

Town of Hartland Animal Control Ordinance

ARTICLE I - IN GENERAL

Section 1-1. - Purpose of Ordinance

The purpose of this Ordinance is to protect the health, safety and general welfare of the inhabitants of the Town of Hartland.

Section 1-2. - Relation to County and State Animal Regulations

It is the intent of the Selectmen, as empowered by the Town Meeting, that the animal control regulations of this ordinance shall supplement and exceed the animal control regulations of the county and the state where no higher restriction is in effect insofar as these regulations conflict with, or refer to the animal control regulations the county or of the state or regular matters not regulated by the county or state, these regulations *will* apply within the Town of Hartland.

Section 1-3. - Definitions

For the purposes of this Ordinance, the following terms, phrases and words herein shall be interpreted to read as follows and any words not herein defined shall be construed in the context in M.R.S.A. Title 7, Chapters 717 through 739 or M.R.S.A. Title 17, Chapter 42 and by ordinary interpretation, and not as a word of art:

Animal means any living creature classified as a member of the animal kingdom including, but not limited to, birds, fish, mammals and reptiles, but specifically excluding human beings.

Animal Control Facility means any facility owned, approved, and/or contracted by the Town of Hartland for the purpose of housing, impounding, quarantine, medical treatment, or euthanasia of animals.

Animal Control Officer (ACO) means the person or persons, including but not limited to the appointed ACO and law enforcement for Hartland, designated by the Town of Hartland to act as the representative for the town in the impoundment of animals and in the controlling of stray animals which come into the custody of the town.

At Large refers to dogs and other domestic animals off the premises of the owner/keeper and not under the control of any person whose personal presence and attention would reasonably control the conduct of the animal.

Cat means both male and female.

Dangerous dog means a dog or wolf hybrid that bites an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner/keeper's premises at the time of the bite or a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner/keeper's premises and is acting in a reasonable and nonaggressive manner to fear

imminent bodily injury by assaulting or threatening to assault that individual or individual's domestic animal. "Dangerous dog" does not include a dog certified by the State and used for law enforcement use. "Dangerous dog" does not include a dog or wolf hybrid that bites or threatens to assault an individual who is on the dog or wolf hybrid owner/keeper's premises if the dog or wolf hybrid has no prior history of assault and was provoked by the individual immediately prior to the bite or threatened assault. (For the purposes of this definition, "dog or wolf hybrid owner/keeper's premises" means the residence, including buildings and land and motor vehicles, belonging to the owner/keeper of the dog or wolf hybrid).

Dog means both male and female canines.

Domestic animal means any animal whose physiology has been determined or manipulated through selective breeding, and which does not occur naturally in the wild, and which may be vaccinated against rabies with an approved rabies vaccine, and has an established rabies quarantine observation period.

Exotic animal means any non-domesticated animal, other than livestock, that is native to a foreign country or of foreign origin or character, or was introduced from abroad. This term will specifically include, but not be limited to, animals such as lions, tigers, jackals, dingoes, leopards, elephants, pandas, camels, antelope, anteaters, kangaroos, chimpanzees, gorillas, orangutans, water buffalo, and species of foreign livestock requiring state and federal permits.

Fowl means a bird of any kind, including, but not limited to, chickens, ducks, geese, guineas, pigeons, ostriches, emus, rheas, turkeys and pheasants.

Immediate effective control means the confinement of an animal to the premises of its owner by a fence of sufficient strength and height to prevent an animal from escaping there from; or contained inside a house or other enclosure; or secured on the premises by a leash of sufficient strength to prevent the animal from escaping from said premises and so arranged that the animal will remain upon said premises when the leash is stretched to full length in any direction. An animal shall also be considered under the immediate effective control when used to assist a physically challenged person or when the animal is under the immediate control of a person by means of a cage, leash, or effective restraint to control said animal. The term "effective restraint" as used herein shall include, but not be limited to, training employing audible and/or visual commands, remote control devices, and/or other means to control the animal.

