

JERICHO DOMESTIC PET ORDINANCE

AN ORDINANCE PROVIDING FOR THE LICENSING OF ALL DOGS AND WOLF HYBRIDS AND FOR THE REGULATION AND KEEPING OF DOMESTIC PETS

Pursuant to the authority of Title 20 V.S.A. Chapter 193, and Title 24 V.S.A. Chapter 59, the Town of Jericho hereby enacts the following ordinance:

Section One: DEFINITION OF TERMS.

As used in this ordinance unless the context clearly indicates otherwise:

- A. "Dog" is an animal of the canine species;
- B. "Domestic pet" or "pet" means any domestic dog, domestic cats and ferrets. The term shall also include such other domestic animals as may be designated by the commissioner of the Vermont Department of Agriculture, Food and Markets.
- C. "Enforcement Officer" shall be the Town Constable/Dog Warden or such other persons as may be appointed by the Jericho Selectboard to enforce or execute the provisions of this ordinance;
- D. "Ferret" means only the European ferret (*Mustela putorius furo*);
- E. "Owner" means any person who owns a domestic pet or wolf hybrid and includes any person who has actual or constructive possession of the pet or wolf hybrid. The term also includes those persons who provide feed or shelter to a domestic pet or wolf hybrid.
- F. "Poundkeeper" shall be the Town Constable/Dog Warden or such other person as may be designated by the Jericho Selectboard to receive, maintain and dispose of dogs impounded pursuant to this ordinance.
- G. "Vicious dog" is a dog found to be vicious pursuant to section 5 of this ordinance.
- H. "Wolf Hybrid" means an animal which is the progeny or descendant of a domestic dog (*Canis familiaris*) and a wolf (*Canis lupus* or *Canis rufus*). It shall also mean an animal which is advertised, registered, licensed or otherwise described or represented as a wolf-hybrid by its owner or an animal which exhibits primary physical and behavioral wolf characteristics as described by the rules of the Vermont Department of Fish and Wildlife.
- I. "At large" means off the premises of the owner and not under the control of the owner, either by leash cord, chain, command or otherwise.

Section Two: LICENSING.

On or before April 1 each year, every owner of a dog or wolf-hybrid more than six months of age shall procure a license therefor in accordance with Title 20, Section 3581-3592, V.S.A. as amended or as may be amended. Upon direction by the Selectboard and prior to impoundment, proper notification will be given to pet owner. The enforcement officer shall impound all unlicensed dogs found within the Town.

Section Three: COLLAR REQUIRED.

It shall be the duty of every owner to keep on each dog or wolf-hybrid a collar or harness to which shall be securely fastened a metal license tag and metal tag with name and address of owners whenever such dog or wolf-hybrid is at large. It shall be unlawful for any person other than the enforcement officer, a police officer or the owner of the dog or wolf-hybrid to remove license tags from the dog or wolf-hybrid. The enforcement officer shall impound all dogs or wolf-hybrids found without a collar and at large.

Section Four: DOGS IN HEAT.

It shall be the duty of every owner of an unspayed female dog or wolf hybrid to keep such dog or wolf-hybrid confined while it is in heat. The enforcement officer shall impound any female dog or wolf-hybrid in heat found at large.

Section Five: VICIOUS DOMESTIC PETS OR WOLF-HYBRIDS.

The Jericho Selectboard shall investigate complaints received pursuant to V.S.A. Title 20 Section 3546, and shall make such findings and issue such orders as may be authorized or required by that statute. Domestic pets which have bitten a person off the premises of the owner shall be considered vicious.

Section Six: DOMESTIC PETS AT LARGE.

Any domestic pet at large which enters the property of another and there causes property damage or creates a nuisance may, upon complaint of the owner of the property, be impounded by the enforcement officer. No complaint under this ordinance will be sustained against a domestic pet unless the person making the complaint is identified.

Section Seven: BARKING OR HOWLING DOMESTIC PETS.

No owner may keep a domestic pet which, for frequent or habitual barking, howling or yelping, disturbs the peace and quiet of person of ordinary sensibility. The enforcement officer may, upon complaint, impound domestic pets which do so disturb the peace.

Section Eight: POUNDKEEPERS AND IMPOUNDMENT FEES.

The Selectboard may appoint or contract with the Town Constable/Dog Warden or other persons to act as Poundkeeper for the Town. The Poundkeeper shall be entitled a daily fee which will adequately reimburse him/her for the cost of feeding, housing and otherwise maintaining impounded domestic pets and which is mutually agreeable to the Selectboard and the Poundkeeper, but which in any event shall not exceed that which is generally charged by veterinarians, boarding kennels and others in the area who perform similar services.

Section Nine: DISPOSITION OF IMPOUNDED DOMESTIC PETS; PENALTIES.

The enforcement officer shall notify the owner of each domestic pet impounded of the impoundment. The owner of each domestic pet may redeem the animal upon payment to the Town of:

- a. A fine of twenty (20) dollars plus Constable/Dog Warden fees and the cost of impoundment for the first impoundment;
- b. A fine of forty (40) dollars plus Constable/Dog Warden fees and the cost of the impoundment for the second impoundment in a twelve month period;
- c. A fine of seventy (70) dollars plus Constable/Dog Warden fees and the cost of impoundment for the third and subsequent impoundments in a twelve month period.

In accordance with V.S.A. Title 20, Chapter 193, Section 3550, the Selectboard or an enforcement officer designated by the commissioner may impose a civil penalty of up to \$500.00 per violation in accordance with the provisions of this section.

An impounded domestic pet not redeemed by its owner within seven days of notification of the impoundment shall be advertised and as a last resort shall either be sold, given away (after confirming health and immunization status) or humanely destroyed by the Poundkeeper. The owner shall be liable to the Town for amount of the fine, cost of impoundment and any other expenses related to the impoundment of the domestic pet. Should the domestic pet be sold, all proceeds will be applied to the cost of impoundment of the domestic pet.

In the event the owner of an impounded domestic pet cannot be ascertained, a description of the domestic pet shall be posted in two public places within the Town, one of which shall be the Town Clerk's Office, for a period of seven days. If the owner does not redeem the domestic pet within the seven day period, the Poundkeeper shall either sell or give away the domestic pet (after confirming health and immunization status of such pet) and apply the proceeds to the cost of impoundment or humanely destroy the domestic pet.

Section Ten: DOMESTIC PETS WHICH HAVE BITTEN PERSONS.

Domestic pets which have bitten persons may be impounded for ten (10) days of observation. No owner of a domestic pet when notified such pet has bitten any person shall destroy, sell, give away, or transport or cause to be transported such domestic pet beyond the limits of the Town until after the ten day confinement period. Procedures under V.S.A. Title 20, Section 3546 shall apply to this section.

All domestic pet bite incidents shall be handled in accordance with Vermont Health Department Manual for Rabies Management protocol to protect the health of the general public. All pets involved with bites are to be quarantined in accordance with current Vermont Health Regulations and Health Officer supervision. Pets which may not be quarantined in owner's or custodian's homes shall include all animals where quarantine on the owner's or custodian's premises cannot be provided to the satisfaction of the Health Officer or Constable.

All domestic pets suspected to be rabid shall be dealt with in accordance with V.S.A. Title 20, Subchapter 5, Sections 3801 - 3813.

Adopted by the Jericho Selectboard on February 12, 1997:

Effective on April 12, 1997.