Chapter 14

Dog Ordinance

Section 1: Roaming Animal (Adopted 06/16/1998)

Section 2: Animal Nuisance (Adopted 08/16/2006)

Section 3: Animal Cruelty (Adopted 08/16/2006)
Dog Ordinance

Section 1: Roaming Animal

The Town of Milford authorize the Board of Selectman to recoup any and all costs associated with but not limited to sheltering and disposing of dogs, cats and other pests that are caught roaming at large. The cost to be billed to the owner of said dog, cat, or pet will be that actual cost billed to the Town for the above services.

Section 2: Animal Nuisance

Any dog kept within the Town of Milford may be declared to be a nuisance upon finding evidence that the dog is a dangerous animal because such dog has bitten a human being. Upon finding evidence that a human being was bitten by a dog, the animal control officer or Deputy Sheriff may proceed with an action against the owner in accordance with Title 7 of Maine Revised Statutes Annotated Chapter 709, as amended.

Further, any dog kept within the Town of Milford may be declared to be a nuisance upon the finding by the animal control officer or Deputy Sheriff that the owner of occupant of a property within one thousand (1000) feet radius of the property owned or occupied by the owner of the dog has been annoyed by the noise of a dog which the owner has failed to restrain from being noisy. Upon finding such evidence, the animal control officer or Deputy Sheriff shall give the owner of the dog a written warning the first time he receives a complaint from the owner or occupant of property within the said one thousand (1000) feet radius. If the owner of the dog fails to comply with this section after receiving the written warning, the animal control officer or Deputy Sheriff may proceed with an action against the owner of the dog for violating this ordinance.

A dog owner shall not be penalized for more than one (1) violation of this section during any consecutive twenty-four (24) hour time period; however, no further written warning need to be given after the first written warning is given.

Section 3: Animal Cruelty

Humane standards for housing/tethering dogs outside the house:

A. Permissible Outside Confinement
1. A pen or secure closure, if the following conditions are met:
   a. The pen/enclosure has adequate space for exercise with a
dimension of at least one hundred square feet. In the case of a
larger animal, the size of the pen should be a least 10’ wide and 4
times the length of the animal measured from the nose to tail.
b. In the case of more than one animal in the enclosure, the size of the
enclosure will be increased at least an additional 100 square feet per
dog.
c. Commercial dog kennels with pens for the temporary boarding of
dogs are exempt from this requirement.
d. The pen or secure enclosure is constructed with chain link or
similar material with all four sides enclosed. The pen/enclosure
will be kept in good condition with no protruding wires or sharp
pieces.
e. The pen/enclosure shall have at least partial shade provided by
either natural protection (trees, shrubs, etc) or with a covering over
part of the enclosure.

2. The owner or person who is in charge of any dog(s) shall proved the
animal(s) with adequate shelter attached to the pen/enclosure that meets
the following minimum requirements:
   a. Allow the dog(s) to remain dry and protected from the elements.
b. Be small enough to retain the dog’s body heat and large enough to
allow the animal(s) to stand and turn around comfortably.
c. Be structurally sound and in good repair and contain adequate and
appropriate bedding. The bedding should be of straw, not
blankets, etc., that can freeze.
d. Shelter must have potable water available at all times in a secured
water container. Water must be checked often in cold weather to
ensure that it is not frozen.
e. The owner or person who is in charge of dog(s) will provide
adequate drainage to prevent surface water from accumulating and
standing in the area of the pen/shelter.

3. It shall be unlawful for any person who owns or who is in charge of or in
control of any dog to confine that animal outdoors during periods of
extreme weather, such as periods of unusually cold or hot temperatures,
or when a blizzard or severe storm warning has been issued.
B. Permissible Outside Tethering

1. No dog or puppy shall be tethered as a primary mean of stationary confinement. Stationary confinement by tethering shall be considered cruel treatment.
   a. A dog may be restrained by a cable tie-out provided that it is at lease fifteen (15) feet in length and attached to a pulley or trolley mounted on a cable which is also at least fifteen (15) feet long and mounted no more than seven (7) feet above the ground level. A running cable line or trolley system must have a swivel installed at each end and be attached to a stationary object that cannot be moved by the animal.
   b. A dog may not be tethered 24 hours a day and must never be left tethered in extreme heat (above 90 degrees) or freezing weather.
   c. The animals must be tethered at sufficient distance from any other objects to prevent the tangling of the cable and from extending over an object or an edge that could result in injury or strangulation of the animal.
   d. Tethers and cables attaching the animal to the running cable line or trolley system must be made of substance which cannot be chewed by the animal and shall not weigh more than five percent (5%) of the body weight of the tethered animal.

C. The Town Animal Control Officer, any appropriate law enforcement officer or officer of a duly license humane society may take into temporary protective custody any animal when there is probable cause to believe that it has been abused or neglected in violation of this ordinance when there is a clear and imminent danger to the animal’s health or life.

D. Penalties for not adhering to this policy:

1st Notice: 30 days allowance to meet compliance with policy
2nd Notice: $100 fine and 10 days allowance to meet compliance with the policy
3rd Notice: $200 fine and 10 days to comply with policy
4th Notice: Forfeiture of animal(s)