

Chapter 3 Animals and Fowl

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Chapter 3 Animals and Fowl

Article 1 - IN GENERAL

1.1 (Reserved)

Article 2 - CONTROL OF DOGS

2.1 Definition of Words and Phrases

2.1.1 For the purposes of this article, the following definitions shall apply unless the context clearly indicates another meaning:

Dog: both male and female.

Owner: any person or person, firm, association or corporation owning, keeping or harboring a dog.

At large: off the premises of the owner and not under the control of the owner or another person.

2.2 License and Registration Required

2.2.1 All dogs kept, harbored or maintained by their owners in the Town of Bucksport shall be licensed and registered in accordance with the appropriate laws of the State of Maine.

2.3 Tag and Collar

2.3.1 All dogs shall be provided with a suitable collar to which the license tag shall be attached as required by appropriate laws of the State of Maine.

2.4 Running at Large Prohibited

2.4.1 No owner or keeper of any dog shall permit such dog to run at large at any time. This section shall not be construed, however, to prevent the use of dogs for lawful hunting purposes or for the use of dogs on a farm for any lawful purpose. No owner shall permit any dog to run at large at any time along the waterfront on public property, which includes the area between Main Street and the north shore of the Penobscot River and extends from the Bucksport-Verona Bridge to the so-called Webber Docks, unless such dog(s) is on a leash. When dogs are found running at large, and their ownership is known, such dogs need not be impounded, but the Town, through its duly authorized agents may, at its discretion, cite the owners of such dogs to appear in court to answer charges of violation of this article.

2.5 Impounding

2.5.1 It shall be the duty of every Police Officer or the Animal Control Officer to apprehend any dog found running at large contrary to the provisions of Sec. 3-204 and to impound such dog in the town pound or other suitable place. The Poundmaster, or other designated official, upon receiving the dog, shall make a complete registry, entering the breed, color and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs.

2.6 Impounding Unlicensed Dogs

2.6.1 The impounding of unlicensed dogs shall be done in accordance with the appropriate laws of the State of Maine.

2.7 Confinement of Certain Dogs

2.7.1 Dogs of fierce, dangerous or vicious propensities shall be properly confined or tied by the owner in a reasonable manner to prevent harm to the public. Female dogs in heat shall be confined in some reasonable manner to avoid the creation of a nuisance by other dogs congregating in the vicinity. If fierce, dangerous or vicious dogs and female dogs in heat are found in violation of this provision they shall be impounded and shall not be released except upon the approval of the Animal Control Officer after payment of all costs or charges incurred by the town. Dangerous, fierce or vicious dogs so found at large may be slain by any Policeman or the Animal Control Officer in accordance with appropriate State law where they cannot be safely taken up and impounded.

2.8 Notice of Impoundment

2.8.1 When any dog is impounded under the provisions of this article, notice shall be given to the owner, if known, by any reasonable means within three (3) days after the date of impounding. If the owner cannot be ascertained, a notice shall be posted at the Town Office describing the dog and the place and time of taking. If the owner does not reclaim the dog within ten (10) days following notice of the impounding or posting of said notice, the dog may be sold or destroyed by the town. The charges for impounding and keeping a dog and for posting notices shall be set by the Town Manager with the approval of the Town Council.

2.9 Barking or Howling Dogs

2.9.1 No person shall own, keep or harbor any dog which by loud, frequent or habitual barking, howling or yelping shall disturb the peace of any person or persons.

2.10 Other Animals at Large Prohibited

2.10.1 No owner or keeper of any cows, sheep, horses or any other animals including poultry shall permit or suffer the same to go at large on any highway, street, roadway, lane, alley, common square or any other public place within the Town of Bucksport.

2.11 Removal from Public Property

2.11.1 Any owner or person having custody of any dog shall not permit said dog to defecate on any public property including public streets, alleys, sidewalks, parks or any other public grounds within the Town of Bucksport unless said person in control has in his possession a means for the removal of excrement; nor shall said owner or person in control fail to expeditiously remove any excrement deposited by said dog in any such place.