Law enforcement officer is any person who by virtue of his/her public employment is vested by law with a duty to maintain public order, enforce any law of this state or municipality establishing a civil violation, prosecute offenders or make arrest for crimes, whether that duty extends to all crimes, or is limited to specific crimes.

Livestock shall mean, but may not be limited to, any horses, mules, donkeys, cattle, goats, sheep, swine, llama, oxen, alpaca, or bison.

Owner means any person/s, partnership, firm, corporation or association that harbors, shelters, keeps, controls, manages, possesses or has whole or part interest in any animal. The occupant, owner or head of household of any premises where an animal remains for 24 hours or more shall presumed to be the owner of such animal for the purposes of this ordinance. Shall also be intended to mean and include, when used in this ordinance, the parent or parents or guardian of a minor who owns, keeps or has in their possession an animal.

Pet means any animal which may be legally owned in accordance with the provisions of this ordinance, normally kept for pleasure rather than utility, excluding livestock, is in the owner's possession and for which it can be reasonably demonstrated that the care of said pet is the responsibility of a given individual/s.

Public Park or Playground means any town-owned or operated public park, playground or school ground.

Public nuisance means the following: _____

- (1) An owner's failure to control, restrain or otherwise allow, either by conduct or condition, any animal to:
 - a. Engage in conduct which establishes such an animal as a "dangerous animal"; or
 - b. Be at-large; or
 - c. Cause a disturbance by excessive barking or noise-making near the private residence or business of another or of any government or public facility; or
 - d. Produces maggots, flies, odors, or unclean conditions sufficient to annoy or endanger adjacent property owners, residents or other individuals who may be reasonably exposed to such conditions; or
 - e. Chase vehicles or molests, attacks or interferes with other persons and animals on public or private property.
- (2) Any animal normally found in the wild that has entered onto any public or private property and by its presence is a threat to public health and safety or is generally interrupting the tranquility of the location.

Quarantine is the term used to describe the period of time that a domestic animal is to remain separate and apart from other animals and humans after having bitten or otherwise exposed another domestic animal or human to rabies.

Rabies is a viral disease of the central nervous system (brain and spinal cord) that is almost always fatal.

Restraint means to control an animal by physical means, such as a cage, leash, rope or confinement within an enclosed space or by training or employing audible and/or visual commands, remote control devices, and/or other means to control the animal.

Service dog means a dog trained to assist a physically challenged person.

Stray means off the owner's premises and not under the control of a person.

Vaccination means the inoculation of an animal with a rabies vaccine or other medicine that is licensed by the United States Department of Agriculture for use in that species, and which is administered by a licensed veterinarian for the purpose of immunizing the animal against rabies or other diseases.

Veterinary hospital means any establishment that is maintained and operated by a licensed veterinarian for the diagnosis, treatment or surgery of injuries and diseases to animals.

Wild animals mean any animal not normally considered domesticated and which is now or historically has been found in the wild, or in the wild state, including but not limited to the following:

- (1) Reptiles: venomous reptiles; any type of crocodile or alligator; or
- (2) Fish: Piranha; or
- (3) Birds: Condors, eagles, hawks, falcons, owls; or
- (4) Mammals: Ocelots, lions, tigers, jaguars, leopards, cougars, wolves, dingoes, coyotes and coyote mixes, jackals, weasels, martens, minks, badgers, skunks, raccoons, pandas, bears, kangaroos, opossums, sloths, anteaters, armadillos, monkeys, chimpanzees, gorillas, orangutans, porcupines, antelope, deer, fox, elephant, lynx, squirrels, chipmunks; or
- (5) Any species of animal illegal to own under federal, state or local law.

Wolf hybrid means a mammal that is the offspring of the reproduction between a species of wild canid or wild canid hybrid and a domestic dog or wild canid hybrid. Wolf hybrid includes a mammal that is represented by its owner to be a wolf hybrid, coyote hybrid, coy dog or any other kind of wild canid hybrid.

