNED BY HIM, OR IN HIS POSSESSION OR UNDER HIS CONTROL, TO RUN AT LARGE WITHIN THE TOWN. A DOG, WHILE IN OR ON ANY PUBLIC WAY, OR IN ANY OTHER PLACE, EXCEPT AS HEREINAFTER PROVIDED, SHALL BE UNDER RESTRAINT, WITHIN THE MEANING OF THIS ORDINANCE. IF IT IS CONTROLLED BY A LEASH, CORD CHAIN OR "AT HEEL", OR UNDER THE CONTROL OF A PERSON AND OBEДИENT TO THAT PERSON'S COMMAND OR ON OR WITHIN A VEHICLE BEING DRIVEN OR PARKED IN THE STREETS, OR WITHIN THE PROPERTY LIMITS OF ITS OWNER OR KEEPER. NOTHING IN THIS ORDINANCE SHALL BE HELD TO REQUIRE THE LEASHING OR RESTRAINT OF ANY DOG WHILE ON ITS OWNER'S OR KEEPER'S PREMISES.

SECTION 1-4 PENALTY

ANY PERSON CONVICTED OF A VIOLATION OF ANY PROVISION SHALL BE PUNISHED BY A FINE OF NOT LESS THAN TWENTYFIVE ( \$ 25.00) DOLLARS OR MORE THAN ONE HUNDRED ( \$ 100.00) DOLLARS. UPON A FINDING OF MORE THAN ONE VIOLATION OF SECTION 1-2C INVOLVING THE SAME DOG OR DOGS, THE COURT MAY ORDER THE DOG OR DOGS FORTHWITH REMOVED BEYOND THE TOWN LIMITS, OR IN THE ALTERNATIVE, ORDER THE TOWN TO HUMANELY DISPOSE OF, GIVE AWAY OR SELL THE DOG OR DOGS.

SECTION 1-5 VALIDITY

SHOULD ANY SECTION OR PART OF THIS ORDINANCE BE HELD BY THE COURT TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THIS ORDINANCE AS A WHOLE, OR ANY PART THEREOF, OTHER THAN THE PART SO DECLARED TO BE INVALID.