

Town of Bethlehem

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Town Ordinance

Dog Control Law

Purpose: The purpose of this ordinance is to establish standards for the control of Dogs and to regulate specific activities in accordance with New Hampshire Revised Statutes, Title XLV: Animals, Chapter 466: Dogs and Cats, Section 30-a Dog Control Law.

Authority: In accordance with the authority conferred upon Selectmen of Towns by New Hampshire Revised Statutes Annotated Chapter 31 Section 39 I, II, and III; Chapter 31, Section 39-c I, II, III Powers to make Bylaws; Chapter 41 Section 11 Choice and Duties of Town Officers; and Chapter 47, Section 17, 17b, 18, 19, 20, and 21 Bylaws and Ordinances. The following Ordinance is hereby promulgated and adopted by official ballot vote in 2002, Article 13 passed by a vote of 500 yes to 193 no.

The following bylaws with reference to Dog Control; have been enacted by the Board of Selectmen in the Town of Bethlehem, New Hampshire pursuant to powers granted them in RSA 31:39, 41:11, and 47:17.

- I. **Definitions:** The following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - A. **Dog:** Any canine animal, male and female, sexed or neutered not exempted by state statute.
 - B. **Owner:** Any person, group, association, corporation, organization maintaining, keeping, harboring, or having charge or control of, or permitting any dog to habitually be or remain on, or be lodged or fed within such person's house, yard or premises within the Town of Bethlehem. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs owned by others.
 - C. **Accompanied:** Means the owner or custodian must be able to see and hear the dog, or have reasonable knowledge of where the dog is, and be able to recall the dog on command.
 - D. **At Large:** Off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog.
- II. **Dog Control Law:**
 - A. It shall be unlawful for any dog to **run at large**, except when accompanied by the owner or custodian, and when used for hunting, for guarding, working, or herding

livestock, as defined in RSA 21:34-a, II(a)(4), for supervised competition and exhibition, or for training for such. For the purpose of this section, "accompanied" means that the owner or custodian must be able to see or hear, or both, or have reasonable knowledge of where the dog is hunting, or herding livestock. Nothing herein provided shall mean that the dog must be within sight at all times.

- B. **Impounding:** It shall be the duty of Police Officers (or designated official) to apprehend any dog running at large and to impound such dog in the town pound or other suitable place. The Police Officer (or designated official) upon receiving any dog shall make a complete registry, entering the breed, color(s) and sex of such dog and whether it is licensed or not. If licensed, he shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs.
- C. **Notice:** The owner shall be notified not later than two days after the impounding of any dog.
- D. **Redemption:** The owner of any dog so impounded may reclaim such dog upon payment of the license fee and any other penalty as set forth in this ordinance if unpaid, and all costs and charges incurred by the Town of Bethlehem for impounding and maintenance of said dog. The following charges shall be paid to the Town of Bethlehem for impounding and dog \$10.00 per day up to 10 days. After that time period the dog will be euthanized by a veterinarian or will be turned over to an appropriate facility to be placed for adoption.
- E. **Notice of Forfeiture:** ^{In} addition to impounding a dog at large or in violation of this ordinance, any local law enforcement officer may issue, in the name of the owner or keeper of such dog, a notice of violation for a nuisance dog pursuant to RSA 466:31, II(a). A citation that may be issued in lieu of a Court Summons and may be payable to the Town Clerk within four (4) days of its issuance.

Effective date: Having held a public hearing, the Town voted to adopt this Ordinance on the 12 day of March, 2002 by ballot vote of 500 yes to 193 no.

This Ordinance shall be effective: _____

Town of Bethlehem
By its Board of Selectmen






