

**CHAPTER 90
TOWN OF HULL
ANIMAL CONTROL BYLAWS**

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ARTICLE I
Dog Control

§ 90-1. Definitions

As used in this Article, the following terms shall have the meanings indicated:

AT LARGE - Unaccompanied by a responsible person.

OESTRUS CYCLE - The technical term for the common expression "in heat".

OUT OF CONTROL - Accompanied by a person not exerting proper supervision.

RESTRAINED - Being kept leashed or fenced within the bounds of the property of the owner or keeper.

OWNER or KEEPER - Any person possessing, harboring, keeping, or having an interest in, or having control or custody of a dog. If the animal is owned by a person under the age of eighteen (18), that person's custodial parents or legal guardian shall be responsible for complying with all requirements of this bylaw.

§ 90-2. Enforcement Agents; Responsibility of Owners

- A. The Selectmen shall appoint an Animal Control Officer who shall report directly to the Selectmen. The Board of Selectmen may from time to time designate a person to act as Supervisor of the Animal Control Officer and may remove at any time said person from acting Supervisor.
- B. The owners or keepers of a dog, or dogs shall at all times be responsible for the acts of their dogs.

§ 90-3. Declaration of Nuisance Offenses

A dog is considered to be a nuisance for any of the following causes:

- A. If found without a license when a license is required by law.
- B. If found at large or found to be off leash, when it is required by law that the dog be leashed.
- C. If found to have caused property damage.
- D. For having bitten or injured any domestic animal.
- E. For having bitten, injured or physically molested any person.
- F. For chasing any vehicle on a public way or way open to traffic in the town.
- G. If any person shall make a complaint in writing to the Animal Control Officer of the Town of Hull that any dog owned or harbored within his jurisdiction is a nuisance by reason of vicious disposition or excessive barking or other disturbance, the Animal Control Officer shall investigate such complaint, which may include an examination on oath of the complainant, and may find such a dog to be a nuisance.
- H. A dog that is found, whether under control or not, on any beach under the care and control of the Town of Hull or on any beach within the limits of the Town of Hull to which the public has a right of access from June 30 thru September 15. Certified special care dogs for the impaired or dogs enrolled in such a certification program, are excluded from this section of the bylaw.
- I. A dog in her oestrus cycle, even when confined to the property of the owner or keeper, if attracting other dogs to the area, which condition causes disturbance on or damage to neighboring property or public areas.

- J. A dog that is found not to have a current rabies vaccination.
- K. If any person shall be found in violation of the removal of a dog's soil or defile on any public way or in any public place.
- L. A dog that is found to be leashed, though uncontrolled, attended to by a person unable to demonstrate proper restraint and control of its actions.

§ 90-4. Restraint and Control

- 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 Hull or upon any private property, unless the owner or lawful occupant of such property grants permission therefore.
- B. No dog shall be allowed or permitted in any public place or street within the Town of Hull unless it is effectively restrained and controlled by a chain or other form of leash that is sufficient to hold the dog.
- C. No dog shall be allowed to roam on a leash that exceeds seven (7) feet in length that is suitable test for the dog that is being restrained and is attended to by a person of adequate age and discretion to properly control its actions or is at the heel position beside a competent person and demonstrably obedient to the person's command.

§ 90-5. Impoundment

- A. The Animal Control Officer may impound any dog found to be a nuisance.
 - (1) An impounded dog shall be released to its owner or keeper upon payment of the pound fees, and on the following additional conditions:
 - a. Upon the agreement of the owner or keeper to undertake such restriction or control of the animal as the Animal Control Officer shall require.
 - (2) Dogs impounded and unclaimed by the owner or keeper after ten (10) days shall be disposed of in accordance with the provisions of MGL § 140, s 151A.
 - a. The Animal Control Officer may impound any dog found to be a nuisance under § 90-3 for the duration of the oestrus cycle, releasing it thereafter to the owner or keeper upon the payment of pound fee, or the Animal Control Officer may require the owner or keeper to place and keep such dog, when in such cycle, in a kennel or to remove it from the area so that the nuisance is abated.

§ 90-6. Barking Dogs

- A. 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 making loud or continuous noise, where noise is plainly audible at a distance of one hundred (100) feet from the building, premises, vehicle, or conveyance housing said dog, or such noise is in excess of ten (10) minutes. The fact that such noise is plainly audible at said distance or continuous in excess of ten (10) minutes shall be prima facie evidence of a violation.

§ 90-7. Violations and Penalties

- A. If it is the first offense subject to this section committed within a calendar year, by a fine of Twenty-five (\$25) dollars.
- B. If it is the second and subsequent offenses committed within a calendar year, by a fine of fifty (\$50) dollars for each offense.

