

Chapter 3

ANIMALS*

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ARTICLE I. IN GENERAL

Sec. 3-1. Title and purpose.

(a) *Title.* This chapter shall be known as the Animal Control Ordinance.

(b) *Purpose.* The purpose of this article is to protect the health and welfare of the citizens and to protect the residential, commercial and shoreland areas.

(c) *Quarantine procedures* for any and all bites to humans or domestic animals and livestock is mandated by 22 M.R.S.A. § 1313, cited here by reference.
(Ord. No. C2007-13, 11-8-07)

Sec. 3-2. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings ascribed, except where the context clearly indicates a different meaning:

Commercial. Areas designated on the land use map of the Town of Dexter.

***Editor's note**—Ord. No. C2007-13, adopted Nov. 8, 2007, amended Ch. 3 in its entirety to read as herein set out. Former Ch. 3, §§ 3-1—3-44, pertained to similar subject matter, and derived from Ord. No. 78-6, §§ 1—3, adopted July 3, 1978; Ord. No. C87-7, §§ 1—4, adopted Oct. 1, 1987; Ord. No. C97-6, adopted May 8, 1997; Ord. No. 090-12, §§ I—IV, adopted June 7, 1990; and Ord. No. C2004-8, adopted Apr. 8, 2004.

Cross references—Riding animals on roadways, animal-drawn vehicles, § 9-6; horse crossings, § 9-74.

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Dangerous dog. A dog that bites an individual who is not trespassing on the dog owner's property or keeper's premises at the time of the bite or a dog that causes a reasonable and prudent person who is not on the dog owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear imminent bodily injury by assaulting or threatening to assault that individual or individual's domestic animal. This definition exempts dogs certified and used for law enforcement purposes.

For the purposes of this definition, dog owner or keeper's premises includes buildings, land and motor vehicles belonging to the owner or keeper of the dog.

Domestic animals. Traditional household pets including dogs, cats, birds and small rodents such as mice, ferrets, hamsters and guinea pigs.

Exotic animals. Animals include, but are not limited to, pot-belly pigs, all reptiles, amphibians and large cats.

Household pets. A dog, cat or other animal commonly kept as a companion, but does not include tamed animals that are ordinarily considered wild animals or livestock. This could include caged pet birds including doves and pigeons.

Livestock. Includes, but is not limited to, horses, hogs, sheep, goats, dairy and beef cattle, poultry and other farm animals that are kept outside the home.

Poultry. Birds that are bred for the primary purpose of producing eggs, meat, down or feathers.

Public property. Public parks, recreation fields and public beaches.

Residential. Areas designated on the land use map of the Town of Dexter showing dense development.

Rural. Areas that are designated on the land use map of the Town of Dexter, showing sparse development.

Shoreland zone. Areas designated as shoreland zone on the official land use map of the Town of Dexter. A copy of the official map is available in the office of the town clerk.

Small quantity. Six (6) or less.

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Special exception. The Dexter Town Council will consider individual special circumstances on a case-by-case basis.
(Ord. No. C2007-13, 11-8-07)

Cross references—Definitions and rules of construction generally, § 1.2; shoreland zoning, App. A.

Secs. 3-3—3-25. Reserved.

ARTICLE II. DOGS*

Sec. 3-26. Creating a disturbance; quarantine of suspected rabid dog; dangerous dogs; dogs at large and dogs on public property.

(a) No person shall own, keep or harbor any dog which shall be loud and unreasonably frequent and habitual barking, howling or yelping disturb the peace of any person.

(b) Any dog which has bitten a person or other animal, shall be quarantined for at least ten (10) days or more per circumstance, at a veterinary hospital or state licensed boarding kennel. The owner of such dog shall be held responsible for all costs of the quarantine payable at the town office.

(c) No person will allow a dog to run at large.

(d) All owners of dogs shall clean up any deposits which their animal leaves on public property.

(e) Enforcement of this violation will consist of a fine as outlined in section 3-91.

(f) This section exempts dogs that are herding livestock or to agricultural guard dogs engaged in protecting livestock or warning the owners of danger to livestock.
(Ord. No. C2007-13, 11-8-07)

Secs. 3-27—3-45. Reserved.

