

Town of Rehoboth: General Bylaws

Selected: Bylaws about Dogs

CHAPTER B

PROTECTION OF PERSONS AND PROPERTY

Section 16. The Animal Control Officer, or any other law enforcement officer, upon investigation, believing that a dog is dangerous or a nuisance as defined by M.G.L. c. 140, s. 136A, may order the owner or keeper of said dog temporarily to restrain said dog from running at large outside the premises of its owner or keeper for a period of thirty (30) days or until such time as a hearing pursuant to section 17 below occurs, whichever is sooner. Upon issuance of said order, the Animal Control Officer shall immediately file a complaint in writing to the Board of Selectmen alleging that a dog owned or kept in the Town is a nuisance or dangerous dog. (Amended 5-21-18)

Section 17. The Board of Selectmen shall cause a complaint issued by the Animal Control Officer as provided in section 16 herein, or any other written complaints that a dog is a dangerous or nuisance dog, to be investigated. Evidence shall be taken at a public hearing of the Board of Selectmen for a determination. Based on credible evidence and testimony, the Board of Selectmen may (a) dismiss the complaint; (b) deem the dog a nuisance dog consistent with the definition of said dog as set forth in M.G.L. c. 140, s. 136A; or (c) deem the dog a dangerous dog consistent with the definition of said dog as set forth in M.G.L. c. 140, s. 136A. (Amended 5-21-18)

Section 18. Penalties may be imposed as prescribed in M.G.L. c. 140, s. 157, up to and including euthanasia and/or issuing a fine to the owner of the dog or dog(s) in the amount of one-hundred dollars (\$100) for the first offense, two-hundred dollars (\$200) for the second offense, and three-hundred dollars (\$300) for subsequent offenses. Each day of said failure shall constitute a separate offense. No banishment orders may issue. (Amended 5-21-18)

Section 19. Within ten (10) days after an order issued under sections 16-18 inclusive, the parties may pursue appeals pursuant to M.G.L. c. 140, s. 157, as appropriate. Such appeals are to the District Court, which will review the charges at trial; the decision of the court is final. The District Court may issue orders for the confinement and control of the dog during the appeal process. Sections 16-18 inclusive may be enforced through noncriminal disposition proceedings commenced in accordance with M.G.L. c. 40, s. 21D. (Amended 5-21-18)

Section 20. The owner or keeper of any female dog shall cause it to be restrained and confined to within the premises of said owner or keeper, or in the immediate custody of said person by means of a secure collar and leash, while it is in heat. Failure to comply with this section shall result in a fine of ten dollars (\$10.00). Each day of said failure shall constitute a separate offense. (Added/Effective 6/20/1975)

Section 21. Whoever is the owner or keeper of a dog or cat six months of age or older shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Massachusetts Department of Public Health. Such owner or keeper shall procure a veterinarian's certification that such dog or cat Section 21A. Whoever is the owner or keeper of a dog or cat six months of age or older shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Massachusetts Department of Public Health. Such owner or keeper shall procure a veterinarian's certification that such dog or cat has been vaccinated and setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued, or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

When licensing a dog in the Town of Rehoboth, a copy of such Veterinarian's certification shall be presented to the Town Clerk.

Whoever violates the provisions of this By-law shall be punished by the maximum fine established pursuant to M.G.L. c. 140, s. 145B, as may be amended from time to time, for each separate offense. (Added/Effective 7/21/1993; Amended 5/21/2018)

Section 22. Dogs

The fees required for the licensing of dogs and kennels in the Town of Rehoboth shall be as follows:

- Non-neutered male dog \$20

- Neutered male dog \$10

- Non-spayed female dog \$20

- Spayed female dog \$10

- Kennel license fees

 - 1 to 10 dogs on license \$50 - (Amended 5-21-18)

 - 11 to 25 dogs on license \$100 - (Amended 5-21-18)

 - 26 or more dogs on license \$150 - (Amended 5-21-18)

- Late licensing fee \$15 for any license purchased more than 60 days after the due date, unless proof can be shown that the dog was purchased, acquired or brought into town within the previous 60 days.

Section 22A. All persons seeking to maintain a Personal Kennel (more than 4 dogs), as defined by Massachusetts General Laws Part I, Title XX, c. 140, s. 136A, or a Kennel, as elected by owner (less than 5 dogs), as defined by M.G.L. c. 140, s. 137A, shall first obtain a license therefor from the Board of Selectmen. Upon receipt of a license application, the Board of Selectmen shall schedule a public hearing within thirty (30) days from said date of receipt. In conducting said public hearing, the Selectmen shall consider among other matters the number and size of dogs, nature of accommodations, and impact on neighbors. Each license shall be subject to an annual fee in accordance with a standard schedule of fees established by the Board of Selectmen. Upon written complaint, the Board may hold a public hearing to determine whether a license should be suspended or revoked. The holder of the license shall be given written notice of the public hearing at least fourteen days prior to the hearing. Notices of such public hearings shall be posted by the Town Clerk and published once in a newspaper of general circulation at least seven (7) days prior to said hearing. (Added 5-18-15) (Approved by Attorney General 8/17/15; Effective 8/18/15 when posted). (Amended 5-21-18; Approved by Attorney General 9/6/18; Posted & Effective Date - 9/7/18)

Section 22B: Whoever violates the provisions of Sections 22 or 22A of this bylaw shall be punished by the minimum mandatory fine established pursuant to M.G.L. c.140 s. 141, as may be amended from time to time, and shall also pay the administrative late fee set forth in section 22 above. This fine will be imposed to the owner of the dog or dog(s) or operator of the kennel after the end of the town's announced 60-day grace period and will be imposed again every additional week that the dog(s) or kennel remains unlicensed. - (Amended 5-21-18)

Section 22C. Nothing in sections 16-22A shall deprive the Town from employing the remedies and imposing penalties as provided in Massachusetts General Laws relating to the treatment of dogs, including but not limited to M.G.L. c. 140, sections 174E and 174F. - (Amended 5-21-18)

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