Section 1-4. - Reimbursement of Damage done by Animals

- (a) **Injuries and damages by an Animal**, when an animal damages a person or that person's property due to negligence of the animal's owner or keeper, the owner or keeper of that animal is liable in a civil action to the person injured for the amount of damage done if the damage was not occasioned through the fault of the person injured. (M.R.S.A. Title 7, § 3961-1).
- (b) **Injuries by dog**, when a dog injures a person who is not on the owner's or keeper's premises at the time of the injury, the owner or keeper of the dog is liable in a civil action to the person injured for the amount of the damages. Any fault on the part of the person injured may not reduce the damages recovered for physical injury to that person unless the court determines that the fault of the person injured exceeded the fault of the dog's keeper or owner. (M.R.S.A. Title 7, § 3961-2).

Section 1-5. - Attack on Service Animal

- (a) A person who owns or keeps a dog that attacks, injures or kills a service animal while the service animal is in discharge of its duties commits a civil violation for which a forfeiture of not more than \$1,000 may be adjudged. (M.R.S.A. Title 7, § 3961-A);
- (b) When a person is adjudicated of a violation of this section, the court shall order the person to make restitution to the owner of the service animal for any veterinary bills and necessary retraining costs or replacement costs or the service animal if it is disabled or killed.

Section 1-6. - Damage to Livestock or pets by Animals

- (a) The owner or keeper of an animal that due to negligence of the animal's owner/keeper kills or injures livestock, poultry, domestic rabbits or pets commits a civil violation for which a forfeiture not to exceed \$100 may be adjudged in addition to costs. (M.R.S.A. Title 7, § Subsection 3962-A-1);
- (b) A Person who suffers damage as a result of a violation of this section may also pursue a civil action against the owner/keeper of the animal pursuant to section 3961. (M.R.S.A, Title 7, § 3962-A-2);

- (c) The only exception to this is if the owner/keeper of an animal that kills or injures another animal establishes that the animal that was killed or injured provoked the killing or injury or that the animal that committed the killing or injury was leashed or controlled on the owner/keeper's property at the time of the killing or injury then the owner or keeper is not liable under this section or section 3961. (M.R.S.A. Title 7, § 3962-A-3).

Section 1-7. - Vaccinations

It shall be unlawful for any person to keep a dog, cat or other domestic animal in Town that has not been vaccinated against rabies and any other disease in accordance with rules adopted by the state commissioner of human services.

State law reference— Rabies vaccination required for dogs, M.R.S.A. Title 7§ 3922-3; rabies vaccination required for cats, M.R.S.A. 7 § 3916.

Section 1-8. - Enforcement

Any violation of this chapter shall be a civil violation which shall be prosecuted through the issuance of a civil summons by the ACO or duly authorized law enforcement officer, including game warden in the same form and the same manner of prosecution that would be the case for any other civil violation.

Section 1-9. - Penalties

- (a) For an initial violation of this ordinance by an owner, the owner shall be ordered to pay a penalty of not less than one hundred dollars (\$100) nor more than two hundred and fifty dollars (\$250). In determining the amount to be forfeited, the court shall consider any evidence in mitigation, extenuation, or aggravation it considers pertinent to the offense, including but not limited to the civility and degree of cooperation exhibited by the owner. The penalty shall be increased by a minimum of \$50 above the penalty for the immediately preceding violation. All penalties awarded, and all the sums recovered, shall accrue to the benefit of the Town of Hartland. An owner found to have violated this ordinance shall pay all fees and surcharges assessed or required by a court or court order or rule and shall pay court costs.
- (b) For purposes of illustration of the penalty provision only, if an owner were found in a single court proceeding, to have committed four violations, and if the penalty for the initial violation were set at \$100, then the penalties for the succeeding violations would be \$150, \$200 and \$250, for a total of \$700 in penalties; similarly, if there occurred thereafter a second enforcement action for a new single violation against the same owner and if there were a finding of a violation, then the penalty for the violation would be \$300.

