

PURSUANT TO THE PROVISIONS OF TITLE 20, SECTION 3549, AND TITLE 19, SECTION 1971 ET SEQ VERMONT STATUTES ANNOTATED, AND SUCH OTHER SPECIAL OR GENERAL ENACTMENTS AS MAY BE MATERIAL HERETO, IT IS HEREBY ORDERED BY THE SELECTBOARD OF THE TOWN OF RICHFORD THAT THE FOLLOWING ANIMAL ORDINANCE SHALL BE AMENDED.

TITLE 5  
RELATING TO THE TOWN'S  
ANIMAL CONTROL

**RICHFORD ANIMAL ORDINANCE**

Section 1. Definition of Terms:

As used in this ordinance, unless the context otherwise indicates, the terms and phrases used herein shall have the following meanings:

- (a) "Board" shall mean the Richford Selectboard.
- (b) "Cat" shall mean any animal of the feline species.
- (c) "Dog" shall mean any animal of the canine species.
- (d) "Domestic Animal" shall mean any animal kept as a pet.
- (e) "Enforcement Officer" is the person or persons appointed by the Board to enforce this ordinance.
- (f) "Owner" shall mean any person or persons, partnership, association or corporation owning or harboring a domestic animal. The head of a household having a domestic animal in its possession shall be presumed to be the owner or keeper of such domestic animal, unless the domestic animal is otherwise licensed.
- (g) "Pound" is the facility for which the Board has contracted for impoundment and disposal of domestic animals pursuant to this ordinance.
- (h) "~~Special Services District~~" shall be defined by the same boundaries as those of the former Village of Richford.

Section 2. Regulation of Domestic Animals: Generally

It shall be unlawful for any person to own, possess or harbor any domestic animal in Richford except as provided in this ordinance.

Section 3. Display of License Tag

It shall be the duty of every owner to keep on their dog, other than those dogs provided a special license pursuant to Richford Town regulations, a collar or harness and to fasten securely to such collar or harness, and keep attached to it, the metal license tag issued pursuant to the town of issuance.

Section 4. Nuisances

No owner shall maintain a domestic animal in an environment of unsanitary conditions or lack of cleanliness which results in offensive odor or is dangerous to the public health, welfare, or safety or which substantially increases the probability of transmission of disease.

No owner of a domestic animal shall permit such animal to be a private or a public nuisance.

- (a) A private nuisance shall be those acts of a domestic animal which unreasonably interfere with the use of premises of persons other than the premises of the owner and shall include, but not be limited to:
1. Excessive noise so as to disturb adjoining property owners;
  2. Defecation (the owner or other competent person authorized by such owner is responsible for cleaning up after the domestic animal).
  3. Damage to personal property,
  4. Examination of garbage cans
  5. The scattering of refuse.
- (b) A public nuisance shall be those acts of a domestic animal occurring off the owner's premises which acts cause a well-formed apprehension of danger to any member of the public and is intended to prohibit a domestic animal from exhibiting a sort of threatening behavior, such as growling, snarling or baring teeth, without such animal being confined or otherwise under the immediate control of its owner. These shall include, but not be limited to:
1. Harassing pedestrians, bicyclists, or other passersby,
  2. Attacking people or other animals,
  3. Obstructing traffic.

#### Section 5. Complaints

Dogs: Pursuant to state law, complaints must be filed in writing with the Board to be acted upon.

All other complaints in relation to domestic animals must be filed in writing with the Board.

#### Section 6. Owner Responsibilities

- (a) Any owner of a domestic animal which has contracted rabies or which has been exposed to rabies, or which is suspected of having rabies or which has bitten any person, shall upon demand of any law enforcement officer, the health officer, or the enforcement officer, surrender such animal to be held for a period of ten (10) days for observation and treatment, the cost of which shall be the responsibility of the owner.
- (b) It shall be the duty of every owner of a domestic animal which has been attacked or bitten by another animal showing the symptoms of rabies to notify a law enforcement officer, health officer, or enforcement officer immediately that such person has such an animal in his possession.
- (c) Whenever a domestic animal is impounded after having bitten a person, the animal shall be held for a sufficient length of time to meet the investigation requirements of the State Health Department. Thereafter, the Board shall determine whether this animal is rabid. If so, the animal shall be destroyed.
- (d) It shall be unlawful for the owner, when notified that their domestic animal has bitten any person, to sell or give away such animal, or permit it to be taken beyond the limits of the Town except under the care of a licensed veterinarian without the prior permission of the Board.

