

ORDINANCE FOR CONTROL OF DOGS AT
HARVEY'S LAKE BEACH

Be it ordained by the Selectmen of the Town of Barnet as follows:

Dogs at the Harvey's Lake Public Beach Area in the Town of Barnet are subject to the control of responsible ownership, and when necessary, subject to action of authorized town personnel to protect the general welfare. Such control is necessary to minimize health hazards and public nuisances.

1. DEFINITIONS

- a. DOGS - any animal of canine species
- b. OWNER - any person, partnership or corporation owning, keeping, or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more;
- c. HARVEY'S LAKE PUBLIC BEACH AREA - shall be defined to mean all of the property belonging to the Town of Barnet situated at the northerly end of Harvey's Lake, including, but not limited to, the parking lot, picnic area and fenced-in beach area.

2. RESPONSIBLE OWNERSHIP

- a. The owner of a dog shall not permit said dog to enter the fenced-in public beach area at any time and shall further not allow said dog to enter the non-fenced-in portion of the Harvey's Lake Public Beach Area while not on a leash, cord, chain or lead of not over 8 feet in length or confined within a vehicle.

3. ENFORCEMENT

- a. Any citizen may institute a complaint by notifying the First Constable or his designee and initiating a formal complaint action.
- b. The First Constable or his designee shall investigate complaints of dogs and violations, and shall institute actions and formalize complaints against owners and shall enforce all provisions set forth herein.

4. IMPOUNDING

- a. The First Constable or his designee may impound any dog in violation of any section hereof. Any dog so impounded shall be kept in an animal shelter and there confined in a humane manner.
- b. Impounded dogs shall be kept for not less than five (5) working days.
- c. If by a license tag or other means, the owner of an impounded animal can be identified, the First Constable or his designee shall immediately upon impounding notify the owner by telephone or by mail.
- d. An owner who is reclaiming an impounded dog shall pay a fee of \$ 15⁰⁰ plus \$ 5⁰⁰ for each day the animal has been impounded.
- e. Any animal not reclaimed by its owner within five (5) working days shall thereafter become the property of the Town of Barnet, and shall be placed for adoption in a suitable home or humanely euthanized.
- f. In addition to, or in lieu of, impounding an animal in accordance with the provisions hereof, the First Constable or his designee of the Town

of Barnet may issue to the known owner of such animal a Notice of Ordinance Violation. Such notice shall impose upon the owner a penalty of \$ 20⁰⁰ which may, at the discretion of the animal owner, be paid to the Clerk of the Town of Barnet within seventy-two (72) hours in full satisfaction of the assessed penalty. In the event that such penalty is not paid within the time period prescribed, a criminal action shall be initiated and upon conviction of the violation of this ordinance, the owner shall be punished in accordance with Paragraph 5 "Penalties" hereof.

g. Any dog reclaimed under the provisions of Sub-paragraph (d) hereof, shall be required to present a valid license tag issued in accordance with the provisions of Chapter 193 of Title 20, Vermont Statutes Annotated or a successor statute.

5. PENALTIES

a. In addition to, or in lieu of administrative charges in connection with impoundment provided in Paragraph 4 hereof, any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$ 100⁰⁰ or more than \$ 500⁰⁰. If any violation is continuing, each days' violation shall be deemed a separate violation.

6. SEVERABILITY

a. If any part or portion of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

7. EFFECTIVE DATE

- a. This ordinance shall become effective sixty
(60) days after adoption.

Dated at Barnet, Vermont, this 19TH day of MARCH ,
1979.

SELECTMEN OF TOWN OF BARNET