ARTICLE II
Additional Provisions

§ 90-8. Dog License Fees and Tags

- A. Any person residing in the Town of Hull, who at the beginning of the license period (April 1 to March 31), or who during the license period becomes the owner or keeper of a dog six (6) months of age or older, shall cause the dog to be licensed within thirty (30) days. The Town Clerk shall issue dog licenses and tags on a form prescribed and furnished by the Town of Hull.
- B. On the license form, the Town Clerk shall record the name, address, phone number and the date of birth of the owner or keeper of the dog, and the name, license number and description of each dog. Each tag shall include the license number, the name Town of Hull, and the year of issue. The Town Clerk shall also record the date of the Rabies Certificate and its dates of validity.
- C. The owner or keeper shall cause each dog to wear around its neck or body a collar or harness to which he shall securely attach the license tag. In the event that any tag is lost, defaced or destroyed, substitute tags shall be obtained by the owner or keeper from the Town Clerk at the cost of \$1. Such moneys shall be transmitted to the Town of Hull's General Fund in the same manner as license fees.
- D. The Town Clerk shall not issue a license for any dog unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that the dog is currently licensed against rabies.
- E. Any exemption from the requirements of having to produce valid rabies certificate in order to obtain a dog license shall be granted if the owner or keeper presents a signed statement from a veterinarian, indicating that because of infirmity, other physical condition or regimen of therapy, inoculation is hereby deemed inadvisable.
- F. Notwithstanding the provisions of MGL §140 s139, or any other provision of law to the contrary, the annual fees to be charged by the Town of Hull for the issuance of dog licenses shall be as follows:
 - (1). Unspayed and unneutered dogs: Fifteen dollars (\$15)
 - (2). Spayed and neutered dogs: Ten dollars (\$10)
- G. Any owner or keeper who moves into the Town of Hull and has a valid dog license for his/her dog from another city or town in the Commonwealth, shall within thirty (30) days obtain a dog license for a fee of one dollar (\$1) upon producing evidence of the previous license.
- H. Any person who violates the provisions of § 90-8A-G, shall be subject to a payment of a fine of twenty-five (\$25) dollars for the first offense, and for each subsequent offense shall be subject to a payment of a fine of fifty (\$50) dollars. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person, may enforce these penalties through the Town's Non-criminal Disposition Bylaw.

§ 90-9. Disposition of Fees and Fines

Notwithstanding the provisions of MGL § 140 s 147, or any other provision of law to the contrary, all money received for licenses or from the sale of a dog license by the Town of Hull or recovered as fines or penalties by said town shall be paid into the treasury of said Town of Hull and shall not thereafter be paid over by the Town Treasurer to the County of Plymouth but shall be appropriated solely for animal care and control.

§ 90-10. Restrictions on Dog Pounds

Notwithstanding any provisions of the law to the contrary, any animal pound, as defined in MGL C49A, s3, of the provisions of MGL C49A, s21 and no such animal pound located in such town shall be permitted to deliver from its available impounded animals any animal to a licensee as defined in said MGL C49A, s1 for the purpose of scientific investigation, experimentation, instruction or testing of dogs or medicine.

§ 90-11. Vaccination of Dogs and Cats Against Rabies

- A. The owner or keeper of a dog or cat six (6) months of age or older housed in the Town of Hull shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine approved by the Massachusetts Department of Public Health. Unvaccinated dogs and cats acquired or moved into the Town of Hull shall be vaccinated within thirty (30) days after the acquisition or arrival into the Town of Hull or upon reaching the age of six (6) months, whichever last occurs. Such owner or keeper shall procure a veterinarian's certification that such animal has been so vaccinated and setting forth the date of such veterinarian that a certification was issued.
- B. The veterinarian shall issue a tag with each certificate of vaccination. The tag shall be secured by the owner of such dog or cat to a collar or harness made of suitable material to be worn by the dog or cat; however, the owner of a cat may choose not to affix a tag to his cat but shall have the tag available for inspection upon demand by the Animal Control Officer, Police Officers, Animal Inspector, or other such authorized officials of the Town of Hull.
- C. Vaccinated animals shall be revaccinated periodically in accordance with the rules and regulations adopted by and promulgated by the Massachusetts Department of Public Health.
- D. Any person who violates the provisions of § 90-11A – C, shall be subject a payment of a fine of twenty-five dollars (\$25) for the first offense, and for each subsequent offense shall be subject to a payment of a fine of fifty dollars (\$50). In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person, may enforce these penalties through the Town's Non-criminal Disposition Bylaw.

§ 90-12. Dog Waste Removal

- A. No person owning or having the care, custody or control of any dog shall permit such dog to defecate upon any side walk, street, thoroughfare, beach or wetland, in or upon any public property or in or upon the property of persons other than the owner or persons having the care, custody or control of such dog, unless said person picks up any such waste and disposes of same in sanitary manner.
- B. The section shall not apply to a Service Dog accompanying any handicapped person.
- C. Any person found in violation of this section shall be subject to a written warning for the first offense, twenty-five dollars (\$25) for second offense, fifty dollars (\$50) for third offense and increased in twenty-five dollars (\$25) increments for subsequent offenses, with a maximum of one hundred dollars (\$100).