

## WARRANT ARTICLE RE DOG LICENSING FINES

Article X. (Selectmen) To see if the Town will vote to amend Chapter 83 (Animals), ~~Section 83-6 (Fine and Penalties)~~ of the General Bylaws of the Town of Dover for the purpose of updating the chapter and conforming ~~the fines for violations to those prescribed to~~ by Massachusetts General Laws Chapter 140, ~~Section 173A, with all changes~~ as shown in a document on file in the Office of the Town Clerk, and further that non-substantive changes in the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Dover Town Code; or take any other action relative thereto.

**Amended Bylaw:**

**§ 83 – 6 Fines and penalties.**

A. The owner or keeper of an impounded dog may obtain its release subject to the following conditions:

- (1) Payment of all kenneling fees;
- (2) Licensing of the dog if unlicensed and payment of all appropriate licensing fees; and
- (3) Payment of a late licensing fee, if applicable.

B. ~~The Dog Officer, or any other Town official acting as the Dog Officer's designee, may to impose and collect fines in accordance with the provisions of M.G.L. c. 140, § 173A from any person found to violate this Dog Control Article or of the provisions of M.G.L. c. 140, or the provisions of this Dog Control Article. Fines shall be imposed at the following rate:~~

- ~~(1) For the first offense in a calendar year: no payment.~~
- ~~(2) For the second offense in a calendar year: \$25.~~
- ~~(3) For the third offense in a calendar year: \$50 and referral to the Board of Selectmen for a hearing and subsequent action pursuant to the provisions of MGL c. 140, § 157, as may be amended.~~

**§ 83-8 Licensing.**

A. All dogs having reached the age of 3 months shall require a license. Fees for such licenses shall be set by the Selectmen.

B. No fee for licensing shall be charged to a dog ~~which that~~ is certified by the Division of the Blind to be in the service of a blind person as a service dog as defined by the Massachusetts Service Animal Law, M.G.L. c. 272, § 98A.

C. Any person who is the owner of a dog in the Town of Dover and who fails to license said dog within the times prescribed by the General Laws and this article shall pay a late fee as set by the Selectmen in addition to the licensing fee.

D.

The provision of M.G.L. c. 140, §§ 138 (Notification of change of owner or keeper of licensed dog) and 138A (Importation of dogs and cats for commercial resale) are hereby expressly incorporated herein and violations thereof shall be and constitute violations of this bylaw.

**§ 83-9 Definitions.**

Except as otherwise provided herein, all other definitions included in M.G.L. c. 140, §§ 136A, 138 and 138A are incorporated within this article.

**§ 83-10 Vaccinations.**

The owner or keeper of dog three months of age or older, housed or sheltered in the Town of Dover shall cause such dog to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine approved by the Massachusetts Department of Public Health.