



Commonwealth of Massachusetts
Town of Granville

May 30, 2019

Article 24: To see if the Town will vote to amend the General Bylaws by inserting a new Bylaw entitled "Animal Control Bylaw", as set forth in Appendix A to this Warrant, or to take any other action relative thereto.
RECOMMENDED BY THE SELECTBOARD

Motion made and seconded; Article 24 passed with a 2/3 hand vote as declared by the Moderator - Yes 62 No 25

See Attached APPENDIX A

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Granville; that as such, I do hereby certify that the responses to the requested information is a true copy from said records.

Witness: My hand and the SEAL OF THE TOWN OF GRANVILLE
A TRUE COPY ATTEST: AT GRANVILLE, MASSACHUSETTS

Donna M. Fillion
Town Clerk

Attachment

APPENDIX A

ANIMAL CONTROL BYLAW

In addition to the requirements set forth in this Bylaw, the licensing, keeping and control of animals shall be in accordance with all applicable provisions of the Massachusetts General Laws, including but not limited-to the provisions of G.L. c. 140, §§136A to 174E, inclusive.

The Selectboard shall annually appoint an Animal Control Officer who shall be sworn in by the Town Clerk. The Animal Control Officer and/or his assistants are not required to be a resident of the Town. The Animal Control Officer may be a salaried employee of the Town. The Animal Control Officer shall receive such compensation as agreed upon by the Animal Control Officer and the Selectboard.

Annual dog and kennel licenses, as required by G.L. c. 140, §§137 and 137A, must be obtained from the Office of the Town Clerk by January 1 for a licensing period of January 1 through December 31. When licensing a dog for the first time, proof of spay or neutering should be presented in order to be eligible for neutered or spayed license fee. There will be a late fee per dog for licensing after May 1.

Applications for kennel licenses shall include the name, breed, age, proof of fixing (if applicable), proof of rabies vaccinations, a photograph of each dog, and the telephone number where the licensee can be reached at all times.

In addition to meeting all of the requirements of G.L. c. 140, §§137A to 137C, any person who receives a kennel license shall maintain the premises in accordance with the following specifications:

- a. A minimum of four by eight (4x8) feet for each dog shall be provided.
- b. Locks on gates to prevent the escape of dogs and the entry of children shall be provided.
- c. Kennel shall be sixty (60) feet from the street and forty (40) feet from lot lines.

No kennel license shall be issued unless the applicant demonstrates that the use of the subject property as a kennel is permitted under the Town's Zoning bylaws.

The annual fee for individual and kennel licenses shall be as follows:

- a. Individual Dog, fixed \$10.00
- b. Individual Dog, intact \$15.00
- c. Kennel, 2-7 dogs \$40.00
- d. Kennel, 8 or more dogs \$80.00
- e. Late fee \$20.00
- f. Replacement tags. \$2.00

No person shall permit any dog, whether licensed or unlicensed, to wander on private property without permission of the owner thereof, or on any public property within the Town, including but not limited-to public ways, school grounds, recreation areas and cemeteries, unless the dog is properly restrained. A dog is under restraint for purposes of this Bylaw if it is accompanied by its owner or other person responsible for the dog, who is in full control of such dog, or unless the dog is held firmly on a leash of not more than six (6) feet.

Unrestrained or unlicensed dogs may be sought out, caught and confined by the Animal Control Officer or any police officer of the Town, and impounded pursuant to G.L. c. 140, §§151A and 167.

Nothing in this Bylaw shall be deemed to prohibit the use of dogs for hunting, sporting or working purposes as long as said dogs are properly restrained.

The owner or keeper of any dog impounded under the provisions of G.L. c. 140, §167 may claim such dog, provided he or she first procures from the Town Clerk a license and tag for any such dog that is not licensed and pays all impound fees and per diems, as set forth by the Selectboard, for the care of the dog during the period of impoundment.

No person shall fail to promptly remove and properly dispose of any feces left by any dog owned, kept or controlled by them on the property of another, including but not limited to any public property within the Town.

No person shall keep more than four dogs being over the age of six months. Owners or keepers of dogs may be keepers of more than four dogs only upon the issuance of a kennel license after a public hearing before the Selectboard. Those persons who kept more than four dogs licensed at their premises as of the date of the enactment of this bylaw may keep said animals in excess of the aforesaid limit, but said animals may not be replaced so as to exceed the four dog limit.

The Animal Control Officer or any police officer of the Town shall be empowered to enforce provisions of this Bylaw.

In addition to the remedies set forth herein and in G.L. c. 140, §§136A to 174E, inclusive, or any other applicable provision of law, this Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any person who violates any provision of this Bylaw shall be subject to the following penalties:

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|-----------------------------------|-----------------|
| First Offense: | Written Warning |
| Second Offense: | \$50 fine |
| Third and subsequent Offense : | \$100 fine |

Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Severability: If any provision of this Bylaw is declared invalid, or unenforceable, the other provisions shall not be affected thereby.