

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 Selectboard of 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;

Town of Coventry

PO Box 8 ~ 168 Main St
Coventry, VT 05825

(802) 754-2266
www.coventryvt.org

5. clearly under the verbal or non-verbal control of the OWNER; or
6. hunting with the OWNER.

E. VIOUS 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.

F. ENFORCEMENT OFFICER means the Town Constable, any Vermont law enforcement officer, or such other person or persons as may be appointed by the Selectboard from time to time to enforce or execute the provisions of this Ordinance.

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

No DOG or WOLF HYBRID shall be allowed to run at large within the Town of Coventry.

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 tag 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.

Town of Coventry

PO Box 8 ~ 168 Main St
Coventry, VT 05825

(802) 754-2266
www.coventryvt.org

- 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 in accordance with VT Title 13, Chapter 8

SECTION 8. CONFINEMENT AND IMPOUNDMENT

- A. An Enforcement Officer is authorized to confine or impound any domestic pet, domestic animal or wolf hybrid which is violating this Ordinance or which
- a. is suspected of having been exposed to rabies; or
 - b. is believed to have been attacked by another animal which may be rabid; or
 - c. has been attacked by a wild animal; or
 - d. has an unknown rabies vaccination history.
- B. In the event that a domestic pet, domestic animal, or wolf-hybrid is confined or impounded, the owner, if known shall be notified within 24 hours. Notification may be accomplished by in person communication, by telephone call or by written statement sent to the last known address of the owner. If the owner's address is not known, notification shall be posted in the Coventry Town Clerk's office and two other public places in the town for a ten (10) day period.
- C. The public notice shall include a description of the dog, including any significant marks of identification, when and where it was impounded or found by the person placing the dog in the town's custody, and declare that unless the owner claims the dog and pays all expenses incurred by the town for treatment, boarding and care of the dog, any applicable penalties and takes all necessary remedial action within ten (10) days following posting, the town may place the dog in an adoptive home, or transfer it to a humane society or rescue organization. If the dog cannot be placed in an adoptive home or transferred to a humane society or rescue organization, it may be destroyed in a humane way.
- D. When an Animal Control Officer reasonably suspects that a confined or impounded domestic pet, domestic animal or wolf-hybrid;
- a. has been exposed to rabies; or
 - b. has been attacked by a rabid animal;

Town of Coventry

PO Box 8 ~ 168 Main St
Coventry, VT 05825

(802) 754-2266
www.coventryvt.org

the Animal Control Officer may dispose of the animal in a humane way in accordance with the Vermont Department of Health's guidelines regarding rabid animals.

- E. If the domestic animal or wolf-hybrid is not reclaimed by its owner within ten (10) days, or if the owner is not determined in this time, that animal shall be deemed abandoned and become the property of the Town of Coventry. This animal may then be sold, given to a shelter, given for adoption, or euthanized after a period of ten (10) days. If euthanasia is required, it shall be completed by a licensed Veterinarian.
- F. Any dog impounded under the provisions of this Ordinance shall be released only on the payment of a \$25.00 impoundment fee; provided, however that any dog impounded for the second time any calendar year shall be released only on payment of a \$50.00 impoundment fee, and if impounded three or more times within a 24-month period, it shall be released only upon payment of a \$100.00 impoundment fee.
- G. In addition to the impounding fees charged herein, there shall be a boarding charge of \$25.00 for each day or fraction thereof; during which the dog is impounded.
- H. 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 § 3806 of the Vermont Statutes Annotated.
- I. 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 it 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.
- J. The Selectboard is hereby empowered to increase the impoundment fees and boarding charges provided for in this section by appropriate resolution. The Selectboard may make such increases in said fees and charges as deems appropriate and necessary from time to time.
- K. Any dog that is determined by a [constable/police officer/animal control officer/humane officer] to be a potentially vicious dog, which presents an imminent danger to people or other animals, has reportedly bitten a person off [or on] the premises of its owner, or is in violation of State licensing law or 20 V.S.A. § 3806 may be immediately impounded.
- L. A person claiming a dog is a "potentially vicious dog" may file a written complaint with the Selectboard. The complaint shall contain the time, date and place where the alleged behavior

Town of Coventry

PO Box 8 ~ 168 Main St
Coventry, VT 05825

(802) 754-2266
www.coventryvt.org

occurred, an identification of the domestic pet or animal threatened or attached, the name and address of any victim or victims, and any other facts that may assist the Selectboard in conducting its hearing.

