

ARTICLE ____. Shall the Town adopt the following ordinance regulating dogs in the town forest, on town beaches and town property and in other public places? (Majority vote required).

TOWN OF RYE ORDINANCE NO. ____

CONTROL OF DOGS IN TOWN FOREST, ON TOWN BEACHES AND
TOWN PROPERTY AND IN OTHER PUBLIC PLACES

1. Applicability. This ordinance applies to the Town Forest, Town Beaches, Town Property and other public places.
2. Authority. This ordinance is enacted pursuant to (1) RSA 41:11-a: Board of Selectmen's authority to manage town property; and (2) RSA 31:39, I. (b): Authority of towns to make bylaws for the prevention of going at large of horses and other domestic animals in any public place in the town.
3. Dog Control. It shall be unlawful for any dog to run at large in the Town Forest, on Town Beaches, on Town Property or in other public places.
3. Definitions.
 - a. "Run at Large" means the dog is off the premises of the owner or responsible party and is not under the voice control and sight control of any persons responsible for the dog.
 - b. "Voice control" of the dog means a dog returning within 3 calls to and remaining by the side of the responsible party, in response to the responsible party's command for the dog to return.
 - c. "Sight Control" of the dog means the dog always being within the sight of the responsible party.
 - d. "Responsible Party" means any person or persons accompanying a dog, whether or not said person(s) is the owner of the dog.
4. Other Unlawful Acts. It also shall be unlawful.
 - a. For a dog to jump on an unwelcoming party.
 - b. For a dog to show aggression to another dog and not be under voice control of the responsible party.
 - c. For a responsible party to refuse to call their dog through voice control when requested to by an authorized Town of Rye official.
5. Enforcement.
 - a. The animal control officer or any police officer shall have the authority to enforce this ordinance. The Board of Selectmen may empower the animal control officer to serve notice of forfeiture (citation) relating to animal control and may also empower the animal control officer to investigate all reports of violations involving animals in violation of this ordinance.
 - b. Any duly authorized officer may seize, impound, or restrain any dog in violation of this section and deliver such dog to a person or shelter authorized to board dogs. Such dogs shall be handled as strays or abandoned dogs pursuant to applicable laws.
 - c. In addition to impounding a dog found in violation of this ordinance, any duly authorized officer may issue, in the name of the owner or custodian of such dog, a notice of violation for a nuisance dog pursuant to RSA 466:31, II (a).
 - d. A person found guilty of violating this ordinance shall be subject to a fine of not more than \$100 for each dog found to be in violation, not to exceed \$1000.

6. Severability. Should any section or provision of this regulation be held to be invalid or unconstitutional such holding shall not affect, impair or invalidate any other section or provision of this regulation, and to such end all sections and provisions of this regulation are declared to be severable.
7. Conflicts. To the extent this ordinance may conflict with the Town Forest Leash Ordinance, the Town Forest Leash Ordinance shall govern. To the extent this ordinance may conflict with Section 11, Part 1 of the Beach Ordinance this ordinance shall govern.
8. Effective Date: This ordinance shall be effective upon publication by the town clerk.