State law reference— Similar provisions, M.R.S.A. Title 7 § 3915.

ARTICLE II - DOGS Section 2-1. - Purpose of chapter

It is the stated purpose of this chapter to allow for the keepers and owners of dogs, consistent with local or state ordinances, to enjoy the companionship of their dogs. It is also a stated purpose of this chapter to provide a mechanism for recourse against those dog owners or keepers who allow their animals to habitually and unreasonably cause a public nuisance. It is further a stated purpose of this chapter to incorporate the powers and penalties of the Animal Welfare Act of the state, M.R.S.A. Title 7 § 3901 et seq., so as to provide the enforcement authority described in this chapter with broad powers to protect the health, safety and welfare of the public and to provide for the humane and responsible treatment of dogs and domestic pets.

Section 2-2. - Dog Licenses and Rabies Tags

- (a) License. Each owner or keeper of a dog at the age of 6 months or more, on or before January 1st each year, shall obtain a license from the municipality where the dog is kept or within 10 days of ownership or at the age of six months. Before the town issues the required license for any animal, requiring a rabies vaccination, the owner must show proof of current immunization against rabies as prescribed by state statute and/or by state rules and regulations. If a person applying for a license declares that the dog is a wolf hybrid, rules and regulations under Title 7, Chapter 721 must apply. Licenses expire December 31st annually and are available on October 15 for the upcoming year. The license tag indicating the year the license is issued must be securely attached to a collar of leather, metal or material of comparable strength and the collar is to be worn at all times by the dog for which the license was issued. Beginning February 1 each year a late fee of \$25.00 is charged, per dog, in addition to the license fee. **Exceptions:** A dog is not required to wear a tag when on the premises of the owner or off the premises of the owner while hunting, in training or in an exhibition. When a dog is hunting, in training or in an exhibition, its owner or keeper shall produce proof of licensure and proof of rabies immunization within 24 hours upon request by a humane agent, animal control officer or law enforcement officer, including a game warden.
- (b) Rabies Tags. The owner or keeper shall ensure that a rabies tag obtained from a veterinarian for immunization against rabies is securely attached to a collar as per “a” above and must be worn unless it fits the above exception category.

State law reference— Dog licenses, M.R.S.A., Title 7 § 3921; 3922; 3923-A; 3923-B; 3923-C

Section 2-3. - Running at large prohibited, fees and certain public areas of restriction

- (a) It shall be unlawful for any dog, licensed or unlicensed, to run at large. No owner shall cause or permit any dog owned or kept by him/her or in his/her possession or under his/her control to run at large within the Town. A dog, while in or on any public way or place, or in or on any other place, except as hereinafter provided, shall be under restraint, within the meaning of this ordinance, if it is controlled by a leash, cord, chain, or “at heel” or under the control of the person and obedient to that person’s command, or on or within a vehicle driven or parked on the streets, or within the property limits of its owner or keeper. Nothing in this ordinance shall be held to require the leashing or restraint of any dog while on its owner’s or keeper’s premises, or in or on any premises used or occupied as a dwelling house.

- (b) If a dog is found running at large, the ACO will do his/her best to locate the owner/keeper of a dog, before taking it to the animal shelter.

