

By-Laws of the Town of Pembroke

ARTICLE XX - Police Regulations

SECTION 7.

- A. Every owner or keeper of a dog who is three (3) months old or over shall license it with the Town Clerk between the first (1st) day of January and the twenty-eighth (28th) day of February of each year. Every owner or keeper of a dog which becomes three (3) months old subsequent to the first (1st) day of January of any year shall license it with the Town Clerk when it becomes three (3) months old. The license fee shall be twelve dollars (\$12.00) for female and male dogs and nine dollars (\$9.00) for altered male and spayed female dogs. All licenses must be renewed by the twenty-eighth (28th) day of February or be subject to a late fee charge of fifteen dollars (\$15.00). The owner or keeper of every dog which is so licensed shall cause it to wear at all times a metal license tag issued for this purpose by the Town Clerk. No person shall own or keep in the Town any dog which by biting, barking or howling, or in any other manner disturbs the peace or quiet of any neighborhood or endangers the safety of any person.
(amended by Article 17 of April 22, 2008 ATM and Article 14 of April 24, 2012 ATM)
- B. If the Animal Control Officer determines that a dog in its oestrus cycle or "in heat" is attracting other dogs and such attraction is causing damage or disturbance to any neighborhood, the Animal Control Officer shall order in writing the owner or keeper of such dog to restrain the dog for the duration of its oestrus cycle. If the Animal Control Officer determines that such owner or keeper is not complying with order, the Animal Control Officer shall impound said dog for the duration of its oestrus cycle at the expense of the owner or keeper.
- C. Dog Leash Law
1. Any person owning or keeping a dog within the Town of Pembroke shall not suffer nor permit it to constitute a nuisance as hereinafter set forth: provided, however, nothing in this by-law shall be construed to limit or prohibit the use of hunting dogs during the hunting season, or the training of hunting dogs, or during field trials for hunting dogs.
 2. If it appears to the Animal Control Officer, upon personal observation, or upon receipt of a complaint in writing under oath, that any dog owned or harbored within the Town is a nuisance by reason of one or any of the following:
 - a. having bitten any person, or
 - b. having been found running at large in any of the streets or public places in the Town, or upon premises other than premises of said owner or keeper, or on premises of said owner or keeper, unless it is effectively restrained by a chain or leash, or is under immediate and effective control of a handler, or is within and confined to a motor, or
 - c. having killed or maimed or otherwise damaged any other domesticated animal, or
 - d. having chased any vehicle upon any public way or way open to public travel in the Town,

then the Animal Control Officer may, upon such observation, or upon such further investigation of a complaint in writing under oath as the Animal Control Officer may deem necessary, which investigation may include a further examination under oath of the complainant or any other person,

- (i) impose a penalty of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense, and one hundred fifty dollars (\$150.00) for each subsequent offense, and/or
 - (ii) apprehend and impound such dog in the Town Pound and impose, in addition to any penalties, an administrative charge consisting of the dog license fee if it is then unpaid plus twenty dollars (\$20.00) per day boarding charges plus twenty-five dollars (\$25.00) for a licensed dog or seventy-five dollars (\$75.00) for an unlicensed dog, and/or
 - (iii) issue an interim order that such dog be impounded, restrained or muzzled for a period not to exceed fourteen (14) days.
- (amended by Article 18 of April 22, 2008 ATM)

e. No dogs shall be allowed in any town cemetery either on a leash or running at large.

3. The Animal Control Officer shall make a written report of the actions taken pursuant to subsections 1 and 2 and the reasons therefor to the owner or keeper, and submit a copy of such report to the Board of Selectmen, no later than three (3) days after taking such actions. Upon receipt of such report, the Board of Selectmen may, after hearing, which may include an examination of the complainant and any other person under oath, make such further order or orders concerning such dog as may be deemed necessary.
4. The owner or keeper of any dog that has been the subject of such actions may file a request in writing with the Animal Control Officer that they be modified or vacated, or that the dog be released, and after investigation the Animal Control Officer may modify or vacate such actions order to release such dog, if the order or restraint was imposed by him. If the order was imposed by the Board of Selectmen, the Animal Control Officer shall submit a written report of the Animal Control Officer's investigation, with recommendations, to the Board of Selectmen, who may vacate such order. If the Animal Control Officer, after receiving such request in writing, declines to modify or vacate such actions, the owner or keeper may appeal to the Board of Selectmen.
5. All dogs within the town shall be licensed and registered as provided in Massachusetts General Laws Chapter 140 and Section 7 of Article XX of the Town By-laws.
6. The Board of Selectmen may from time to time adopt and publish such policies, registration fees and procedures as they deem necessary to enforce the intent and purpose of the Animal Control Regulations By-Law, or take any action relative thereto.

SECTION 8.

Whoever violates Section (7A) and/or (7C) of these Town of Pembroke Bylaws shall be liable to a fine of twenty-five dollars (\$25.00) for the first offense, fifty dollars (\$50.00) for the second offense and one hundred dollars (\$100.00) for all subsequent offenses.