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

2.12 Removal from Private Property

- 2.12.1 Any owner or person having custody of any dog shall not permit said dog to defecate on any private property other than the premises of the owner or the person having custody of said dog unless said owner or person in control has in his or her possession a means for the removal of excrement; nor shall said owner or person in control fail to expeditiously remove any such excrement deposited by said dog in any such place.
- 2.12.2 This section shall not apply to a dog accompanying any handicap person, who by reason of his/her handicap, is physically unable to comply with the requirements of this section.

2.13 Penalties

- 2.13.1 Any person who shall violate the provisions of this article, upon conviction, shall be subject to a minimum penalty of fifty (\$50.00) after the first offense and for a period of two years after the first offense, one hundred dollars (\$100.00) for any second offense, and two hundred and fifty dollars (\$250.00) for the third or any subsequent offense, up to a maximum of five hundred dollars (\$500.00). Any designated representative of the Police Department, Animal Control Officer or Harbor Master may enforce the provisions of this article. All fines so assessed shall be recovered for use of the Town of Bucksport through District Court.

Article 3 – Animal Shelter Rules

3.1 Policy

- 3.1.1 The Bucksport Police Department/Animal Control Officer (ACO) will abide by the rules and regulations set forward as to the operation of the Bucksport Animal Shelter including State of Maine Chapter 701 Rules Governing Animal Welfare Section 2, Subsection B.

3.2 Purpose

- 3.2.1 These policies define the operating procedures to be followed regarding the intake and care of animals (cats and dogs) at the Bucksport Animal Shelter. The Bucksport Animal Shelter will serve only dogs and cats that are strays or have been abandoned. Access to the shelter may be offered for use to other neighboring communities upon approval by the Bucksport Town Council.

3.3 Rules and Regulations

- 3.3.1 An approved intake form for each animal that is kept at the Bucksport Animal Shelter will be completed within 24 hours after intake by the ACO. Information on the intake form will include at minimum:
- a. The name and address of the person from whom the animal was received.
 - b. The name and address of the person(s) receiving or adopting the animal.
 - c. Records of vaccination or medical treatments given to the animal.
 - d. Mortality records and causes of mortality.
 - e. Records of veterinary services, and
 - f. Records of euthanasia.

- 3.3.1.1 A monthly report will be provided by the ACO to the Police Chief and Town Manager. The report will include the monthly population count, type of animal boarded, community the animal is from, length of time each animal has been boarded and method of release.
- 3.3.2 Each animal will be photographed; this photograph will be included on the intake form and placed on the Town's website for public viewing and possible adoption.
- 3.3.3 Animals shortly after coming to the animal shelter will be assessed and during their entire stay will be observed by the ACO to determine whether there are any common signs of illness that may warrant the services of a licensed veterinarian. If it is determined that the animal requires the services of a licensed veterinarian, those services will be obtained. All treatment administered to the animal while at the shelter will be documented. Unclaimed animals will be held at the shelter for a minimum of seven days during which time they will be fed and observed. After seven days, each animal will be available for adoption unless the ACO determines that the animal is not fit for adoption. If an animal is not adopted within ten working days of being placed on the adoption list, the ACO may begin the process of relocating the animal to a facility licensed by the Maine Department of Agriculture. An animal may also be returned to its legal owner before or after the ten days have expired. In this event, the owner prior to receiving the animal will be responsible for the cost of retrieval, boarding, and caring for it, including any license fee, vaccinations, and veterinarian cost, if applicable.
- 3.3.4 Any animal that is not suitable for adoption due to illness, injury or temperament will be taken to be euthanized by a licensed veterinarian. The determination to euthanize an animal will be made by the ACO in consultation with a licensed veterinarian. A record will be maintained of all animals euthanized.
- 3.3.5 All kennels, cages and runs that are in use shall be cleaned daily and all waste properly disposed of. Litter boxes that have been used will be disposed of properly and replaced with new boxes and/or litter.
- 3.3.6 Puppies and kittens up to twelve weeks old will be fed twice a day while adults will be fed at least once a day. All food will be stored in air-tight plastic containers to prevent spoilage and to avoid attracting rodents and insects.
- 3.3.7 Animals that are quarantined must be placed in a segregated pen. No other animals can be placed in that pen or the quarantined animal have contact with other animals at the shelter.
- 3.3.8 Animals shall not be placed in cages/pens over other animals unless the enclosure is properly constructed to prevent excreta from entering the lower enclosure.
- 3.3.9 Dogs must be removed from the cage a minimum of twice every twenty-four hour period.
- 3.3.10 Males and females capable of reproduction shall not be housed together.
- 3.3.11 The shelter shall be maintained in good repair to protect the animal from injury and to contain the animal.

