

TOWN OF CAMBRIDGE
ORDINANCE REGULATING DOGS AND WOLF HYBRIDS

SECTION 1. AUTHORITY. This ordinance is adopted by the Selectboard of the Town of Cambridge under authority of 20 V.S.A. Section 3549, 24 V.S.A. Section 2291(10), (14), and (15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. It is the purpose of this ordinance to regulate the keeping of dogs, to protect public health and safety, and to protect the residents' quiet enjoyment of their homes and properties.

SECTION 3. DEFINITIONS. For purposes of this ordinance, the following words and phrases shall apply.

- A. "Dog" means any member of the canine species including wolf hybrids.
- B. "Wolf hybrid" means:
 - 1. An animal that is progeny of a dog and a wolf. (Canis lupus or Canis rufus);
 - 2. An animal that is advertised or otherwise described or represented to be a wolf hybrid; or
 - 3. An animal that exhibits primary physical and or behavioral wolf characteristics.
- C. "Domestic pet" and "domestic animal" are as defined in 20 V.S.A. Section 3541.
- D. "Owner" means any person who has actual or constructive possession of a dog. The term also includes those persons who provide food and shelter to a dog.
- E. "Enforcement Officer" means any Town Constable, Police Officer, Animal Control Officer, Humane Officer, or any other person designated as an Enforcement Officer by the Selectboard.
- F. "Running at large" means that a dog is not:
 - 1. On leash;
 - 2. In a vehicle;
 - 3. On the owner's property;
 - 4. On the property of another person with that person's permission; or
 - 5. Hunting with the owner.
- G. "Working farm dog" means a dog that is bred or trained to herd or protect livestock or poultry or to protect crops and that is used for those purposes and that is registered as a working farm dog pursuant to 20 V.S.A. Section 3581(a).

SECTION 4. DISTURBANCES AND NUISANCES.

- A. No dog shall run at large in the town.
- B. No dog shall harass or attack other animals or people unless such animals or people are trespassing on the private property of the owner of the dog.
- C. A female dog in heat shall be confined to a building or other secured enclosure, except while under the direct control of the owner.
- D. No person shall own, keep or harbor a dog that disturbs the quiet, comfort and repose of others by frequent, habitual, or persistent barking or howling.

- E. The provisions of this section pertaining to running at large and disturbing the quiet, comfort, and repose of others shall not apply to a working farm dog on property being farmed by the person who registered the working farm dog and: (1) the working farm dog is barking in order to herd or protect livestock or poultry or to protect crops; or (2) the working farm dog is running at large in order to herd or protect livestock or poultry or to protect crops.

SECTION 5. POOPER SCOOPER. The person in control of a dog 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.

SECTION 6. COLLAR AND LICENSE.

- A. Each dog shall be licensed according to the laws of this state and shall wear a collar or harness with the current license attached. An animal that is visiting from out of state must wear a collar or harness with a current license from its home and state attached.
- B. A dog that is found without a collar or harness and license shall be immediately impounded under authority of 20 V.S.A. Section 3806 and shall be managed under the provisions of that statute.

SECTION 7. HUMANE CARE OF DOGS. All dogs shall be furnished with clean and safe facilities sufficient to protect the animal and the public health. Any dog determined by an Enforcement Officer to be without such clean and safe facilities may be impounded.

SECTION 8. ENFORCEMENT. This is a civil ordinance and shall be enforced by Enforcement Officers in the Vermont Judicial Bureau in accordance with 24 V.S.A. Section 1974a et seq.

SECTION 9. IMPOUNDMENT.

- A. Any dog that is determined by an Enforcement Officer to be a vicious dog which presents an imminent danger to people or other animals may be immediately impounded, pending the outcome of the investigation process provided in Section 11.
- B. Any dog that is apprehended for a third or subsequent violation of any provision of this ordinance shall be impounded.

SECTION 10. NOTICE OF IMPOUNDMENT AND RELEASE FROM IMPOUNDMENT.

- A. The Enforcement Officer who impounds a dog shall within 24 hours, give notice to the owner thereof, either personally, by telephone call, or by written notice at the owner's dwelling. Such notice shall inform the owner of the nature of the violations, the location of the animal and the steps that are necessary to have the animal returned to the owner.
- B. If an impounded dog has no license or other identification, the person who impounds it shall proceed under the provisions of 20 V.S.A. Section 3806.

- C. Impounded animals shall be released to the owner only after payment of all penalties and impoundment fees and after remedial action by the owner. Remedial action shall include but is not limited to such actions as providing a collar and current license and providing a plan for compliance with the provisions of this ordinance and with state law.

SECTION 11. INVESTIGATION OF VICIOUS DOGS.

- A. When a dog has bitten a person while the dog is off the premises of the owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the Selectboard. The complaint shall contain the time, date and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the Selectboard in conducting its investigation.
- B. The Selectboard, within seven (7) days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the dog which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date, and place of hearing and the facts of the complaint.
- C. If the dog is found to have bitten the victim without provocation, the Selectboard shall make such order for the protection of persons as the facts and circumstances of the case may require, including without limitation, that the dog is disposed of in a humane way, muzzled, chained or confined. The order shall be sent by certified mail, return receipt requested to the last known address of the owner or keeper if such owner or keeper is known. A person who, after receiving notice fails to comply with the terms of the order shall be subject to the penalties provided in 20 V.S.A. Section 3550.
- D. The procedure provided in this section shall also apply to any dog that causes a person to reasonably fear attack or bodily injury from such animal, unless the person is trespassing on the property of the owner of the animal. It shall also apply to any dog that, while running at large, attacks another domestic pet or domestic animal.
- E. The procedure provided in this section shall only apply if the dog is not a rabies suspect. If a member of the Selectboard or an Enforcement Officer determines that the animal is a rabies suspect, the provisions of Subchapter 5 of Title 20 Chapter 193 and the rules of the Department of Health shall apply.

SECTION 12. PENALTIES AND COSTS.

- A. First offense
 - \$100 full penalty / \$35 waiver penalty
(written warning for minor offense at officer discretion)
- B. Second offense
 - \$100 full penalty / \$35 waiver penalty (no warning)

C. Third and subsequent offense

- Impoundment and impoundment costs, plus
\$150 full penalty / \$75 waiver penalty (no warning)

The waiver penalty applies when an alleged violator pays the fine without contesting the violation.

SECTION 13. OTHER LAWS. This ordinance is in addition to other ordinances of the Town of Cambridge and all applicable laws of the State of Vermont.

SECTION 14. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION 15. EFFECTIVE DATE. This ordinance shall become effective sixty (60) days after its adoption by the Cambridge Selectboard. If a petition is filed under 24 V.S.A. Section 1973, that statute shall govern the taking effect of this ordinance.

When this ordinance becomes effective, it shall replace and supersede the ordinance titled “Dog and Wolf Hybrids” signed August 6, 2012 and updated February 27, 2017.

Signed: February 19, 2018

By the Selectboard members of the Town of Cambridge, Vermont

Larry Wyckoff, Chair

Dana Sweet

George Putnam

Adoption History

1. Agenda item at regular selectboard meeting held on February 19, 2018.
2. Read and approved at regular selectboard meeting on February 19, 2018 and entered in the minutes of said meeting which were approved on _____.
3. Posted in five public places on _____.
4. Notice of adoption published in the *News & Citizen* newspaper on _____ with a notice of the right to petition.