

TOWN ORDINANCE REGARDING THE CONTROL OF DOGS

Pursuant to 24 V.S.A. 2291 (10) and V.S.A. 1974 (a), the Selectmen of the Town of Ripton hereby adopt the following Ordinance relating to the regulation and keeping of dogs and providing for their restraint within the Town of Ripton.

SECTION 1. DEFINITIONS:

1. A dog "**running at large**" shall mean:
 - a. a dog which is not on a leash, or
 - b. not on or within a vehicle, or
 - c. not on the property of its owner or his agent, or
 - d. not hunting with, and under the control of, its owner or his or her agent.
 - e. not walking with, and under the control of its owner or his or her agent

2. The **pound** shall be a place specifically designated by the Selectmen of the Town of Ripton from time to time where dogs that need to be controlled under the provisions of this ordinance are kept until claimed by their owners or disposed of.

SECTION 2. PURPOSE:

The Ripton Selectmen intend to provide a way to control dogs that are running at large within the limits of the Town of Ripton and which are causing problems for a Ripton resident. This ordinance is not a "leash law". Dogs running at large but not causing any complaint will not be restrained under the provisions of this ordinance.

SECTION 3: BODY OF THE ORDINANCE:

A: A dog running at large may be impounded as described in the succeeding sections of this ordinance if the dog's behavior causes a Ripton resident to call the Dog Warden, Clerk, a Selectman, or other officer of the Town or State specifically designated by the Selectmen to complain about the presence of or activity of the dog.

B: If a dog's behavior is menacing or threatening, or dangerous to people or livestock, such a dog shall be impounded immediately by the Warden or other designated official after the official obtains a warrant to impound the dog, signed by at least one Selectman.

C: If a dog's behavior is not an immediate danger to people or livestock, and yet is a problem to a resident of the Town, such resident shall bring this complaint directly to the attention of the Selectboard, or by a complaint to the Dog Warden or to any of the Town or State officers designated by the Selectmen under the provisions of paragraph "A" of Section 3. Upon hearing of this complaint the Board shall review said complaint and shall send a letter to the dog's owner describing the problem(s) the dog may have caused and requesting that the owner take steps to prevent the problem, if in fact the Board determines that any problems have occurred, from occurring in the future. A second complaint within a six month period of time will be followed by an additional letter warning of the Town's right to impound. The dog's owner will also have an opportunity to discuss the complaint with the Selectboard, and with the complainant, should she/he choose to attend. After a third complaint about a particular dog within the six month period of time from the first complaint, the Dog Warden, or anyone designated by the Selectmen, may seize the dog and impound it, after obtaining a warrant signed by at least one Selectman.

Nothing in this section shall be construed as permitting entry into a dwelling.

The Ripton Selectmen shall enforce this Ordinance, through the appointment of the Dog Warden and pound keepers and such assistant dog wardens and pound keepers as they deem necessary to enforce this Ordinance. The Dog Warden and the assistant Dog Wardens, and any designated law enforcement officer may use all reasonable methods for catching and impounding a dog in violation of this Ordinance, including the use of tranquilizing and marking apparatus so long as they are experienced in the use of such methods of animal control.

SECTION 4. RELEASE OF AN IMPOUNDED DOG

The procedure for claiming or releasing a dog from the pound shall be as follows:

- a. Upon delivery to the pound, the pound keeper shall notify the dog's owner, if the dog is licensed, or if the owner of the dog is known. The dog shall be held for three (3) days after the owner is notified, unless claimed earlier.
- b. If the dog is unlicensed, and the owner of the dog is unknown, the pound keeper shall advertise the dog's description on the local radio station, and the dog shall be held for three (3) days after the first broadcasting of the dog's description, unless sooner claimed.
- c. If the owner does not claim the dog within the three-day period, the dog shall be given to whomever pays the pound keeper's fees, rabies shots, and necessary licensing fees.
- d. If no person claims the dog, it may be humanely destroyed or surrendered to the Addison County Humane Society and the Town shall pay all necessary fees.
- e. No dog shall be released from the pound until it is properly licensed, and all pound and other charges paid.
- f. A person claiming the dog from the pound shall pay to the pound keeper reasonable fees to be established by the Board of Selectmen to cover compensation to the Town for its reasonable expenses in enforcing the Ordinance.

SECTION 5. SEVERABILITY

If any part of this Ordinance is held to be invalid, such holding shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect.

Adopted September 13, 1993

Effective Date November 12, 1993

Attest: Timothy Hanson, Ripton Town Clerk