

ARTICLE 6: GENERAL BYLAW AMENDMENT (Dog Bylaw)

Move the Town vote to amend the following subsections of Town General Bylaws, Section 115, Dog and Other Animals by removing current language (shown in *Italics*) and inserting new language (shown in **Bold**);

§ 115-4 Leashing and restraint of dogs.

A. Any person owning, keeping, or being responsible for a dog shall not allow nor permit said dog to run at large on any of the streets or public places in the Town of Orange or upon any private property, unless the owner or lawful occupant of such property grants permission.

No dog shall be allowed or permitted in any public place or street within the Town unless it is effectively restrained and controlled by a chain, or other form of leash that is sufficient to hold the dog; or unless it is within and confined to a motor vehicle.

§ 115-5 Control of Nuisances.

It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by said dog on any sidewalk, street, or other public area in the Town. It shall further be the duty of each person who owns, possesses, or controls a dog to remove and dispose of any feces left by his/her dog on any private property neither owned nor occupied by said person.

No person who owns, possesses, or controls such dog shall appear with such dog on any sidewalk, street, park, or other public area without the means of removal of any feces left by such dog. Furthermore, no person who owns, possesses, or controls such dog shall appear with such animal on any private property without the means of removal of any feces left by said dog. Disposal in storm drains is prohibited.

For the purposes of this by-law, the means of removal shall be any tool, implement or other device carried for the purpose of picking up or containing such feces.

This by-law shall not apply to a physically handicapped person in sole custody or control of a dog or to any individual using a guide dog.

§ 115-12 Vicious, barking or nuisance dogs.

A. Excessive Barking

No person owning, keeping, or otherwise responsible for a dog, shall allow or permit said dog to annoy another person's reasonable right to peace or privacy by continuous noise and/or barking, where such noise is plainly audible at a distance of one hundred fifty (150) feet or less from any building, premises, vehicle, or conveyance housing said dog. Noise/barking in excess of ten (10) minutes shall be prima-facie evidence of a violation.

A. Vicious or Nuisance

If any person shall make a complaint in writing to the Board of Selectmen, that a dog owned or kept in the Town of Orange is a nuisance by reason of vicious disposition or other disturbance, the Board of Selectmen shall cause to be investigated such complaint, including an examination on oath of the complainant, and after holding a public hearing, may make such order concerning the restraint or disposal of such dog and payment of damages as may be deemed necessary. Within 10 days after such order the owner or keeper of such dog may petition for relief of said order in accordance with the provisions of MGL c.140, § 157. Any person owning or keeping a dog subject to any order of the Board of Selectmen, who shall fail to comply with said order of the Board of Selectmen, shall be punished by a fine of \$100 for each offense. The owner/keeper of any dog subject to an order of the Board of Selectmen shall be responsible for any and all costs of carrying out said order. The act of a dog in attacking or biting another dog or other animal may be made subject of a complaint under the provisions of this section.