

Chapter 6

**ANIMALS\***

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\***Cross reference**—Public nuisance noise, § 13-54.

**State law reference**—Agriculture and animals, 7 M.R.S.A. § 1 et seq.



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**ARTICLE I. IN GENERAL**

**Secs. 6-1—6-25. Reserved.**

**ARTICLE II. DOGS\***

**Sec. 6-26. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*At large* means off the premises of the owner and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog.

*Dog* shall be intended to include both male and female.

*Owner* means any person owning, keeping or harboring a dog.  
(Code 1981, § 5.1.1)

**Cross reference**—Definitions generally, § 1-2.

**Sec. 6-27. Penalty for violation of article.**

Whoever keeps a dog contrary to the provisions of this article shall be punished in accordance with section 1-6.

(Code 1981, § 5.1.13)

**Sec. 6-28. Licensing.**

A suitable tag showing the year the dog license was issued in accordance with the state statutes and bearing such other data as the commissioner of agriculture may prescribe shall be securely attached to a collar which must be worn at all times by the dog for which the license was issued. It shall be unlawful for any person to remove such tag or to place either a collar or tag on any dog not described or for which the license was not issued.

(Code 1981, § 5.1.2)

**Sec. 6-29. Running at large; leash requirements.**

(a) It shall be unlawful for the owner of any dog, whether licensed or unlicensed, to permit such dog to run at large, except when used for hunting.

(b) Any dog shall be controlled by a leash of not more than eight feet in length in the following areas within the Town of Orono:

- (1) All properties, public ways, and sidewalks located within the Village Commercial District;
- (2) School and library properties;

**\*State law reference**—Municipal regulation of dogs, 7 M.R.S.A. § 3950.

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- (3) Birch Street School property;
- (4) Marden Park; and
- (5) Webster Park.

Nothing in this subsection shall require the leashing of any dog while it is on the property of its owner. No dog shall be left unattended in the areas listed in this subsection.

(Code 1981, § 5.1.3; Ord. No. 03-193, 10-20-03)

**Sec. 6-30. Females in heat.**

The owner of any female dog in heat shall keep such dog confined or on a leash at all times and shall not permit such dog to be at large within the town or on any premises other than those of the owner. Every female dog found running at large in violation of this section is hereby declared to be a public nuisance and shall be impounded, and the owner, keeper or person harboring such dog shall be deemed guilty of a misdemeanor.

(Code 1981, § 5.1.4)

**Sec. 6-31. Impoundment.**

(a) Unlicensed dogs, or dogs found running at large, shall be taken up and impounded in a shelter designated by the town, and there confined in a humane manner for a period of not less than ten days. Any animal impounded under the provisions of this article and not reclaimed by its owner within ten days may be humanely destroyed or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this article.

(b) The town or its duly authorized agent may transfer title of all animals held by it at an animal shelter after the legal detention period has expired and the animal has not been claimed by its owner.

(c) When dogs are found running at large and their ownership is known, such dogs need not be impounded, but the town through its duly authorized agents may, at its discretion, cite the owners of such dogs to appear in court to answer charges of violation of this article.

(d) The owner shall be entitled to resume possession of any impounded dog upon compliance with the license provisions of section 6-28 and the payment of impoundment fees as set forth in this article. Any other animal impounded under the provisions of this article may be reclaimed by the owner upon payment of the impoundment fees as set forth in this article.

(Code 1981, § 5.1.5)

**Sec. 6-32. Impoundment fees.**

Any animal impounded under this article may be reclaimed as provided in this article upon payment by the owner of the currently required impoundment fees.

(Code 1981, § 5.1.6)

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**Sec. 6-33. Number of dogs limited.**

(a) It shall be unlawful for any person to keep or harbor within the town more than three dogs over six months old on April 1 in or about any premises, house, barn or other building, or in or about all buildings on any one premises occupied by any one family, and the keeping or harboring of dogs as aforesaid is hereby declared a nuisance. The payment of a license or licenses on dogs shall not be construed to allow the keeping of more than three dogs, as aforesaid, on any one premises.

(b) The limitation on the number of dogs shall not apply to any person, group of persons or corporations engaged in the commercial business of breeding, buying, selling or boarding of dogs, or operating a veterinary hospital.

(Code 1981, § 5.1.7)



**Sec. 6-34. Disposition of dogs which have bitten persons.**

(a) It shall be unlawful for the owner or persons keeping or harboring any dog, when notified that such dog has bitten any person or has so injured any person as to cause abrasion of the skin, to sell or give away such dog or permit or allow such dog to be taken beyond the limits of the town, except under the care of a licensed veterinarian. It shall be the duty of such owner or keeper, upon receiving notice of the character aforesaid, to immediately place such dog under confinement for a period of at least 14 days, or deliver such dog to the police department. The health officer shall be notified immediately by the person in charge of the death of any dog while under confinement.

(b) A licensed veterinarian shall investigate all dog bites referred to him by the police department or health officer.

(c) Any dog which shall have been bitten by another dog having or suspected of having rabies shall be immediately impounded for observation as provided in this section.

(d) It shall be unlawful for the owner or person keeping or harboring any dog when notified that such dog has bitten any person as to cause abrasion of the skin to destroy such animal without permission from the town police department.

(Code 1981, § 5.1.10)

**Sec. 6-35. Rabies; quarantine.**

(a) Upon positive diagnosis of rabies in any dog within the town, the health officer shall proclaim and invoke a townwide quarantine for a period of 30 days, and upon the invoking of such quarantine, no animal shall be taken into the streets, or permitted to be in the streets, during such period of quarantine.

(b) During a period of rabies quarantine as described in this section, every animal bitten by an animal adjudged to be rabid shall be forthwith destroyed or, at the owner's expense and option, shall be treated for rabies infection by a licensed veterinarian, or held 30 days under quarantine by the owner in the same manner as other animals are quarantined.

(c) In the event there are additional positive cases of rabies occurring during a period of quarantine, such period of quarantine may be extended by the health officer for a period of six months.

(d) The carcass of any dead animal exposed to rabies shall upon demand be surrendered to the health officer.

(e) The health officer shall direct the disposition of any animal found to be infected with rabies.

(f) No person shall fail or refuse to surrender any animal for quarantine or destruction as required in this section when demand is made therefor by the health officer.

(Code 1981, § 5.1.11)

**Sec. 6-36. When dogs may be killed.**

If any dangerous, fierce, or vicious dog cannot be safely taken up and impounded, such dog may be slain by any police officer or duly authorized animal control officer. In all cases where any dog which has bitten a person or caused an abrasion of the skin of any person is slain by any police officer, whether by order of the court or otherwise, and a period of 15 days has elapsed since the day on which such dog bit any person or caused an abrasion of the skin of any person, it shall be the duty of the police officer slaying such dog to forthwith deliver the carcass and brain to the chief of police, who shall forward the brain intact to the health officer.

(Code 1981, § 5.1.12)

**Sec. 6-37. Duty to dispose of feces.**

It shall be a violation of this section for any person who owns, possesses, or controls a dog to fail to immediately remove and dispose of any feces left by his or her dog on any street, sidewalk or publicly or privately owned property of another.

This section will not apply to a dog accompanying any handicapped person, who, by reason of his/her handicap, is physically unable to comply with the requirements of this section.

(Ord. No. 00-184, 8-14-00)