

Town of Shirley

TOWN CLERK



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Excerpt from the Town Bylaws of the Town of Shirley

ARTICLE VI HEALTH AND SANITATION

Sections that apply to Dogs

- Section 9.0 All dogs kept or coming within the Town of Shirley shall be licensed in accordance with the provisions of applicable state laws. All such licenses shall be renewed annually. Any owner or keeper of an unlicensed dog who fails to obtain this annual dog license by the end of January of each year shall be charged a delinquency or late fee in addition to the normal license fee. This delinquency fee shall be annually determined by the Board of Selectmen and shall not be assessed for any new dog brought into the Town or for a dog less than six (6) months old.
- Section 9.1 No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to run at large or, whether leashed or unleashed, to be a public nuisance within the Town, except that a dog may, for the purpose of a sporting event, such as hunting, field trials, or training, be exempt from this requirement of restraint during such period of time as the dog is actually engaged in the event or sport. Dogs may be taken from the owner's premises; provided, that such dogs are under the control of the owner or keeper.[June 10,1996
- Section 9.2 (a) It shall be the duty of the dog officer or member of the police department to apprehend any dog not on a leash or found unrestrained and running at large and to impound such dog in a suitable place, or to order the owner or keeper thereof to restrain such dog.
- (b) If such dog so impounded has upon it the name and address of the owner thereof, or if the name of such power is otherwise known, then the dog officer shall immediately notify the owner and if the owner is not known, then no notice shall be necessary. The owner or keeper of any dog so impounded may reclaim such dog upon payment to the dog officer of the impoundment fee, as determined by the dog officer, for each twenty-four hour period or part thereof that the dog has been held, provided, however, that if the dog is not licensed, then before the dog is released to any person, a license as required by the Town shall be secured.

Section 9.3 Any dog which has been impounded and has not been redeemed by the owner within ten days shall be disposed of as provided by Section 151A, Chapter 140 of the general laws of the state, and any amendments thereto.

Section 9.4 Any owner or keeper found in violation of this by-law shall be subject to a fine in accordance with the following schedule:

1st Offense	\$15.00
2nd Offense	\$20.00
3rd and subsequent offense in a calendar year	\$50.00

If a dog in violation of any provision of this by-law is unlicensed at the time of the violation, the owner or the keeper of such dog will be subject to an additional fine of \$25. Further, if the owner or keeper of a dog be a minor, the parent or guardian of such minor shall be held liable for any violation of this by-law.

Section 9.5 The sums collected pursuant to this by-law shall be accounted for and paid to the Town Treasurer; provided, however, that under the applicable provisions of the state law, the dog officer or veterinarian caring for a dog shall be entitled to all fees payable by the owner or keeper of such dog on account of its impoundment.

Section 9.6 The dog officer or members of the police department duly appointed, shall enforce the provisions of this by-law relating to dogs, and shall attend to all complaints or other matters pertaining to dogs by the owners thereof.

Section 9.7 For the purposes of this by-law, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicates otherwise:

Dog - All animals of canine species, both male and female.

Keeper - Any person, corporation or society, other than the owner, keeping or harboring a dog as herein defined.

Owner - Any person or persons, firm, association or corporation owning, keeping or harboring a dog as herein defined.

Public Nuisance - Any dog shall be deemed a public nuisance when attacking, barking at, chasing, or frightening a person or a domestic animal while such dog is on property other than that of such dog's owner or keeper; when destroying property; when on a public school ground and not under the full control of its owner or keeper, whether the dog is leashed or unleashed; if it shall persistently chase moving vehicles; or if it shall persistently or recurrently bark or howl between the hours of 10:00 p.m. and 7:00 a.m. on more than two occasions within a seven-day period. Such barking or howling in a subsequent seven day period shall constitute a separate instance of nuisance. Further, any unspayed female dog in season, shall be deemed a public nuisance when not confined indoors by the owner thereof, or housed in a veterinary hospital or registered kennel.

Restraint - Under control of and obedient to commands of its owner or keeper, whether the dog is on or off a leash.

Run-At-Large - Free of restraint and permitted to wander on private or public ways at will.

Under Control - Sufficiently obedient to the commands of the owner or keeper, whether the dog is on or off a leash, to prevent any incident which creates a public nuisance as herein defined.

Section 9.8: The owner or any person having the care, custody or control of a dog shall remove forthwith any excrement deposited by said dog and properly dispose of same in a trash container. This section shall apply to feces left by a dog on public sidewalks, public streets or roadways, public parks, recreational fields, and on property other than the dog owner's. This section shall not apply to the dog owner's property.

[Sections 1-8 Adopted at Oct 10, 1970 STM, Article 1]

[Sections 9.1 - 9.8 Adopted at May 15, 1978 ATM, Article 43]

[Section 9.4 Amended May 14, 1983 ATM, Article 32 and May 18, 1985 ATM Article 6]

[Section 9.0 Adopted June 4, 1990 ATM, Article 5]

[Section 9.1, 9.2(b), 9.4, 9.5, 9.7 Amended June 10, 1996 STM, Article 19]

[Section 9.8 added March 26, 2007 ATM, Article 6]