

Section 3.1.29

Licensing and Control of Dogs.

- a. Licensing Provisions. Except as may otherwise be provided bylaw, all owners or keepers of dogs over six (6) months of age within the Town of Bourne must obtain from the Town Clerk between January 1st and March 31st*for each year, an annual dog license and pay an annual license fee to the Town as required bylaw. * The owners or keeper of a dog licensed pursuant to this section shall cause the dog to wear around its neck a collar to which shall be securely attached a tag issued by the Town Clerk, and if any such tag shall be lost, the owner/keeper of such dog shall forthwith secure a substitute tag from the Town Clerk. Any person found violating the licensing provision of this section shall be subject to a fine of \$50.00. *

NOTE: * Various changes amended by Article 13, 2005 October 17, 2005 STM

NOTE: * Various changes amended by Article 18, 2006 ATM

- b. Control Provisions. (Leash Law) It shall be unlawful for any owner or keeper of a dog or dogs to allow such dog(s) to be outside the property of the owner or keeper unless such dog(s) is securely restrained with a collar and leash and under the direct control and supervision of the owner/keeper or his or her duly authorized agent with the following exceptions:
1. Unleashed dogs may be on the premise of another person with the knowledge and permission of such other person.
 2. The leash law requirement shall not apply to those persons that are training or using hunting dogs provided that said dog(s) are under voice control and under the direct supervision of the owner/keeper or duly authorized agent while being used for this purpose.

Any person found to be in violation of the provisions stated herein shall be subject to a fine of fifty dollars (\$50.00).

- c. Removal of Excrement. It shall be unlawful for any person to appear with a dog upon the public ways, within public places or upon the property of another, absent that person's consent, without some means of removal of excrement; nor, shall any person fail to remove any excrement deposited by such dog. This section shall not apply to a blind person while walking his or her guide dog. Any person found to be in violation of this provision shall be subject to a fine of twenty-five dollars (\$25.00).
- d. Dogs on Bathing Beaches. It shall be unlawful for any person to allow their dog(s) on any public beach. A public bathing beach is defined as a Town owned beach. This section shall not apply to a service dog. The definition of a service dog is a dog individually trained to assist the handler to perform tasks for the benefit of an

individual with a disability, including but not limited to guiding individuals with impaired vision, alerting hearing impaired, or other assistance. This section will be enforced from May 1 until October 15. Any person found to be in violation of this provision shall be subject to a fine of \$25.00.

- e. Non-Criminal Violation Procedure. The non-criminal violation procedures of Section 6.1.2 of the Town of Bourne Bylaws maybe used for the enforcement of the provisions of this Bylaw.
- f. Dog Licensing Fees. Fees for licensing of dogs shall be as follows:

Spayed Female/Neutered	\$7.00
Male	
Male Dog	\$10.00
Female Dog	\$10.00
Duplicate License	\$1.00
Certified Guide Dogs	No Fee

Any owner or keeper who fails to obtain a license by March 31st of each year shall be subject to an additional charge of \$5.00 for any dog licensed after March 31st.* This subsection shall be enforced by any Dog Officer or any Police Officer of the Town.

NOTE: * Various changes amended by Article 1, 2005 October 17, 2005 STM

NOTE: * Various changes amended by Article 12, Fall STM 2022

- g. Kennel License.
 - 1. The owner or keeper of a dog kennel within the Town of Bourne must be renewed annually by January 1st of each year.
 - 2. Annual Fee
Each license for a kennel shall be \$50.00 if four (4) dogs or less are kept in said kennel; \$75.00 if more than four (4) but not more than nine (9) dogs are kept in said kennel; \$150.00 if ten (10) or more are kept in said kennel.
 - 3. Substitute Kennel License Tag
The fee for a substitute kennel license tag shall be \$1.00.
 - 4. Charitable Kennels
The Town Clerk shall, upon application, issue without charge a kennel license to any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect, abuse and/or for the relief of suffering among animals.
 - 5. Requirements

Any owner or keeper of four (4) or more dogs three (3) months of age or older shall be required to obtain a kennel license. Said license shall be issued upon approval of written application for a Special Permit submitted to the Zoning Board of Appeals.

6. Inspection

The applicant must allow the Animal Control Officer or his designee to inspect the kennel being licensed upon initial application and renewal. The kennel must pass inspection by the Animal Control Officer prior to the issuance or reissuance of the license.

7. Violations

Any owner or keeper of four (4) or more dogs three (3) months of age or older who fails to obtain the above described kennel license shall be considered in violation of the provisions of this section and shall be subject to a fine of fifty dollars (\$50.00) for the first offense and seventy-five (\$75.00) for each subsequent offense, with each day of violation constituting a separate offense.

This section shall be enforced by the Animal Control Officer or his designee. Or take any other action in relation thereto. *

NOTE: * Various changes amended by Article 21, 2017 May 1, 2017 ATM

- h. Vaccination against Rabies. Whoever is the owner or keeper of a dog in the Town of Bourne, six (6) months of age or older, shall cause such dog to be vaccinated against rabies by a licensed Veterinarian. Such rabies tag, issued by the Veterinarian shall be affixed to the collar of said dog. The owner/keeper of the dog shall present certification of rabies vaccination upon demand of a Dog Officer, Natural Resources Officer, Police Officer, or any other authorized Officials of the Town. Any violation of the provisions of this section shall be subject to a fine of fifty dollars (\$50.00) for each offense. *
- i. Barking/Howling Nuisance. No person owning, keeping, or otherwise responsible for a dog, shall allow or permit said dog to annoy another persons reasonable right to peace or privacy by making a loud noise, where such noise is plainly audible at a distance of one hundred fifty (150) feet from the building, premises, vehicle or conveyance housing said dog, and such noise is in excess of ten (10) minutes. The fact that such noise is plainly audible at said distance in excess of ten (10) minutes shall be prima facie evidence of a violation. Any violation of the provisions of this section shall be subject to a fine of fifty dollars (\$50.00) for each offense. *
- j. Banned or Removed Dogs. Dogs "banned" or "removed" from another Town or Municipality may not be relocated to or permitted to be kept within the Town of Bourne. *

- k. Cruelty and Negligence. It shall be unlawful to abuse any animal; deprive it of food, drink, shelter, a sanitary environment, or protection from the weather or otherwise inflict cruelty as set forth in Chapter 272, Section 77 of Massachusetts General Laws. Any violation of the provisions of this section shall be subject to a fine of fifty dollars (\$50.00) for each offense. *

NOTE: * Various changes amended by Article 2, 2005 October 17, 2005 STM

NOTE: * Various changes amended by Article 18, 2006 May 8, 2006 ATM

NOTE: * Various changes amended by Article 21, 2014 May 5, 2014 ATM