

## **TOWN OF COVENTRY ORDINANCE REGULATING THE KEEPING OF DOGS AND WOLF HYBRIDS WITHIN THE TOWN OF COVENTRY**

Pursuant to the provisions of Title 20, §§3549; Title 24, §§2291 (10), (14) and (15); and Title 24, Chapter 59 of the Vermont Statutes Annotated, the Select Board for the Town of Coventry, Vermont, for the purpose of promoting the public health, safety, welfare and convenience, does hereby ordain as follows:

### **SECTION 1. GENERAL PURPOSE AND PREAMBLE**

It is the purpose of this ordinance to regulate the keeping of, and running at large by, dogs and wolf hybrids within the Town of Coventry, for the purpose of protecting the public health and safety and to preserve and protect the right to peaceful and quiet enjoyment of their properties by the residents of the Town of Coventry.

### **SECTION 2. DEFINITIONS**

For purposes of this ordinance, the following words and/or phrases shall have the meaning ascribed to them herein:

A. DOG shall mean any member of the canine species;

B. WOLF HYBRID shall mean:

1. An animal that is the progeny of a DOG and a wolf (*Canis lupus* or *Canis rufus*);
2. An animal that is advertised or otherwise described or represented to be a wolf hybrid; or
3. An animal that exhibits primary physical and/or behavioral wolf characteristics.

C. OWNER means any person who has actual or constructive possession of a DOG or WOLF HYBRID. The term also includes those persons who provide food and shelter to a DOG or WOLF HYBRID.

D. RUNNING AT LARGE means that a DOG or WOLF HYBRID is not:

1. on a leash;
2. in a vehicle;
3. on the OWNER'S property;
4. on the property of another person with that person's permission;
5. clearly under the verbal or non-verbal control of the OWNER; or
6. hunting with the OWNER.

E. VICIOUS DOG OR WOLF HYBRID means a DOG or WOLF HYBRID that attacks any person or causes any person to reasonably fear attack or bodily injury from such animal, unless the person is trespassing on the property of the OWNER of the animal. The term shall also mean any animal that, while RUNNING AT LARGE, attacks another domestic pet or domestic animal, as defined in Title 20, § 3541 of the Vermont Statutes Annotated.

### **SECTION 3. DISTURBANCES AND NUISANCES**

- A. No DOG or WOLF HYBRID shall be allowed to harass or attack other animals or people unless such animals or people are trespassing on the private property of the OWNER of the DOG or WOLF HYBRID.
- B. A female DOG or WOLF HYBRID in heat shall be confined to a building or other secured enclosure, except while under the direct control of the OWNER.
- C. No person shall allow a DOG or WOLF HYBRID to disturb the quiet, comfort and repose of others by frequent, habitual or persistent barking or howling.

### **SECTION 4. RUNNING AT LARGE WITHIN THE VILLAGE**

- A. No DOG or WOLF HYBRID shall be allowed to run at large within that portion of the Town of Coventry considered as 'the Village'; which is bounded as follows:

Commencing at that point marking the point of intersection of the center line of U.S. Route 5, so-called, and the center line of Vermont Route 14, so-called; thence proceeding in a general southerly direction along the center line of U.S. Route 5, so-called, to the point representing

# Town of Coventry

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the point of intersection of the center line of U.S. Route 5 and an extension of the private roadway known as Gallup Road, so-called; thence turning and proceeding in a general easterly direction a distance of 400 feet, more or less, along the center line of Gallup Road, so-called, to a point; thence turning and proceeding in a general southerly direction on a line parallel to and 400 feet easterly of the center line of U.S. Route 5, so-called, to its point of intersection with Vermont Route 14, so-called; thence continuing on a line parallel to and 400 feet southeasterly of the center line of Vermont Route 14, so-called, to its point of intersection with the Coventry - Irasburg Town thence turning and proceeding in a general westerly direction along the Coventry Irasburg Town Line to its intersection with the point representing the westerly right of way limit of Town Highway 36, so-called, also known as Heermanville Road; thence following the westerly limit of Town Highway 36, so called, in a general northerly and then easterly direction to its point of intersection with the center line of the Black River, so-called; thence following the Black River, so-called, as it bends and turns, in a general northerly, easterly, southerly and then easterly direction to its point of intersection with the center line of Vermont Route 14, so-called; thence turning and proceeding in a general easterly direction along the center line of Vermont Route 14, so called, to the point and place of beginning.

## **SECTION 5. POOPER SCOOPER**

The OWNER or other person in control of a DOG or WOLF HYBRID that defecates in any public area or on the private property of another person shall immediately remove the fecal material and dispose of it in a sanitary manner.

## **SECTION 6. COLLAR AND LICENSE**

- A. Each DOG and each WOLF HYBRID shall be licensed according to the laws of the State of Vermont and shall wear a collar or harness to which the current license tax is attached. A DOG or WOLF HYBRID that is visiting from out of state must wear a collar or harness with a current license tag from its home state attached.
- B. A DOG or WOLF HYBRID found to be without a collar or harness bearing a license tag shall be immediately impounded in accordance with the provisions of §3806 of Title 20, Vermont Statutes Annotated.