- 3.3.12 Dogs and cats shall not be placed in the same cage/pen nor shall dogs or cats be housed in the same cage/pen with other species of animals.
- 3.3.13 Female with litters shall be housed in an area that would minimize disruption.
- 3.3.14 Areas housing puppies from birth to two (2) weeks old must be kept at a high enough ambient temperature to maintain their normal internal temperature. Manufactured grids that will not potentially injure the feet are acceptable.
- 3.3.15 An area shall be provided to bury dead or euthanized animals.
- 3.3.16 The Animal Control Officer may take surrendered animals (cats and dogs only) with payment of a surrender fee as set by the Town Council.
- 3.3.17 The Animal Control Officer has the discretion to refuse a surrendered animal while considering shelter capacity, animal adoptability, animal medical condition, or animal temperament.

3.4 Fees

- 3.4.1 Neighboring communities allowed use of the facility will be assessed an annual fee to support the capital needs for the facility and a daily boarding fee, set by the Town Council, will be assessed for each animal. In addition, the contracting community will be required to pay all other cost associated with boarding of the animal at the shelter.
- 3.4.2 Identified owners from Bucksport will also be assessed a retrieval fee and a daily boarding fee set by the Town Council for their animal(s). The fee must be paid prior to the owner retrieving the animal.
- 3.4.3 Identified owners from locations outside of Bucksport will be assessed a daily boarding fee set by the Town Council for their animal(s). The fee must be paid prior to the owner retrieving the animal.
- 3.4.4 The ACO will make every effort to identify and notify the owner of any animal held or housed the Bucksport Animal Shelter from Bucksport. The ACO will inform the owner of pending fees and cost resulting from the keeping of their animal(s) at the shelter.

3.5 Adoption

- 3.5.1 The following procedures will be followed for the adoption of animals from the Bucksport Animal Shelter:
 - 3.5.1.1 An appointment for viewing the animals will be set up by the adopting party through the ACO.
 - 3.5.1.2 When the adopting party has made a decision which animal they wish to adopt, the ACO will set up an appointment with a licensed veterinarian to have the animal examined.

- 3.5.1.3 The ACO will transport the animal to a licensed veterinarian where the animal will be examined and administered a rabies shot. A distemper shot will be administered at the shelter by the ACO.
- 3.5.1.4 The ACO will set up an appointment to meet with the adopting party and to complete the required adoption papers including an approved adoption contract.
- 3.5.1.5 A copy of the adoption papers will be provided to the adopting party, a copy forwarded to the Bucksport Town Clerk and accompanied with the required fee and the original retained by the ACO.
- 3.5.1.6 All costs associated with the adoption will be the responsibility of the adopting party.
- 3.5.1.7 All animals will be spayed or neutered prior to adoption unless ineligible due to age of the animal.
- 3.5.1.8 When the animal cannot be spayed or neutered at the time of the adoption due to the age of the animal, the ACO will obtain a statement from a licensed veterinarian specifying when the animal will be eligible to be spayed or neutered. Once the animal has been spayed or neutered by a licensed veterinarian a certificate will be provided to the ACO and the adopting party will be refunded \$100 of the initial \$150 deposit. The remaining \$50 will be retained by the Town.
- 3.5.1.9 The new owner of any adopted pet will be provided with written instructions as to the proper feeding, care, health information, and any special needs associated with the animal adopted or acquired.

