

SECTION 6-705 *Dogs and Cats*

(a) Leashing required; length of leash - No person shall cause or permit a dog owned or kept by him, whether licensed or unlicensed, beyond the confines of the property of the owner or keeper or the property of another person with knowledge and permission of such other person unless the dog is properly restrained. A dog is under restraint for purposes of this Ordinance if it is accompanied by its owner or other person responsible for the dog, who is in full control of such dog and the dog is held firmly on a leash, the length which shall not exceed six (6) feet. An owner or keeper may use a leash of a greater length to restrain a dog on the property of an owner or keeper, provided that the dog is securely confined to the premises of the owner or keeper.

(b) Disturbing the peace - Any owner or keeper who allows a dog to bite, bark, howl or in any other manner disturbs the peace and quiet of any neighborhood or endanger the safety of any person or animal is in violation of this Ordinance.

(c) Restrictions – Defecation - No person shall fail to promptly remove and properly dispose of any feces, as designated by the Board of Health, left by any dog owned, kept or controlled by them on the property of another, including but not limited-to any public property within the Town. This provision shall not apply to a person who, by reason of a physical disability, is unable to comply with requirements of such a section.

(d) Penalties - The Animal Control Officer is hereby authorized to investigate any complaint made against the owner or keeper of a dog who is alleged to have violated the provisions of this Ordinance. This section shall be subject to the penalties under the provisions of Massachusetts General Laws, Chapter 40, Section 21D, Non-Criminal Disposition Fines as outlined in this Ordinance.

(e) Order to Restrain or Muzzle. In addition to the fines outlined in this Ordinance, , on receipt of a complaint of an alleged violation of this ordinance, the Animal Control Officer shall investigate and is also authorized and empowered to order the owner or keeper of a dog to muzzle and or restrain a dog as the Officer deems necessary, pending a hearing under M.G.L. Chapter 140, Section 157.

(f) The owner or keeper of any dog or cat that is transported to an animal hospital/care facility by the Animal Control Officer or Police Officer for treatment, euthanasia and or rabies testing is liable for payment to said facility. If the owner or keeper cannot make such payment at time of service, and treatment, euthanasia and/or rabies testing is determined by the Animal Control Officer or Health Department to be needed for public health and or public safety, and if the Town is billed for these services, said owner or keeper will be fined in the amount of the bill invoiced to the Town.

(g) Dog Licenses: Dog licenses shall be obtained each year. The registering, numbering, description and licensing, pursuant to the provisions of Massachusetts General Laws, Chapter 140 of all dogs in the Town of Weymouth shall be conducted annually in the office of the Town Clerk. Applications and licensing shall be in accordance with MGL c. 140, §§137 and 137A. Dog licenses must be renewed annually between January 2 and February 28. In addition to the

requirement that a dog shall be duly licensed as required by law, the owner of a dog which has not renewed a license before March 1st in any year shall be subject to a late fee penalty of Ten Dollars (\$10.00) and any dog license renewed starting April 01 through December 31 shall be subject to a Twenty-five \$25.00 late fee in addition to the license fee.

(h) Duty of Animal Control Officer; registry required - It shall be the duty of the Animal Control Officer and every police officer, pursuant to Massachusetts General Laws Chapter. 140, Sections 151A and 167, to apprehend any unrestrained or unlicensed dogs and to impound such dog in a facility approved by the Chief of Police. The Animal Control Officer upon receiving any dog shall make a complete registry, entering the breed, color and sex of such dog and whether licensed. If licensed, the name and address of the owner and the number of the license tag shall be recorded. Unrestrained or unlicensed dogs may be sought out, caught and confined by the Animal Control Officer or any police officer of the Town, and impounded.

Nothing in this Ordinance shall be deemed to prohibit the use of dogs for hunting, sporting or working purposes as long as said dogs are properly restrained.

(i) Notice of impoundment; reclamation; charges - The Animal Control Officer shall make reasonable efforts, but in no event not later than three (3) days after the impounding of any dog, the owner shall be notified, or, if the owner of the dog is unknown, written notice shall be posted for three (3) days at one (1) or more conspicuous places in the Town describing the dog and the place and time of taking. The owner of any dog so impounded may reclaim such dog upon payment of the costs and charges incurred by the Town for impounding and maintenance of such dog, provided, however, that if the dog is not licensed, then before the dog is released to any person, a license as required by the Town shall be secured. Charges shall be paid to the facility which the dog was held. The daily rate for keeping of a dog shall be set by the approved facility holding the dog. Any owner/keeper not paying the facility will be fined the amount owed to the facility and if not paid within twenty-one (21) days a civil complaint will be filed in the district court.

(j) Rabies vaccinations - Whoever is the owner or keeper of a dog or cat six (6) months of age or older shall cause such dog and cat to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Director of Public Health. Such owner or keeper shall procure a veterinarian's certification that such dog and cat has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, or notarized letter from a veterinarian that a certificate was issued, and a metal rabies tag bearing an expiration date indicating that such certification is still in effect. Unvaccinated dogs and cats acquired or brought into the Town shall be vaccinated within thirty (30) days after acquisition or entry into the Town or upon reaching the age of six (6) months, whichever comes later. The owner of a cat may choose not to affix the rabies tag, but shall have the tag available for inspection by authorized persons.

(k) Dogs on public beach- No person shall allow a dog owned or kept by him on any public beach within the Town, whether leashed or unleashed. Service dogs under close control of their owners wearing a valid dog license and certified as aid dogs shall be excluded from the provisions of this Section.

(l) Displaying of tags - All dogs within the Town of Weymouth shall at all times display on a collar the Town/City license tag in which the dog is licensed.

(m) Failure to identify to Animal Control Officer/Law Enforcement - All owners/keepers of dogs or cats shall not refuse to identify or provide false information regarding their name, Date of birth, address and animal information to the Animal Control Officer, Constable or Police Officer.

(n) Posted Town of Weymouth Property - No person shall allow a dog onto any town property where there is posted a "No Dogs Allowed" sign whether leashed or unleashed. Service dogs under close control of their owners wearing a valid dog license and certified as aid dogs shall be excluded from the provisions of this Section.

(o) Animals left unattended in motor vehicle - No person shall allow any domesticated animal to be left unattended in a motor vehicle for more than five (5) minutes with the exception of a Police/Law Enforcement K9/Animal Control.

(p) Unattended Dogs - No person shall allow a dog to be unattended outside for more than two (2) hours unless the dog has access to food, water and enclosed shelter from the elements.

(q) Cats & Ferrets - No person, firm, organization or corporation shall keep or house within the Town of Weymouth, in any building, or on any premises on which he may be the owner, lessee, tenant, or occupant more than three (3) cats or ferrets, not including kittens under ten (10) weeks old, unless such person, firm, corporation, or organization holds a valid Pet Shop License from the Massachusetts Division of Animal Health or is a registered Animal Shelter with the Massachusetts Division of Animal Health and has written approval from the Animal Control Officer or is a licensed veterinarian with the state of Massachusetts; veterinarians do not require written approval.