Any dog found roaming at large shall:

1. **First Offense:** Be returned to its owner/keeper, if known, and be given a written warning; or Be housed temporarily by the Animal Control Officer and be issued a written warning when returned to the owner/keeper, plus if not licensed must pay current and prior year license fee immediately, if applicable;
 2. **Second Offense:** \$100.00 fine, plus any mileage expenses incurred;
 3. **Third Offense:** \$250.00 fine, plus any mileage expenses incurred;
 4. Any person who owns or keeps a dog that has been picked up and transported by the Animal Control Officer or law enforcement officer to the Animal Shelter, shall be assessed by the Town of Hartland the appropriate fees and prior to the release of an impounded dog/s, said fees must be paid to the Town of Hartland;
 5. Any impoundment or Animal Shelter Boarding fees assessed by the Animal Shelter must also be paid by the owner/keeper prior to the animal's release or per the Animal Shelter's Policy.
- (c) All domestic animals shall not be permitted in the fenced in area of the community playground, on the tennis court, the pool, or on the little league/softball/soccer fields owned by the Town.

State law reference— Running at large, M.R.S.A. Title 7 § 3911.

Section 2-4. - Treatment and disposition of impounded dogs

- (a) Disposition of and the procedure for stray dogs shall be as described in M.R.S.A. Title 7, § 3911 et seq. The procedure for stray dogs after receipt by a designated animal shelter shall be pursuant to M.R.S.A. Title 7, § 3913-2A. After a dog is placed in an animal shelter, the dog may be evaluated by a licensed veterinarian, and the veterinarian may prescribe vaccinations and any medical procedures which are necessary to treat any acute illness or disease. If an animal is claimed by an owner pursuant to M.R.S.A. Title 7, § 3913, the owner shall be responsible for all such fees incurred for medical treatment. For each day a claimed animal stays in the animal shelter, the owner/keeper may be charged a daily fee by the shelter to any person claiming ownership, along with any and all other reasonably necessary fees for the care, maintenance and medical treatment of the animal.
- (b) Before any stray dog is transferred from an animal shelter or any other person to whom a stray dog has been delivered by an appropriate authority for the town, such dog shall be vaccinated against rabies and distemper unless the owner or keeper can provide written evidence that the dog was vaccinated within the appropriate period as determined by the state commissioner of human services. The keeper or owner of each such dog shall pay for all such vaccinations.
- (c) Owners may reclaim their animal by first licensing current and prior year, if applicable, and by paying to the town any such fees due. Fees must be paid and a receipt of same presented to the Shelter prior to the release of an animal. All fees collected will be deposited in the account required by M.R.S.A. Title 7, § 3945.
- (d) The Town, its employees and agents shall not be held liable for acts committed or omitted as the result of subduing or taking custody of an animal found running

at large, or as the result of subduing, taking custody of, or destroying, any animal that is the act of pursuing, attacking, or wounding a human or another animal.

State law reference— Authority to impound dogs, M.R.S.A. Title 7 § 3912; procedure for certain impounded dogs, M.R.S.A. Title 7 § 3913; use of license fees M.R.S.A. Title 7, § 3945.

Section 2-5. – Barking or Howling Dogs

No person shall keep or harbor any dog, which by frequent and habitual barking, howling or yelping, creates unreasonable loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Town. Any person that allows any dog to habitually remain or be lodged or fed within a dwelling, building, yard or enclosure, which they occupy or own, shall be considered as harboring such a dog.

Section 2-6. - Dangerous dogs

- (a) An owner who is given notice by the ACO, any law enforcement officer, or any state official that the owner's dog has bitten or is reasonably believed to have bitten any person, or has or is reasonably believed to have in any way injured any person so as to cause an abrasion of the skin to that person, shall not without further written authorization by an officer or official, sell give, or otherwise convey the ownership or possession of that dog, or remove or suffer or permit that dog to be moved beyond the boundaries of the town, except to or under the care of a licensed veterinarian, or of an animal control officer, or a law enforcement officer.
- (b) An owner receiving such notice shall immediately place the dog in quarantine for a period of at least 10 days and shall promptly obey all rabies detection and control directions of an ACO, licensed veterinarian, law enforcement officer, or state official concerning the dog. An owner receiving such notice shall comply with all applicable regulations of the Maine Commissioner of Agriculture and the Maine Commissioner of Human Services and their authorized officials, employees, and agents in matters of rabies detection and control.

