

TOWN OF FREEDOM NUISANCE ANIMAL ORDINANCE

Effective date July 7, 1998

Section 1. Purpose

The purpose of this ordinance is to insure public health, safety and tranquility and to protect the community from nuisance animals.

Section 2. Authority

This ordinance is adopted pursuant to and consistent with Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A MRSA Section 3001.

Section 3. Administration.

This ordinance shall be administered by the Animal Control Officer, who shall be responsible for investigating any complaints, issuing warnings, fines, summons and any other actions required pursuant to this ordinance.

Section 4. Nuisance animals.

(a) A dog, cat, or any other domestic animal shall be considered a nuisance if it: causes damage, defiles, soils or defecates on public walks, recreational areas, or private property other than the owner's, unless such waste is immediately removed and properly disposed of by the animal's owner or keeper, causes unsanitary and dangerous, or offensive conditions, causes a disturbance by excessive and uncontrolled barking or howling or other sounds common to its species; chases vehicles, or molests, attacks or otherwise interferes with any person or other domestic animals.

(b) No owner or keeper having custody of any nuisance animal, which causes any disturbance described in the preceding paragraph, shall allow such animal to continue nuisance behavior.

Section 5. Complaint, investigation and enforcement.

Upon written complaint by a person claiming disturbance by an alleged nuisance animal, signed by the complainant, the Animal Control Officer shall investigate the complaint. If, in the judgment of the Animal Control Officer, nuisance behavior has occurred, then he shall give written notice to the owner or keeper of the offending animal that such annoyance or disturbance must cease. The warning shall become part of the record. Thereafter, upon documented continuance of such annoyance or disturbance, the owner shall be guilty of a civil violation, and upon conviction thereof shall be punished by a fine of \$50.00 for the first offense. Each additional conviction after the first conviction shall be punished by fine of \$100.00. All fines assessed shall be recovered for use of the Town of Freedom through District Court.

Section 6. Effective date.

This ordinance shall become effective upon its approval by a majority vote of a Freedom Town Meeting.