

ANIMAL CONTROL BY-LAW

A. LEASHING OF DOGS

1. No person shall permit a dog owned or kept by him/her to run at large in any of the streets or public places in the Town or upon the premises of anyone other than the owner/keeper, unless the owner or occupant of such premises grants permission.
2. No dog shall be permitted in any public place or street within the Town unless the dog is held firmly on a leash or chain no longer than six (6) feet when off the property of the owner/keeper.
3. Any working dog, such as dogs used by the Police, Search and Rescue Dogs, Hunting dogs or dogs specially trained to lead or serve a disabled person, shall not be subject to the above sections while performing their necessary duties, provided that they have been trained by their owner/keeper to follow commands of an oral or physical nature and are under proper restraint and control as reasonably required under the circumstances. Any such working dog that is being so trained shall also be exempt from the above sections while being trained.

B. BARKING DOGS

- 1 No owner/keeper of a dog shall allow the dog to disturb the peace of any neighborhood by making excessive noise without provocation. Noise is excessive if it is uninterrupted barking, yelping, whining or howling for a period of time exceeding thirty (30) minutes. This section is not meant to preclude a dog from acting as a watchdog on its owner/keeper's property.
- 2 The Lakeville Animal Shelter is exempt from the provisions of this by-law.

C. DEFECATION BY DOGS

1. No person owning or keeping a dog shall permit it to defecate within the boundaries of any municipally owned playground, school, park or open space to which the public has access, unless expressly permitted in a specially designated area, or upon any street or sidewalk. However, no violation shall be deemed to have occurred if the owner/keeper of the offending dog promptly and voluntarily removes the animal waste.
2. No person owning or keeping a dog shall permit it to defecate on privately owned premises other than the premises of the owner/keeper without the

knowledge and consent of the owner or person in possession of such premises. However, no violation shall be deemed to have occurred if the owner/keeper of the offending dog promptly and voluntarily removes the animal waste.

3. This by-law shall not apply to a dog accompanying any disabled person, who, by reason of his/her disability, is physically unable to comply with the requirements of this section.

D. VICIOUS DOGS

- 1 Any dog that, without provocation, bites a human being or kills or maims a domestic animal may be declared vicious by the Board of Selectmen. An exception may be made for a puppy that draws blood or for a dog that attacks or bites an unaccompanied domestic animal on the dog owner/keeper's property.
- 2 A dog shall not be declared vicious if the Board of Selectmen determines any of the following:
 - (a) the person's skin was not broken.
 - (b) the person who was bitten was willfully trespassing, committing a crime, or attempting to commit a crime on the premises occupied by the dog's owner/keeper.
 - (c) the dog was being teased, tormented, abused or assaulted by the injured person or animal prior to attacking or biting.
 - (d) the dog was protecting or defending a human being in its immediate vicinity from attack or assault

E. VIOLATIONS

Violations of this by-law may be enforced through all lawful means in law or equity, including but not limited to noncriminal disposition pursuant to M.G.L. c. 40, § 21D, as follows: first offense no fine; second offense \$15.00; third offense \$25.00 and fourth and continuing offense(s) \$35.00. The Animal Control Officer or his designee shall be the enforcing authority. Upon the demonstration of exceptional circumstances by the person who owns or controls the animal in violation of this Bylaw, the Animal Control Officer, may, in his or her discretion, waive the fine(s).

(Adopted June 4, 2012 at Annual Town Meeting; Approved by Attorney General July 18, 2012)