

TOWN OF TUNBRIDGE
DOG & PET ORDINANCE

This Ordinance is adopted by the Board of Selectman of the Town of Tunbridge, under authority of 20 V.S.A. § 3549, 24 V.S.A. §§ 2291 (10) and 2291 (14 & 15), and 24 V.S.A. Chapter 59.

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 and wolf or wolf hybrids,

- (b) Officer: Shall mean any police officer, game warden, sheriff, constable, the Town Animal Control Officer, the Town pound keeper, or any member of the Select board if none of the aforementioned officers are immediately available. The Animal Control Officer is designated to act upon and to enforce the provisions of this article. It shall be the duty of the Animal Control Officer to investigate all complaints regarding animal nuisances and to enforce all provisions of the article.

- (c) Owner: Shall include any person or persons, firms, associations, or corporation owning, keeping, or harboring a dog, ferret, 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 Selectmen or elected by the Town to serve as authorized dog agent.

- (e) Vicious Animal: Shall mean any dog, cat, ferret, wolf hybrid or any other animal which is kept for the owner's enjoyment which bites, snaps, attacks, or tears at the clothes of any person or attempts to bite any person unless such dog or wolf hybrid is actively protecting its owners property which has been entered unlawfully.

Section 2. RUNNING AT LARGE: all dogs and wolf hybrids within the Town of Tunbridge shall be restrained from running at large off the property of the owner. Hunting dogs in training and pursuing legal game and under reasonable control of its owner or keeper shall not come under this provision of the ordinance.

Violations of this section will result in penalties as specified in Section 12 of this Ordinance.

Section 3. NUISANCES: No dog or wolf hybrid shall harass or attack any person, pet or other animal unless such person, pet or other animal is trespassing on the private property of its owner. A female dog or wolf hybrid in heat shall be confined to a building or other secure enclosure except while under the direct control of the owner. The person in control of a dog or wolf hybrid that defecates in any public area or on the private property of another person shall immediately remove the fecal material and dispose of it in a sanitary manner. The Animal Control Officer is authorized and empowered to petition the Superior Court for a warrant to enter into private lands, seize and impound animals and take all reasonable measures to abate a public nuisance which shall occur in his or her presence.

Section 4. **DISTRUBANCE BY NOISE:** It shall be unlawful for any person owning or possessing a dog or wolf hybrid to permit it to disturb the quiet of any person by habitually crying, barking or howling 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 the dog or wolf hybrid owner, before contacting the Town.

Violations of this section will result in penalties as specified in Section 12 of this Ordinance.

Section 5. **LICENSED REQUIRED:** It shall be the duty of every owner of any dog, ferret, or wolf hybrid over 6 months of age, within the Town to procure a license therefore in according with Title 20, Sections 3501 and 3592 of the Vermont Statues annotated, as amended.

Violations of this section will result in penalties as specified in Section 12 of this Ordinance.

Section 6. **IMPOUNDING:** Any dog, ferret, or wolf hybrid found running at large within the Town may be taken up by an officer and impounded. Notice of such impoundment shall be promptly given to the owner if such can be determined. If the owner of such animal is unknown, a notice of such impoundment shall be posted at the Town Hall.

Section 7. **REDEMPTION:** An owner may reclaim his/her impounded dog, ferret or wolf hybrid upon payment of fees set by Dog Pound. If the animal is not vaccinated or licensed within the Town of Tunbridge it will be the owner's responsibility to do so before the animal will be released from the Humane Society.

Section 8. **ANIMAL BITE:** the owner of a dog, wolf hybrid, or ferret that attacks another dog or pet, shall be fined in accordance with Section 12 of this Ordinance for each incident and must pay all related expenses, such as pound fees, medical expenses, or veterinary fees incurred The Town shall have the right to impound, for a period of 10 days, any dog, ferret, wolf hybrid, cat or other domestic animal which bites a person and/or is suspected of carrying rabies. If the owner of such animal is not immediately known or if an Officer determines that such owner cannot, or will not, adequately provide restraint the Town 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, plus pound fees and a fine imposed by the Town not to exceed \$200.00. All reports must be filed within 48 hours of any such incident to the Town. Selectman 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. Upon notification of an animal bite occurrence, the Selectboard may investigate to determine if justification exists for additional penalties other than a fine. Based on the circumstances, these additional enforcement measures may include mandatory containment, muzzling, [or] restraint or removal of the animal from the custody and control of its owner. An incidence of attack or mauling of a person, or repeat occurrences of any bite attack shall result in the animal being disposed of in a humane way.

Domestic pets, domestic animals, or wolf-hybrids which have bitten a person, or have been exposed to rabies or are suspected of being infected with rabies shall be managed by the Tunbridge Health Officer or Deputy Health Officer in accordance with 20 V.S.A. and Rules adopted by the Vermont Department of Health.

