

## CHAPTER EIGHT

### ORDINANCE FOR THE CONTROL OF DOMESTIC PETS OR WOLF-HYBRIDS

Pursuant to the provisions of 20 V.S.A, § 3549 and any other pertinent statute as amended, it is hereby ordained by the City Council of the City of Vergennes, in the County of Addison, that the following ordinance be adopted.

#### **SECTION 1. DEFINITIONS**

1. **Dogs -** Shall include male and female of the canine species and wolf hybrids.
2. **Pet -** Shall mean any domestic animal, which is kept for the owner's enjoyment.
3. **Owner -** Shall include any person or persons, firms, association or corporation owning, keeping, or harboring a dog, wolf hybrid or other pet. Unless otherwise identified on the dog or wolf hybrid license, the head of the household shall be presumed to be the owner of the animal in question.
4. **Officer -** Shall mean any Vergennes police officer or duly appointed dog warden.
5. **Pound Keeper -** Shall mean any person or business designated by the City Manager to operate the impoundment location.

#### **SECTION 2. RUNNING AT LARGE**

All dogs and wolf hybrids within the City of Vergennes shall be restrained from running at large. A dog or wolf hybrid shall be deemed to be restrained from running at large when it is on the property of its owner, or keeper, or kept on a leash, or under the immediate control of a competent and responsible attendant.

#### **SECTION 3. DEFECATION**

An owner or keeper of any dog, wolf hybrid or pet that defecates on premises other than that of the owner shall be required to remove the fecal matter and dispose of it in an appropriate container. Should the owner or keeper of the animal not retrieve the feces, said owner or keeper shall be fined \$10.00 for each reported incident.

#### **SECTION 4. DISTURBANCE BY NOISE**

Any dog or wolf hybrid causing a disturbance by barking is considered a public nuisance and the owner will be liable for prosecution under Section 9.

#### **SECTION 5. LICENSE REQUIRED**

It shall be the duty of every owner of any dog or wolf hybrid over the age of six months within the City of Vergennes to procure a license therefore in accordance with V.S.A. 20 § 3411 to

3592, as amended. The deadline for licensing is April 1<sup>st</sup> of each year. The fees for licensing shall be in accordance with state statutes.

### **SECTION 6. IMPOUNDING**

Any dog or wolf hybrid found running at large within the City of Vergennes may be picked up by an Officer and impounded. Notice of such impoundment shall be promptly given to the owner if such can be determined.

### **SECTION 7. REDEMPTION AND FEES**

An owner may reclaim their impounded dog or wolf-hybrid provided there is proof of rabies vaccination. The owner is subject to a fee of \$30.00 plus any boarding fees or other charges invoiced by the pound keeper to the City associated with the impounded dog or wolf-hybrid. Fees and charges shall be paid to the City Treasurer within 30-days notice. An owner that fails to pay the fees and charges within said 30-days notice may be subject to prosecution as set forth in Section 12 or this ordinance.

### **SECTION 8. UNCLAIMED DOGS AND PETS**

Any animal not reclaimed within five (5) days shall be considered abandoned and ownership of said animal shall be that of the City for the purposes of disposition.

### **SECTION 9. CIVIL ORDINANCE**

This ordinance shall be a civil ordinance and shall be prosecuted in civil court as provided under 24 V.S.A. §§ 1974 and 1977. Each violation shall be subject to a fine up to \$500.00, and the waiver fee shall be set at \$200.00.

### **SECTION 10. ORDINANCE REPEALED**

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

### **SECTION 11. ENFORCEMENT**

The Vergennes Chief of Police shall have responsibility for enforcement of this ordinance. The Chief of Police shall appoint the dog warden and such assistants as is deemed necessary. The dog warden and their assistants shall be specifically responsible for enforcement of the ordinance.

### **SECTION 12. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions hereof.