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Chapter 148

Animals

[HISTORY: Adopted by the Town Meeting of the Town of Madison as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Board of Selectmen animal control regulations — See Ch. 514.

Article I

Dog Control

[Adopted 6-21-1977; printed as last amended 6-7-1999]

§ 148-1 Definitions.

As used in this article, unless the context otherwise indicates:

AT LARGE

Shall be intended to mean off the premises of the dog's owner, and not under the control and restraint of the dog's owner or a member of his immediate family, either by leash, cord, chain, "at heel," or under command.

DOG

Shall be intended to mean both male and female dogs.

OWNER

- A. Shall be intended to mean any person or persons, firm, association or corporation owning, keeping, harboring or in possession of or having the control of a dog.
- B. Shall also be intended to mean and include, when used in this article, the parent or parents or guardian of a minor who owns, keeps or has in his possession a dog.

§ 148-2 Running at large.

- A. No owner shall cause or permit any dog owned or kept by him, or in his possession or under his control to run at large within the Town. A dog, while in or on any public way or place, or in or on any other place, except as hereinafter provided, shall be under restraint, within the meaning of this article, if it is controlled by a leash, cord, chain or "at heel" within 6 feet or less, or under the control of a person and obedient to that person's command, or on or within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper.
- B. Nothing in this article shall be held to require the leashing or restraint of any dog while on its owner's or keeper's premises, or in or on any premises used or occupied as a dwelling house.

§ 148-3 Barking or howling dogs.

[Amended 6-11-2018]

No person shall keep or harbor any dog within the Town which, by frequent and habitual barking, howling or

yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration of at least 30 minutes continuously or intermittently for one hour or more. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such a dog.

§ 148-4 Removal and disposal of dog excrement.

- A. No person shall cause or permit any dog excrement to be cast or deposited by the animal upon the premises of any public park, beach, sidewalk, or other recreational property owned by the Town or upon property owned by another individual or business entity.
- B. This section shall not apply to a dog accompanying any handicapped person who, by reason of his/her handicap, is physically unable to comply with the requirement of this article.
- C. Failing to immediately remove and lawfully dispose of any dog excrement left upon a public park, beach, sidewalk, or recreational property owned by the Town, or upon property owned by another individual or business entity, is a civil violation for which a forfeiture may be adjudged for each offense (see § 148-7, Violations and penalties).

§ 148-5 License required.

No dog may be kept within the limits of the Town of Madison unless the dog has been licensed by its owner or keeper in accordance with the laws of the State of Maine. Failure to so license the dog is a violation of this article.

§ 148-6 Fees.

[Amended 6-11-2018]

Any person who owns or keeps a dog within the Town that has been picked up and transported by the Animal Control Officer will be charged a fee to cover any mileage expenses, boarding, and medical expenses for the care of the dog. All fees required by this article shall be established by the Board of Selectmen and published within a schedule of fees, which the Selectmen may amend from time to time according to the procedures required for taking actions at meetings of the Board. Failure to pay such fee within 30 days of billing date is a violation of this article.

§ 148-7 Violations and penalties.

Any person found in violation of this article by a court shall be subject to a fine of not less than \$50 nor more than \$200, and shall also be liable to reimburse the Town and its officials for all costs incurred by the Town and its officials in connection with this violation, including but not limited to compensation for the Animal Control Officer at the rate paid by the Town, mileage expenses, the actual cost of boarding the dog in question, and reasonable attorney's fees. In no event will the fine assessed by the court be less than expenses incurred by the Town in process of violation of this article. After three violations of this article the court will require the owner to keep animal leashed or restrained at all times. In addition, the violator shall pay the dog license fee required by state law.