All costs associated with the management of the biting animal, rabies suspect animal or rabies exposed animal shall be borne by the owner.

Section 9. DISPOSITION OF UNCLAIMED DOGS & PETS: It shall be the duty of the pound keeper to keep all animals so impounded for a period ten (10) days. Any animals not reclaimed within the ten days may be destroyed within the next two days.

Section 10. CRUELTY: The Town has adopted a Tunbridge Animal Cruelty Ordinance. Refer to this Ordinance for specific information.

Section 11. ENFORCEMENT: This is a Civil Ordinance and shall be enforced by the Animal Control Officer, or any other Officer, as defined, in his absence, in the Vermont Judicial Bureau in accordance with 24 V.S.A. § 1974(a) and 1977 et seq. Enforcement of this Ordinance as a result of a resident complaint will occur upon receipt of a Town of Tunbridge Sworn Affidavit or Police Report from Vermont State Police or Orange County Sheriff. Affidavits may be obtained at the Town Office.

Section 12. 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 and/or disposal of such dog or pet. Any person with an unlicensed dog, wolf hybrid or ferret within the Town after final license date of April 1st, shall be charged a fine of \$25.00 per animal and 1 & ½ half times the license fee per animal.

Any person who violates the provisions of this Ordinance shall be subject to the following. Said violator may, within 15 days from the date of such violation, waive the issuing of any process by voluntarily paying the violation waiver fee as herein prescribed:

Offense	Civil Penalty	Waiver Fee
First Offense	\$ 75.00	\$ 50.00
Second Offense	\$125.00	\$100.00
Third Offense	\$300.00	\$200.00
Subsequent Offenses	\$500.00	\$300.00

Each day a violation continues may constitute a separate offense.

Section 13. CIVIL ORDINANCE: This ordinance shall be a civil ordinance and shall be prosecuted in civil court as provided in 24 VAS section 1974 & 1077 and following. Each violation shall be subjected to a fine of up to \$500.00, and the waiver fee shall be set at \$50.00 for the first offense, \$100.00 for the second offence and \$200.00 for the third offense. Each day the violation continues shall constitute a separate violation of this ordinance.

Section 14. ORDINANCE REPEALED: All Ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

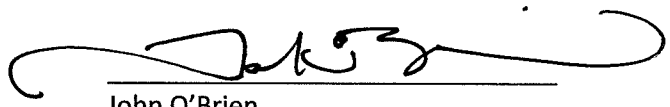
Section 15. SEPERABILITY: If any section, subsection, sentence clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court or competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions hereof.

Section 16. EFFECTIVE DATE: This amendment shall become effective immediately after its adoption by the Selectboard.

Dated this 17 day of Oct., 2016 by the Board of Selectman, Town of Tunbridge, Vermont County of Orange.



Gary Muller



John O'Brien



Mike McPhetres

CONCISE SUMMARY OF
DOG & PET ORDINANCE
TOWN OF TUNBRIDGE

At a meeting of the board of Selectman of the Town of Tunbridge held on October 17, 2016 and upon motion duly made and seconded, the Selectman adopted a Dog and Pet Ordinance. The Ordinance is intended to clearly define, the responsibilities of dog and pet owners in order to ensure the safety and well-being of the people within the community and that of their pets.

- Section Headings:
- 1) Definitions
 - 2) Running at Large
 - 3) Nuisances
 - 4) Disturbance by Noise
 - 5) License Required
 - 6) Impounding
 - 7) Redemption
 - 8) Animal Bite
 - 9) Disposition of Unclaimed Dogs & Pets
 - 10) Cruelty
 - 11) Enforcement
 - 12) Penalties
 - 13) Civil Ordinance
 - 14) Ordinance Repealed
 - 15) Severability
 - 16) Effective Date and Adoption

THE FULL TEXT MAY BE EXAMINED AT THE TOWN OFFICES

Questions regarding this Ordinance may be directed to:

Tunbridge Selectboard
P.O. Box 6
Tunbridge, Vermont 05077
Telephone: (802) 889-5521

THIS ORDINANCE SHALL BE EFFECTIVE SIXTY (60) DAYS AFTER THE DATE OF ITS ADOPTION UNLESS A PETITION PURSUANT TO 24 V.S.A., SECTION 1973 IS PRESENTED TO TOWN OFFICIALS WITHIN FORTY-FOUR (44) DAYS OF ADOPTION. SUCH PETITION, IF SIGNED BY FIVE (5) PERCENT OF THE VOTERS, SHALL CALL FOR A SPECIAL PUBLIC MEETING AT VOTERS MAY DISAPPROVE THE ORDINANCE.