#### Section 7. Running At Large

No owner of a domestic animal shall permit such animal to be off the premises of such owner unless such animal is under the immediate control of such owner or other competent person authorized by such owner to exercise such control. Furthermore, no owner of a domestic animal shall permit such animal to be on the premises of any school or of any recreation area, park, or within the Special Services District except if such animal is controlled on a leash.

#### Section 8. Impoundment

It shall be the duty of the enforcement officer to apprehend any unlicensed dog, and any domestic animal not in compliance with Sections 3, 4, 6, and 7 of this ordinance, and to impound such animal in the Pound. Upon impounding any animal, a record shall be made by the enforcement officer of the breed, color, and sex of the animal, where it was apprehended, and address of the owner, if known; and if a dog, whether or not it was licensed. The record of the impounding officer shall be filed at the Town Clerk's Office.

#### Section 9. Notice: Disposition of Impounded Domestic Animals

Whenever any domestic animal is impounded, it shall be the duty of the enforcement officer to notify the owner, if known, and if not known, to post at the Town Clerk's Office a notice containing a description of said domestic animal and when and where it was apprehended. If no owner shall claim the same within five (5) full days after such notice or posting, the animal or animals may be sold or given away. The enforcement officer, or any person duly authorized by the Board, may at the expiration of seven (7) days from the date of the receipt of any such domestic animal at the Pound humanely destroy such animal. Any moneys generated from the sale of the impounded animal shall belong to the Town.

#### Section 10. Redemption of Impounded Domestic Animals: Fees

- (a) The owner or person entitled to the possession of an impounded domestic animal may reclaim such animal upon payment of all costs and charges incurred in impounding and maintaining said animal. The following charges shall be paid to the Town to defray the costs of impoundment:
1. For the first impoundment, a fine of \$15.00
  2. For the second impoundment of the same animal, a fine of \$30.00, and
  3. For the third and all subsequent impoundment's of the same animal, \$60.00, and
- (b) The owner, in addition to the charges specified in subsection (a), shall
1. If a dog, exhibit a valid license or verified copy of the same to the pound keeper, and
  2. Exhibit a receipt for the fee provided in subsection (a).
  3. Pay to the pound keeper for the costs of maintaining said domestic animal during the impoundment period a daily charge of \$5.00, subject to change.

#### Section 11. Penalties

A person who violates the provisions of this ordinance shall be fined not more than \$200.00 for each day a violation occurs. Each day a violation continues shall constitute a separate offense.

#### Section 12. Violation Tickets

For the convenience of the public and economy in enforcement, the enforcement officer is hereby authorized to issue a ticket to persons violating this ordinance and bring an enforcement action pursuant to Title 24 V.S.A. Chapter 59. A person who admits or does not contest a ticket issued pursuant to this ordinance may satisfy the payment of a waiver fee which shall be set as follows:

First offense	\$ 25.00
Second offense	\$ 50.00
Third offense	\$100.00

There shall be no waiver for the fourth and subsequent offenses.

Section 13. Civil Enforcement

This ordinance is designated as civil pursuant to 24 V.S.A. para: 1971.  
Enforcement of violations shall be pursuant to 24 V.S.A. para: 1971a.

This amendment shall become effective 60 days after its adoption by the Richford selectboard. If a petition is filed under V.S.A. S1973, that statute shall govern the taking effect of this ordinance.

Adopted this 20<sup>th</sup> day of December, 2010.  
This ordinance shall take effect on February 20, 2011.

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