## **SECTION 7. HUMANE CARE OF DOGS AND WOLF HYBRIDS**

All DOGS and WOLF HYBRIDS shall be furnished with clean and safe facilities sufficient to protect the animal and the public health. Any DOG or WOLF HYBRID determined by any law enforcement official, animal control officer or humane officer to be without such clean and safe facilities shall be impounded.

## **SECTION 8. IMPOUNDMENT**

- A. Any DOG or WOLF HYBRID that is determined by any law enforcement official, animal control officer or humane officer to be a VICIOUS DOG or VICIOUS WOLF HYBRID which presents an imminent danger to people or other animals shall be immediately impounded.
- B. Any DOG or WOLF HYBRID that is apprehended for a third or subsequent violation of any provision of this ordinance shall be impounded.

## **SECTION 9. NOTICE OF IMPOUNDMENT AND RELEASE FROM IMPOUNDMENT**

- A. An official who impounds a DOG or WOLF HYBRID shall, within 24 hours of the impoundment, give notice to the OWNER thereof, either personally, by telephone call, or by written notice at the OWNER'S dwelling. Such notice shall inform the OWNER of the nature of the violation or violations, the location of the animal and the procedure by which the OWNER may secure the return of the DOG or WOLF HYBRID.
- B. In the event an impounded DOG or WOLF HYBRID has no license or other identification, the person who impounds the DOG or WOLF HYBRID shall proceed in accordance with the provisions of Title 20, Statutes Annotated. § 3806 of the Vermont
- C. An impounded DOG or WOLF HYBRID shall be released to the OWNER only after the OWNER has made payment of all penalties and impoundment fees which have been assessed and after any remedial action imposed by the impounding official shall have been taken by the OWNER. Remedial action may include, but is not limited to, such actions as providing a collar and current license; and providing and implementing a plan for coming into, and remaining in, compliance with the provisions of this ordinance and with state law.

## **SECTION 10. ENFORCEMENT**

A violation of this ordinance shall be a civil matter enforced in the Vermont Judicial Bureau in accordance with the provisions of Title 24, §§ 1974a and 1977, et seq. of the Vermont Statutes Annotated.

## **SECTION 11. PENALTIES AND COSTS**

- A. First offense: Written warning.
- B. Second offense: \$25.00 full penalty; \$15.00 waiver penalty.
- C. Third offense: Impoundment of the DOG or WOLF HYBRID, together with impoundment costs, plus \$50.00 full penalty; \$35.00 waiver penalty.
- D. Subsequent offenses: Impoundment of the DOG or WOLF HYBRID, together with impoundment costs, plus \$100.00 full penalty; \$75.00 waiver penalty.
- E. The waiver penalty shall be applied whenever an alleged violator pays the fine without contesting the violation; the full penalty shall be applied whenever an alleged violator contests the charges and is determined to have violated a provision of this ordinance.
- F. Impoundment costs shall be in such amounts as shall be established from time to time by the Coventry Selectboard.

## **SECTION 12. OTHER LAWS**

The provisions of this ordinance are in addition to all other Ordinances of the Town of Coventry and all other applicable laws of the State of Vermont.


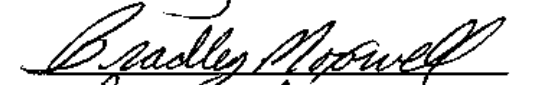
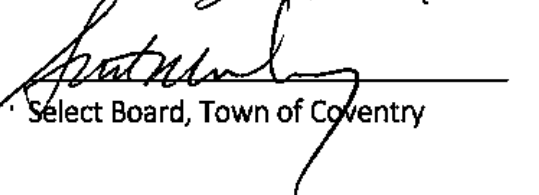
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## SECTION 13. SEVERABILITY

If any section of this ordinance shall be determined by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance. Dated at the Town of Coventry in the County of Orleans and State of Vermont this 5<sup>th</sup> day of June, A.D. 2017.

  
  
  
Select Board, Town of Coventry

The above ordinance was adopted by the Select Board of the Town of Coventry on June 5 2017, and shall become effective, pursuant to the provisions of 24 V.S.A., § 1971, et seq, sixty days from the date of its adoption, to wit, on June 5, 2017, unless a petition for a vote on the question of disapproving the same shall be filed in accordance with the provisions of Section 1973(b) of Title 24, Vermont Statutes Annotated, which section provides that a petition for a vote on the question of disapproving an ordinance or rule shall be signed by not less than five percent (5%) of the qualified voters of the municipality, and presented to the legislative body or the clerk of the municipality within forty five (45) days following the date of adoption of the ordinance or rule by the legislative body. Questions regarding the foregoing adopted ordinance may be directed to the Town of Coventry Select Board through the Town Administrator, 168 Main Street / PO Box 8, Coventry VT 05825, whose telephone number is (802) 754 2266