State law reference— Dangerous Dogs, M.R.S.A. Title 7 § 3952

Section 2-7. - Special Restraint of Dangerous Dogs

- (a) If, upon hearing, the court determines that the ordinance has been violated, the court shall impose an appropriate penalty. An owner of a dog that has been determined by a court to be a dangerous dog shall ensure that the dog is restricted at all times to the premises of the owner, except when being transported by a secure motor vehicle to a veterinarian or to some other premises of that owner, or to the custody of an ACO or law enforcement officer. The owner of such a dog will ensure that the dog, when out of doors on the owner's premises, is either contained within secure enclosure or is fastened with a secured latch to a reinforced chain restraint, the length of which is such that the dog may in no event approach any closer than three (3) feet to any mail receptacle or entrance or exit to a house or other building, end or edge of a driveway, walkway, stoop or stairs leading to an entrance, edge of a lawn, property boundary or home fill pipe or utility meter or point on the ground generally below any other wiring or piping. The owner shall ensure that the restraint is maintained and secure at all times the dog is out of doors on the owner's premises and not in a secure, fenced-in enclosure.

- (b) If, upon hearing, the court finds that the dog has killed, maimed, or inflicted more than de minimis bodily injury upon a person, or upon a domestic pet or farm animal, or the court determines that the dog has a history of attacks, then the court should ordinarily order the dog to be euthanized. Such euthanasia shall be at the owner's expense.

State law reference— Dangerous Dogs. M.R.S.A. Title 7 § 3952;

Section 2-8. - Failure to Abide by a Court Order

An owner's failure to comply with an order issued pursuant to paragraph 2-7, immediately above, constitutes a violation of this ordinance, and may be punishable upon a new summons or as contempt, following issuance of a show cause order on affidavit of a law enforcement officer. If an order of euthanasia is not complied with by the time set by the court, the court may, upon application by any law enforcement officer, or other person, upon notice to the owner, issue a warrant to any law enforcement officer or constable in the town where the dog is found, to destroy the dog and make a return of the warrant to court within 14 days from the date of the warrant. The owner shall pay all costs of any supplementary proceedings and all reasonable costs for seizure and euthanasia of the dog. A failure to pay such costs by any time stated in the order of the court for making such a payment constitutes a distinct violation of this ordinance, which may also be punished on proceedings for contempt after issuance of a show cause order.

Section 2-9. - Removal of waste.

All dog owners, and any person who keeps or controls an animal for the owner, shall immediately remove and lawfully dispose of any feces left by such animal on any property in which the town has a legal interest or which the town owns, including all private and public ways. This section shall not apply to a dog accompanying any handicapped person who by reason of his handicap is unable to comply with the requirements of this section.

ARTICLE III – CATS

Section 3-1. - Rabies vaccination required for cats

An owner or keeper of a cat over 3 months of age must have that cat vaccinated against rabies. Rabies vaccine must be administered by a licensed veterinarian or under the supervision of a licensed veterinarian, except as provided in M.R.S.A. Title 7, § 3916-4.

Section 3-2. - Seizure of stray cats

An ACO may seize a stray cat and deliver it to an animal shelter as provided for in M.R.S.A., Title 7 § 3919-A or to the owner, if known. If ownership cannot be established, such a cat may be handled as a homeless cat for the purpose of acceptance and disposition by an animal shelter.

ARTICLE IV- LIVESTOCK

Section 4-1. - Adequate fences and barriers

It shall be unlawful for any person to keep on their premises any livestock without providing adequate fences or barriers that will prevent such livestock from escaping and/or damaging neighboring flowers, trees, shrubbery and/or other property located on adjacent property outside the defined downtown radius.

Section 4-2. - Animals considered Livestock on residential properties.