- M. Upon receipt of a "potentially vicious dog" complaint the Selectboard shall proceed as in the case of a "vicious dog" complaint with the exception that if the Selectboard determines that the behavior classifies the dog as "potentially vicious" the Selectboard may order any protective measures be taken absent the dog being humanely destroyed.

SECTION 9. NOTICE OF IMPOUNDMENT AND RELEASE FROM IMPOUNDMENT

- A. When a dog has bitten a person while the dog is off the premises of its owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the Selectboard. The complaint shall contain the time, date and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the Selectboard in conducting its investigation.
- B. The Selectboard, within seven (7) days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the dog which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date and place of hearing and a copy of the complaint.
- C. If the dog is found to have bitten the victim without provocation, the Selectboard shall make such order for the protection of persons as the facts and circumstances of the case may require, including, without limitation that the dog is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested to the owner. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in 20 V.S.A § 3550.

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, or in the Superior Court, Civil Division, Orleans unit, at the election of the Selectboard. Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

Town of Coventry

PO Box 8 ~ 168 Main St
Coventry, VT 05825

(802) 754-2266
www.coventryvt.org

SECTION 11. PENALTIES AND COSTS

- A. A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Sections 1977 et seq. For enforcement purposes, the issuing municipal officials are the Enforcement Officials defined in section 2.
- B. Except as specified below, a written warning shall be sent to the dog's owner for the first violation of this Ordinance. A civil penalty of not more than \$100.00 may be imposed for the second offense within a six-month period. The penalty for each subsequent offense within a six-month period shall be \$200.00. The waiver fee shall be set at \$50.00 for the second offense within a six-month period and \$100.00 for each subsequent offense within a six-month period. Each day the violation continues shall constitute a separate violation of this Ordinance.
- C. If a vicious dog attack occurs off the owner's premises, a civil penalty of not more than \$100.00 may be imposed for the first offense. The penalty for each subsequent offense within the life of the dog shall be \$300.00. The waiver fee shall be set at \$50.00 for the first offense and \$150.00 for each subsequent offense.
- D. A civil penalty of not more than \$300.00 may be imposed for each offense when a dog is purposely and neglectfully abandoned. The waiver fee shall be set at \$150.00 for each offense.

SECTION 12. VALIDITY

- A. All existing Town of Coventry ordinances or parts of ordinances in conflict herewith are hereby repealed.
- B. In accordance with the provisions of Title 24, Section 1973, Vermont Statutes Annotated, an ordinance adopted by a municipality may be disapproved by a vote of a majority of the qualified voters of the municipality voting on the question, at an annual or special meeting duly warned for the purpose, pursuant to the petition signed by not less than 5 percent (5%) of the qualified voters of the municipality and presented to the legislative body or the clerk of the municipality within forty-four (44) days following the date of the adoption of the ordinance by the legislative body.
- C. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.
- D. The Ordinance may be amended from time to time by the Town of Coventry Selectboard as provided by law.

Town of Coventry

PO Box 8 ~ 168 Main St
Coventry, VT 05825

(802) 754-2266
www.coventryvt.org

SECTION 13. ORDINANCE IN FORCE

The Ordinance shall be in full force and effective sixty (60) days from the date of its adoption unless a petition is filed in accordance with Title 24, Section 1973, Vermont Statutes Annotated in which case the effective date shall be as governed by Title 24, Section 1973(c), Vermont Statutes Annotated.

SECTION 14. REPEAL

The existing TOWN OF COVENTRY ORDINANCE REGULATING THE KEEPING OF DOGS AND WOLF-HYBRIDS WITHIN THE TOWN OF COVENTRY, VERMONT with all amendments thereto is repealed as of the effective date of this Ordinance.

SECTION 15. 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 23 day of September, A.D. 2024

TOWN OF COVENTRY SELECTBOARD



SCOTT MORLEY



DAN WEBSTER



KERRY KEEMENT

The above Ordinance was adopted by the Selectboard of the Town of Coventry on August 19th, 2024, 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 October 18th, 2024, 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 Selectboard through the Town Administrator, 168 Main Street/ PO Box 8, Coventry VT 05825, whose telephone number is (802) 754 2266.