

**TOWN OF PEACHAM  
DOGS AND WOLF HYBRIDS  
ORDINANCE**

**SECTION 1. AUTHORITY.** This ordinance is adopted by the selectboard of the Town of Peacham under authority of 20 V.S.A. § 3549, 24 V.S.A. §§ 2291 (10) and 2291 (14 & 15), and 24 V.S.A. Chapter 59.

**SECTION 2. PURPOSE.** It is the purpose of this ordinance to regulate the keeping of dogs and wolf hybrids (hereafter dogs), to protect public health and safety and to protect the residents' quiet enjoyment of their homes and properties, and to promote responsible animal ownership.

**SECTION 3. DEFINITIONS.** For purposes of this ordinance, the following words and/or phrases shall apply:

- A. "Dog" means any member of the canine species;
- B. "Wolf hybrid" means:
  - 1. An animal that is the progeny of a dog and a wolf (*Canis lupus* or *Canis rufus*);
  - 2. An animal that is advertised or otherwise described or represented to be a wolf hybrid; or
  - 3. An animal that exhibits primary physical and/or behavioral wolf characteristics.
- C. "Owner" means any person who has actual or constructive possession of a dog. The term also includes those persons who provide food and shelter to a dog.

**SECTION 4. DISTURBANCES AND NUISANCES.**

- A. A dog shall be under the physical or voice control of the owner whenever off the owner's property.
- B. No dog shall harass or attack other animals or people unless such animals or people are trespassing on the private property of the owner of the dog.
- C. No person shall own, keep or harbor a dog that disturbs the quiet, comfort and repose of others by frequent, habitual or persistent barking or howling.
- D. No dog shall cause damage to personal property, harass pedestrians, bicyclists, or passersby, or obstruct traffic.
- E. No person shall permit a female dog in heat to be outside a building or secured enclosure unless properly leashed and in control of an adult.
- F. All dogs are prohibited from Peacham Elementary School property unless leashed and under the total control of the owner. All dog owners must clean up after their dogs on Peacham School property.

**SECTION 6. COLLAR AND LICENSE.**

- A. Each dog shall be licensed according to the laws of this state and shall wear a collar or harness with the current license attached. An animal that is visiting from out of state must wear a collar or harness with a current license from its home state attached.

B. A dog that is found without a collar or harness and license may be immediately impounded under authority of 20 V.S.A. § 3806 and shall be managed under the provisions of that statute.

**SECTION 7. HUMANE CARE OF DOGS.** All dogs shall be furnished with clean and safe facilities sufficient to protect the animal and the public health. Any dog determined by the constable, police, animal control officer, or Selectboard to be without such clean and safe facilities may be impounded.

**SECTION 8. ENFORCEMENT.** This is a civil ordinance and shall be enforced the constable, police, animal control officer, or Selectboard in the Vermont Judicial Bureau in accordance with 24 V.S.A. §§ 1974a et seq.

**SECTION 9. IMPOUNDMENT.** Any dog that is determined by a the constable, police, animal control officer, or Selectboard to be a vicious dog which presents an imminent danger to people or other animals shall be immediately impounded.

**SECTION 10. NOTICE OF IMPOUNDMENT AND RELEASE FROM IMPOUNDMENT.**

- A. The constable, police, animal control officer, or Selectboard who impounds a dog shall give notice to the owner within 24 hours.
- B. Impounded animals shall be released to the owner only after payment of all penalties and impoundment fees.

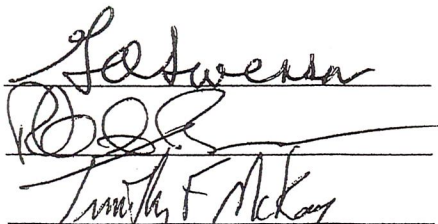
**SECTION 11. PENALTIES AND COSTS.**

- A. First offense                      Written warning
- B. Second offense                  \$50.00 full penalty/\$20.00 waiver penalty
- D. Subsequent offenses          Impoundment & impoundment costs, plus \$200.00 full penalty/\$100.00 waiver penalty (*the waiver penalty applies when an alleged violator pays the fine without contesting the violation*).
- E. Impoundment costs shall be set annually by the selectboard.

**SECTION 12. OTHER LAWS.** This ordinance is in addition to all other Ordinances of the Town of Peacham and all applicable laws of the State of Vermont.

**SECTION 13. SEVERABILITY.** If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

**SECTION 14. EFFECTIVE DATE.** This ordinance shall become effective 60 days after its adoption by the Peacham selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
SIGNATURES

6/4/2008  
\_\_\_\_\_  
DATE