

TOWN OF LYNDON
PET CONTROL ORDINANCE
(Amended effective November 13, 2009)
(Amended effective January 20, 2012)

1. The term "pet" under this chapter of the ordinances refers to dogs, wolf-hybrids, cats, and ferrets.
2. All pets in the Town of Lyndon shall be inoculated against rabies by a licensed veterinarian in accordance with the applicable provisions of the Vermont State Statutes.
3. No person having the ownership or control of a dog or wolf-hybrid in the Town of Lyndon shall allow that animal to continually howl, bark, whine, or otherwise act so as to continually disturb the peace of one or more persons living in the Town of Lyndon. Violators will first be warned by the Dog Warden/Animal Control Officer or a Town Issuing Official, and if the violation occurs again, the person shall be assessed a penalty of \$30 for each offense (Waiver fine \$25).
4. The person in control of a dog or wolf-hybrid that defecates in any public area or on the private property of another person shall immediately remove the fecal material and dispose of it in a sanitary manner. Violators will be first warned by the Dog Warden/Animal Control Officer or a Town Issuing Official, and if the violation occurs again, the person shall be assessed penalty of \$30.00 for each offense. (Waiver fine \$25.00).
5. A working farm dog is defined as a dog that is bred or trained to herd or protect livestock or poultry or to protect crops and is used for those purposes and that it is registered as a working farm dog. Anyone who owns such a dog and intends to use it on a farm shall register it with the Town and pay an additional \$5.00 for a working farm dog license. The animal is exempted from municipal regulation of barking or running at large when it is on the property being farmed by the person who registered it if the dog is barking or running at large in order to herd or protect livestock, poultry or crops.
6. No person owning or controlling a dog or wolf-hybrid in the Town of Lyndon will allow that animal to act in a vicious, destructive, or harmful manner against other persons, property or animals in the Town of Lyndon.
 - A. Violations of this provision will result in an assessed penalty of \$150 (Waiver fine \$130), and the Selectboard may order the destruction of the animal in accordance with V.S.A. 20, Chapter 193. The person owning the animal shall be required to pay the costs incurred to humanely destroy it.
 - B. Upon written complaint by a legal resident of the Town that a dog or wolf-hybrid is alleged to be vicious, the Selectboard shall hold a hearing on the facts of the complaint. If the Selectboard find the animal to be vicious, they may make such order as necessary, including destruction of the animal, to protect the public.
7. All dogs and wolf-hybrids shall be confined to the limits of the property owned or leased by any dog or wolf-hybrid owner or keeper, unless that animal is on a leash in the hands of a responsible person capable of handling said animal. (See permitted exceptions below) Violators of this provision will be charged a \$25 penalty by the Dog Warden/Animal Control Officer or a Town Issuing Official for the first offense, as well as a boarding fee of \$6 per day

or portion of a day if the animal is impounded. Penalties for subsequent violations of this provision are as follows with no waiver fines established:

- A. Second offense within a twelve month period: \$50 plus boarding fees.
- B. Third offense within a twelve month period: \$100 plus boarding fees.
- C. Fourth offense within a twelve month period: \$200 plus boarding fees.
- D. Fifth offense within a twelve month period: the Dog Warden/Animal Control Officer or a Town Issuing Official will notify the Selectboard of the offense, providing records of previous offenses and actions taken. The Selectboard may order the dog/wolf-hybrid to be destroyed in a humane manner in accordance with the authority given in V.S.A. 20, Section 3807. The owner shall be required to pay the costs incurred for such destruction.

PERMITTED EXCEPTIONS

Owners or handlers may allow their dog to run free but under their control for the purposes of legal hunting, training for hunting or for competitive events or shows.

8. A dog or wolf-hybrid does not have to be caught or impounded for an owner/keeper to be penalized for a violation of the provision defined in paragraph 5. Nor does the dog/wolf-hybrid have to be caught/impounded for an owner/keeper to be penalized in the amounts outlined in paragraph 5, depending on the number of previous violations. If a Selectboard member, the Municipal Administrator, the Dog Warden/Animal Control Officer, or any other Town Issuing Official observes a dog or wolf-hybrid running at large in violation of the provision of paragraph 5, and if the owner/keeper of the dog or wolf-hybrid can be positively identified, the penalties cited in paragraph 5 shall apply.

9. Dogs and wolf-hybrids will be licensed, and the license will be attached to the animal's collar in accordance with V.S.A. 20, Sections 3581 and 3582. A dog or wolf-hybrid owner or keeper found in violation of these provisions of the law will be assessed a penalty of \$60 (Waiver fine \$50) and be required to (1) show evidence of rabies vaccination, and (2) properly license the dog/wolf-hybrid within five (5) calendar days. Because of the threat of rabies, the owner will be required to keep the dog/wolf-hybrid confined until licensed. This provision applies regardless of whether or not the unlicensed animal is found on the owner/keeper's property. If the owner/keeper does not license the animal within five calendar days, the Selectboard shall issue an order to destroy the animal. The owner shall be required to pay the costs incurred for destruction.

10. Dogs and/or wolf-hybrids found running at large in violation of paragraph 5 will be impounded while the animal control officer attempts to find the owner. If the animal has a license attached to a collar, the animal control officer will contact the person who secured and registered the license in the Town Office, and the penalties of paragraph 5 shall apply. If the animal is not licensed and/or the animal control officer cannot locate the owner, the animal will be released for adoption seven days from the time that the dog was impounded. The adoption fee shall be ten dollars (\$10) and will be paid to the animal control officer at the time of adoption. Once an animal has been adopted, the person adopting the animal shall be considered the owner of same and be responsible for compliance with all provisions of this ordinance.

11. Cats that appear to be abandoned or stray (based on taking up residence on a non-owner's property for at least five days) will be considered to have an unknown rabies vaccination history in accordance with V.S.A. 20, Section 3806. Such cats will be delivered by the Animal Control Officer or affected property owner to the local veterinarian and should be reported to the Town Clerk's Office. The Town Clerk will post a notice in an attempt to find the owner. Any individual who claims ownership must produce proof of rabies vaccination and pay all costs associated with boarding and medical treatment. Cats not claimed will be offered for adoption. The individual adopting a cat shall be responsible for paying for appropriate vaccinations. Cats that cannot be adopted will be humanely euthanized.

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