

CHAPTER 6. ANIMAL CONTROL

6.1	<u>Dog Control</u>	6.1.1	<u>Authority and Purpose</u>
6.1.2	<u>Definitions</u>	6.1.3	<u>Regulations</u>
6.1.4	<u>Fees</u>	6.1.5	<u>Animal Shelter Board Records</u>
6.1.6	<u>Penalties</u>	6.2	<u>Waterfowl</u>
6.2.1	<u>Purpose</u>	6.2.2	<u>Prohibited</u>
6.2.3	<u>Definitions</u>	6.2.4	<u>Enforcement</u>
6.2.5	<u>Penalty</u>	6.3	<u>Severability</u>

Article 6.1 Dog Control

6.1.1.1 Authority and Purpose

This Ordinance is enacted pursuant to the authority in Title 30A M.R.S.A., Sections 2102 and 3001. The purpose of this ordinance is to provide regulation in addition to those contained in Title 7, M.R.S.A., Sections 3911-3964 with respect to controlling dogs throughout the Town of Rangeley in the interest of the health, safety, and general welfare of the residents.

6.1.2 Definitions

1. "At large" means off the premises of the owner and not under the control of any person by means of physical restraint or of such personal presence and attention as will reasonably control the conduct of such dog.
2. "Owner" means any person, firm, association, partnership or corporation owning, controlling, keeping or harboring a dog.
3. "Nuisance" shall mean a dog, which by loud, frequent, and habitual barking, howling or yelping disturbs the peace; or a dog that chases person, vehicles or other animals; or a dog that causes damage to persons or property.
4. "Dangerous dog" shall mean a dog that causes reasonable fear of bodily injury to any person, or which attacks or threatens to attack any person or animal.

6.1.3 Regulations

1. An owner shall not permit a nuisance.
2. A dangerous dog shall be confined in a secure enclosure or on a chain or leash controlled at all times by the owner or custodian.
3. It shall be unlawful for any dog, licensed or unlicensed, to run at large, except when used for hunting.

6.1.4 Fees and Boarding Charges

Prior to the release of an impounded dog, the owner must show proof of license to the police officer or Animal Control Officer, and must pay to the Town Clerk such costs and fees as are established by the Board of Selectmen.

6.1.5 Animal Shelter Board Records

It shall be the duty of a Police Officer or Animal Control Officer to keep or cause to be kept an accurate and detailed record of the impoundment and disposition of all dogs coming into their custody.

6.1.6 Penalties

1. An owner who violates the provisions of this Ordinance shall be punished by civil penalties established by the Board of Selectmen. All penalties recovered shall be paid to the Town of Rangeley.
2. Each day of violation shall constitute a separate violation.
3. If the Chief of Police determines that a dog constitutes a habitual nuisance or is dangerous, the Town may seek a court order requiring the removal of the dog beyond the Town limits or the destruction of the dog.

Article 6.2 Waterfowl Control

Article 6.2.1 Purpose

The purpose of this Ordinance is to control the feeding and baiting of migratory and non-migratory waterfowl (hereinafter referred to as "waterfowl") including those fowl classified as gulls, in order to protect the public health and the water quality of Rangeley Lake and surrounding bodies of water by reducing the amount of fecal matter from these fowl deposited in the water and on adjacent public and private shoreline and waterfront property.

Article 6.2.2 Prohibited

No person, except the Commissioner of the Maine Department of Inland Fisheries and Wildlife or his/her designee or the Director of the U.S. Fish and Wildlife Service or his/her designee in the conduct of waterfowl management practices, shall feed or bait any migratory or non-migratory waterfowl within the Shoreland of the Town of Rangeley. This Ordinance is not to prohibit the raising of domestic waterfowl as allowed by the Ordinance except that domestic waterfowl must be securely contained or penned in an enclosure in an area so as to prevent fecal matter from entering the bodies of water situated in the Town of Rangeley.

Article 6.2.3 Definitions

The following definitions shall apply unless the context clearly indicates another meaning:

1. "Waterfowl" shall mean any of the family Anatidae (ducks and geese) and or the family Laridae (gulls) migratory, non-migratory or resident.
2. "Feeding and Baiting" shall the placing, exposing, depositing, distributing or scattering, directly or indirectly of shelled corn, shucked or unshucked corn, wheat or other grains, bread, salt or any other feed or nutritive substances, in any manner or form, so as to lure, attract, or entice fowl to, on or over any such areas where such feed items and/or materials have been placed, exposed, deposited, distributed or scattered.

Article 6.2.4 Enforcement

Any Animal Control Officer, Code Enforcement Officer, Health Officer or his/her designee or Police Officer of the Town of Rangeley may enforce this Ordinance.

Article 6.2.5 Penalty

Whoever violates any provision of this Ordinance shall pay such fine(s), as the Board of Selectmen shall determine, to be recovered, on complaint to the use of the Town of Rangeley. Civil process may be waived upon complaint by payment to the Town of Rangeley within 7 days of complaint.

Article 6.3 Severability

If any action, phrase, sentence or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Amended June 2003