

**ARTICLE 59
REVISED DOG BYLAW**

MOTION: That the Town vote to adopt Article 59 as printed in the Warrant, with the following two changes:

- Section 3a – change the word “three” to “four”
- Section 3j – change to read as follows:

To be within the boundaries of the sections of Town cemetery property that are utilized and maintained for graves, including the paved roadways in the cemeteries, with the exception of a dog in attendance at an owner’s funeral service and held firmly on a leash;

NOTE: Changes from Warrant are noted in *italics and bolded* below:

ARTICLE 59 – AS REVISED WITH ABOVE TWO CHANGES

To determine whether the Town will vote to delete the existing Concord Dog Bylaw in its entirety, and replace it with the following:

Section 1. Licensing

The owner of a dog that is six months of age or older shall cause it to be licensed annually, in accordance with M.G.L. Ch. 140, §137 and §138. The license year is January 1 through December 31. Dogs over six months of age should be licensed within 30 days of moving to Concord. A late fee will be applied if a dog six months of age or older is not licensed by March 31. No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. Proof of valid rabies vaccination is required for licensing. The owner of a licensed dog shall keep affixed around the dog’s neck or body, a collar or harness to which the license tag shall be securely attached. If the tag becomes lost, the owner shall immediately secure a substitute tag from the licensing authority.

Section 2. Vaccination Requirement

Whoever is the owner of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian, in accordance with the provisions of M.G.L. Ch. 140, §145B. An exemption from this requirement may be granted for any dog which has not yet attained the age of six months, or any dog declared exempt upon presentation of a veterinarian’s certificate stating that because of an infirmity, other physical condition or regimen of therapy, that inoculation is thereby deemed inadvisable.

Section 3. Control of Dogs

No owner of a dog shall permit such dog:

- a. to be outside the confines of the property of the owner unless the dog is held firmly on a leash or under effective and direct voice control of its owner or keeper; persons walking **four** or more dogs on public ways, sidewalks, trails or other Town-owned property shall have all their dogs leashed at all times;
- b. to disturb the peace or quiet of any neighborhood or endanger the safety of any person by biting, barking excessively, howling, chasing, or in any other manner;
- c. to run at large on Town-owned land, out of the owner's or keeper's direct control by voice or lead at any time;
- d. to be unleashed while walking or running on a public sidewalk or at a public gathering, including organized athletic events;
- e. to chase a vehicle on any way open to the public travel;
- f. to dig holes or otherwise cause damage to any Town-owned land or property, or to interfere with mowing or field maintenance activities;
- g. to worry, kill, maim or otherwise injure another's fowl, livestock or domesticated animal;
- h. to harass, kill, maim, or otherwise injure wildlife;
- i. to be in a school or municipal building, except at the invitation of school or municipal authorities, for educational or other purposes;
- j. to be within the boundaries of ***the sections of*** Town cemetery property ***that are utilized and maintained for graves, including the paved roadways in the cemeteries,*** with the exception of a dog in attendance at an owner's funeral service and held firmly on a leash;
- k. to be within any public children's playground;

Dogs shall be held firmly on a leash while at Emerson Field on Mondays through Fridays, from 9:00 am to 4:00 pm, from late June through late August due to summer camp activities.

The provisions of Section 3, subsections i through k shall not apply to dogs properly trained as service animals to assist persons with disabilities.

Section 4. Dog Litter

Every dog owner or keeper is responsible for expeditiously removing any dog feces the dog deposits anywhere except on its owner's private property, or on other private property with the property owner's permission. Any owner or keeper walking a dog off the owner's property is required to have the means for removing any dog feces left by such dog and must properly dispose of such waste. This provision does not apply to any assistance dog while it is performing its duties, if the owner of the assistance dog is unable to remove the dog litter. Depositing dog litter in a public catch basin, storm drain, or on public land is specifically prohibited.

Section 5. Confinement of Dogs

The Animal Control Officer may impound any dog found to be in violation of any section of this bylaw, and on doing so shall immediately notify the owner of such impoundment, if ascertainable from some device on the dog. The owner may redeem the dog upon reimbursing the Animal Control Officer for maintenance, and on licensing the dog if it is unlicensed. Any dog so impounded and unredeemed after seven days may be disposed of as provided in M.G.L. Chapter 140, §151A.

Section 6. Non-Criminal Disposition of Violations

The owner of a dog who violates any section of this bylaw shall be subject to a fine for each offense as specified in Appendix A of the Regulations for the Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violations adopted under Article 47 of the 1984 Town Meeting, as amended. The Enforcement Agency may issue a separate and additional fine each day for a continuing or recurring violation.

Section 7. Definition of Owner

As used herein, the word “owner” includes the owner of the dog or a person who has the care and custody of the dog (even temporarily). The latter includes a commercial dog walker or other person engaged in the business of exercising or handling dogs owned by another, using public land, and who receives compensation for this work.

(end of Dog Bylaw)

and to determine whether the Town will vote to amend Appendix A of the Regulations for the Enforcement of Town Bylaws and the Bylaw for Non-Criminal Disposition of Violations by changing the “Enforcement Agency” for the Dog Bylaw to read as follows:

Animal Control Officer, Police Officers or other Designees of the Town Manager