3.6 Volunteers

- 3.6.1 The Town encourages the use of volunteers at the Bucksport Animal Shelter. All volunteers must abide by the Rules and Procedures required by the Bucksport Town Council.

3.7 The Rules and Procedures are as follows:

- 3.7.1.1 Volunteers will complete an application and be approved by the ACO.
- 3.7.1.2 Volunteers will complete a Volunteer Agreement, if selected.
- 3.7.1.3 Volunteers will be accompanied by the ACO or designee while at the shelter.
- 3.7.1.4 Volunteers will abide by the Policies and Regulations adopted by the Bucksport Town Council for the operation of the Bucksport Animal Shelter.
- 3.7.1.5 Volunteers will not be permitted to solicit funds or items for use at the shelter without first obtaining permission from the ACO and Town Council.
- 3.7.1.6 Volunteers will not admit or discharge or remove any animal to or from the Bucksport Animal Shelter.
- 3.7.1.7 Volunteers will not address questions or comments from the public regarding the operation of the shelter or care of animals without the knowledge and approval of the ACO.

- 3.7.1.8 Volunteers will report immediately to the ACO or the ACO's designee any noticeable injury, condition or illness with any animal being boarded at the shelter.
- 3.7.1.9 Volunteers will pay notice to instructions that have been attached to cages or pens.
- 3.7.1.10 Volunteers will not handle any animal they are uncomfortable with.
- 3.7.1.11 Volunteers will not handle or work with any animal that has been quarantined.
- 3.7.1.12 Volunteers will not approach or handle any animal that appears hesitant, is aggressive or behaves in an unusual manner and will report the condition(s) immediately to the ACO or his or her designee.
- 3.7.1.13 Volunteers will not have a key to the facility.
- 3.7.1.14 Volunteers will not allow entry to the facility without first getting approval from the ACO.
- 3.7.1.15 Volunteers will participate in a training and orientation session offered by the ACO prior to volunteering services at the shelter.
- 3.7.1.16 Volunteers will attend a required work site training program prior to commencing any volunteer activity participate in all required annual safety training.
- 3.7.1.17 Volunteers will be informed of the diseases that can be transmitted by sick animals.
- 3.7.1.18 The ACO will be responsible for providing volunteers with their work schedule.

The provisions of this chapter were originally adopted by referendum, November 3, 1970; subsequent amendments have been incorporated into the text.

Amended 12-10-1998 - Section 3-211 of Article 3 and replace with new section and then Sections 3-205 and 3-207 by changing the words "Dog Constable" to read "Animal Control Officer"

Amended 02-10-2000 - Replaced existing section 3-211, added new section 3-212, renumbered existing 3-211 to 3-213 and amended. Adopted 2-10-2000.

Amended 03-05-2002 - Corrected title 3-212 from public to private, corrected numbering sec 3-211 to 3-213.

Amended 09-29-05 - Section 3-204 amended to prohibit dogs running at large along the waterfront public property.

Town Clerk's note: A scrivener error occurred in Chapter 3 when the Bucksport Town Code was translated to an electronic format. The following error found in Chapter 3 was corrected on August 2, 2007: Section 3-211: The third from the last word was changed to "any" from "ant". Also, an amendment to Section 3-204, approved on 9-29-05, was belatedly incorporated in Chapter 3 on August 2, 2007.

Amended 02-09-2023 – Added Article 3 – Animal Shelter Rules