***State law reference**—Dogs, 7 M.R.S.A. § 3901 et seq.

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ARTICLE III. LIVESTOCK**Sec. 3-46. Creating a disturbance and limits for livestock on public property.**

(a) It shall be unlawful to house or keep livestock animals within the residential, commercial and shoreland zone unless the property owner is granted a special exception.

(b) Any livestock animal housed or kept within the residential, commercial or shoreland zone prior to January 1, 1990, are exempt from the provision of this article.

(c) All owners of livestock shall be responsible for clean up after their animal on public property.

(d) Exempt from this article are poultry and rabbits, not including roosters, that are kept in small quantities. If a disturbance is reported, it will be up to the discretion of the animal control officer to determine the disturbance before any enforcement action is commenced.

(e) The code enforcement officer shall determine whether a violation of this article exists.
(Ord. No. C2007-13, 11-8-07)

Secs. 3-47—3-65. Reserved.**ARTICLE IV. EXOTIC ANIMALS****Sec. 3-66. Creating a disturbance.**

(a) Animals considered exotic may be housed or kept, provided they do not create a disturbance in the neighborhood. It will be up to the discretion of the animal control officer to determine the degree of disturbance before enforcement action is commenced.

(b) This section is not meant to limit those animals that are housed inside a residence or business.
(Ord. No. C2007-13, 11-8-07)

Secs. 3-67—3-90. Reserved.

ARTICLE V. ENFORCEMENT

Sec. 3-91. Enforcement of this chapter will be the responsibility of the animal control officer and the code enforcement officer.

(a) *Dogs at large.* Any dog found to be running at large will be assessed a fine of twenty dollars (\$20.00) for each dog, payable to the town office. If a dog is taken to a shelter by the animal control officer, all shelter fees will be paid to the animal shelter. With each subsequent report of the same dog, the fine will increase in multiples of ten dollars (\$10.00).

1 st report	\$20.00
2 nd report	\$30.00
3 rd report	\$40.00

(b) *Dog clean up.* Any dog found to defecate on any public property without the proper clean up will be assessed to the property owner a fine of twenty dollars (\$20.00) for each dog, payable to the town office. With each subsequent report of the same animal, the fine will increase in multiples of ten dollars (\$10.00).

1 st report	\$20.00
2 nd report	\$30.00
3 rd report	\$40.00

(c) *Exotic animals.* Animals that are kept as household pets shall be kept in control by the owner at all times. Exotic animals that are in violation of this article shall be ordered to be removed. If not done within the specified time given by the animal control officer, an expert animal handler may be hired by the town as the animals may be dangerous and need special handling. All fees for special handling will be charged to the property owner. A fine will assessed to the property owner of twenty dollars (\$20.00) for each animal, payable to the town office. With each subsequent report of the same animal, the fine will increase in multiples of ten dollars (\$10.00).

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1 st report	\$20.00
2 nd report	\$30.00
3 rd report	\$40.00

(d) *Habitual barking yelping or howling.* Reports of habitual barking will be investigated by the animal control officer. If a dog is found by the animal control officer to be continuously barking for more than fifteen (15) minutes, a fine will be assessed to the property owner of twenty dollars (\$20.00) for each dog, payable to the town office. With each subsequent report of the same dog, the fine will increase in multiples of ten dollars (\$10.00). This section exempts dogs that are herding livestock or to agricultural guard dogs engaged in protecting livestock or warning the owners of danger to livestock.

1 st report	\$20.00
2 nd report	\$30.00
3 rd report	\$40.00

(e) *Livestock.* Any unlawful animal kept after the code enforcement officers specified time for removal, [a fine] shall be assessed to the property owner of fifty dollars (\$50.00) per day, per animal payable to the town office.

(f) If court action is deemed necessary by either animal control officer or code enforcement officer for any of the above mentioned violations, the violator shall be responsible for all fines, court fees and lawyer costs incurred by the town if the court finds for the town.

(Ord. No. C2007-13, 11-8-07)