Animals considered Livestock on residential properties are prohibited with in the downtown area with in the radius which is defined as follows:

1. Elm Street (RTE 151) to the Palmyra Town Line
2. Academy Street (RTE 43) to the St. Albans Town line
3. Commercial Street to the St. Albans Town line
4. Pittsfield Avenue (RTE 152) to the Palmyra Town line
5. The Canaan Road (RTE 23) to the last fire hydrant near Ronald and Christine Lewis
6. Pleasant Street (Route 43) to the Great Moose Drive Road

A. Animals kept incidental to a residential use outside of the downtown radius of a property shall be kept in accordance with the following:

(1) Horses, mules, donkeys, cattle, goats, sheep, swine, llama, oxen, alpaca, bison and fowl.

(a) Farm buildings, sheds, feedlots, fenced pens used for shelter and containment shall be kept no closer than 20 feet to the property line, 100 feet to existing neighboring residences.

(b) Farm buildings, sheds, feedlots, fenced pens used for shelter and containment must be clean, dry and free from offensive odor, kept in a neat and sanitary condition at all times in a manner that will not disturb the use of enjoyment of abutters due to noise, offensive odor or other adverse impacts.

(c) At all times, animal shall be contained in a suitable safe housing and pens.

(2) Chickens and rabbits.

(a) No more than 6 hens and/or rabbits shall be kept as pets or for personal use on residential lots of less than one acre.

(b) Chickens and rabbits shall be kept in clean and secure enclosures at all times on lots less than one acre.

(c) Chickens shall be secured in a well-maintained henhouse during non-daylight hours on lots less than one acre.

(d) Safe and suitable housing for chickens and rabbits shall meet the minimum setback of 20 feet from any property line on lots less than one acre.

(e) The outdoor slaughtering of animals is prohibited on lots less than one acre.

(f) Storing of carcasses from trapping may not be stored outdoors on lots less than one acre.

B. Any structure, feedlot, or pen which is subject to the provisions of §148-8A(2), and which existed prior to the enactment of this article shall not be considered to be in violation of this article but shall not be expanded or relocated so as to reduce the property line setback requirements set forth in this section.

ARTICLE V - WILD OR EXOTIC ANIMALS

It shall be unlawful for any person to keep any species of wild or exotic animal, not normally considered domesticated, that poses a potentially serious threat to public health, safety or welfare, or is protected by international, federal, or state regulations, or any other wild animal, including birds of prey capable of or inclined to do serious bodily harm to humans or other animals or fowl, unless the following applies:

- (a) The owner or possessor is a licensed individual, or a member of a non-profit animal rehabilitation organization holding a permit from the Maine Department of Wildlife and Inland Fisheries; or
- (b) Is a governmental agency or entity; or
- (c) Holds a circus, carnival or zoo license from the State of Maine; or
- (d) Is an accredited research or educational institution.

ARTICLE VI - PASSAGE AND COMPLIANCE

- (a) The effective date of this Ordinance shall be the date enacted by vote of the Legislative body of the Town of Hartland. This Ordinance shall repeal and replace the Town of Hartland Dog Ordinance adopted by the Town of Hartland at a Special Town Meeting held on September 17, 1979.
- (b) Failure to comply with any section of this ordinance by the Owner/keeper of such animal shall be subject to a civil violation fine and a court date will be set.
- (c) Upon written complaint signed and sworn to, any duly qualified town, state or county law enforcement official may investigate and may give written notice to the owner/keeper of such animal/s that such annoyance or disturbance must cease.

ARTICLE VII - SEVERABILITY CLAUSE

If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts.

Signatures:

/s/ <u>Judith Alton</u>	Judith Alton	}	The Hartland
/s/ <u>John Hikel</u>	John Hikel	}	Board of
/s/ <u>Harold Buker</u>	Harold Buker	}	Selectmen

Approved by Hartland Special Town Meeting: Dated: September 16, 2019.

Attest: Lissa A Smith Town Clerk
Date: 10/8/2019