

CITY OF GARDINER CODE

CHAPTER 7

Dog Control Provisions

SECTION

- 1760. Dogs to be Licensed
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- 1762. Barking Dogs
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Section 1760. Dogs to be Licensed.

No dog shall be kept within the limits of the City of Gardiner unless such dog shall have been licensed by its owner in accordance with the statutes of the State of Maine.

For the purposes of this chapter, "owner" shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.

Section 1761. Dogs Running at Large.

No owner of any dog shall permit such dog to run at large within the City of Gardiner.

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 or otherwise.

Section 1762. Barking Dogs.

No owner shall keep or harbor any dog which by loud, frequent, or habitual barking, howling or yelping shall disturb the peace of any person or persons.

Section 1763. Impoundment.

Any police officer of the City of Gardiner on complaint shall apprehend any dog kept in violation of the licensing provisions of section 1760 or found running at large in violation of the provision of section 1761 or disturbing the peace by barking in violation of section 1762, and impound such dog in the city dog pound or other suitable place.

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

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Section 1764. Notice of Impoundment.

If the owner or keeper of such impounded dog 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 dog. If the owner of such dog is not known and cannot be ascertained with reasonable diligence, then the person who has control of impounding shall post, within 48 hours of the time such person shall have taken such dog into his possession, written notices in 3 public places in the City of Gardiner, giving a description of the dog, stating where it is impounded and the conditions for its release.

Section 1765. Release from Impoundment.

The owner or keeper of any impounded dog may obtain the release of such dog by appearing before the person in control of impounding within 10 days of receiving notice of such impoundment or within 10 days of the posting of such notice and satisfying the following requirements: (a) compliance with all licensing requirements of the State of Maine and City of Gardiner; (b) payment to the city treasurer of impoundment fee of **\$15.00**; (c) payment to the city treasurer of the sum of **\$5.00** per day for each day, or part thereof, that such dog has been impounded.

Section 1766. Disposition of Dogs.

Upon the expiration of the 10 day period after the posting of said notice or service of said notice on the owner or keeper of such dog, and such dog has not been reclaimed by its owner or keeper, the dog 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 dog placed in his control. Such record shall include the manner of disposing of such dog and, if such dog 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 dog.

Section 1767. Penalties.

Whoever keeps a dog contrary to the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than **\$50.00**.

Section 1768. Canine Waste Disposalⁱⁱⁱ

A. Duty to Dispose

It shall be a violation of this ordinance for any person who owns, possesses or controls a dog to fail to remove and dispose of any feces left by his/her dog on all sidewalks streets, parks and public land within the City of Gardiner

B. Enforcement

The provisions of this ordinance may be enforced by any designated representative of the Chief of Police.

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C. Penalties for Violation

Violation of this ordinance shall be punished by a civil penalty not to exceed fifty dollars (\$50.00) for each occurrence.

D. Exemption

This regulation shall not apply to a dog accompanying any handicapped person who, by reason of his/her handicap, is physically unable to comply with the requirements of this ordinance.

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CHAPTER 8

Trespassing of Animals

SECTION

- 1785. Animals Trespassing upon the Land of Another
- 1786. Penalties

Section 1785. Animals Trespassing up the Land of Another.

Whoever permits his cattle, horses, sheep or swine to enter in and upon any land commercially used, including parking lots, residential property, including summer residences and cottages, or the improved lands appertaining to any farm, after having been forbidden to do so by the owner or occupant thereof, either personally or by an appropriate notice posted conspicuously on the premises, or by law enforcement officer, shall be guilty of trespass.

Section 1786. Penalties.

Whoever allows an animal to trespass upon the land of another contrary to the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than **\$100.00**.