



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	05/10/2023	<b>Department</b>	Code Enforcement
<b>Agenda Item</b>	3a. Public hearing for amendments to the City Code (17.5.3.1) in regards to barking dogs		
<b>Est. Cost</b>			

<b>Background Information</b>	See attached Documents
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<b>Requested Action</b>	
<b>City Manager and/or Finance Review</b>	
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

<b>City Clerk Use Only</b>	1 <sup>st</sup> Reading _____	Advertised _____	<b>EFFECTIVE DATE</b> _____
	2 <sup>nd</sup> Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

## CHAPTER 17.5

### Dog Control Provisions

#### SECTION

- 17.5.1 Dogs to be Licensed
- 17.5.2 Dogs Running at Large
- 17.5.3 Barking Dogs
- 17.5.4 Impoundment
- 17.5.5 Notice of Impoundment
- 17.5.6 Release from Impoundment
- 17.5.7 Disposition of Dogs
- 17.5.8 Penalties
- 17.5.9 Canine Waste Disposal

#### **Section 17.5.1 Dogs to be Licensed**

No dog shall be kept within the limits of the City of Gardiner unless such dog shall have been licensed by its owner in accordance with the statutes of the State of Maine.

For the purposes of this chapter, "owner" shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.

#### **Section 17.5.2 Dogs Running at Large**

No owner of any dog shall permit such dog to run at large within the City of Gardiner. For the purposes of this chapter, "run at large" shall mean off the premises of the dog owner or by permission of the property owner and not under the control of any person by leash, cord, chain or other restraining device. The leash, cord, chain or other restraining device shall not exceed six (6) feet in length.

#### **Section 17.5.3 Barking Dogs**

**17.5.3.1 Excessive Barking** - Any owner or person having custody of a dog or dogs within the City shall not permit the dog or dogs to create a nuisance by continued or repeated barking, howling, yelping or making other loud or unusual noises. A dog or dogs that bark, howl, yelp or otherwise create a loud or unusual noise for a sustained period of one (1) hour or intermittently ~~for three (3) hours~~ **two (2) hours** that can be heard beyond the property line of the property on which the dog(s) is located has created a nuisance and the owner or person having custody of the dog(s) is in violation of this section.

**17.5.3.2 Complaint** - Any person disturbed by a barking dog in violation of Section 17.5.3.1 shall file a written complaint with the City's Animal Control Officer or any Police Officer. The complaint shall include the date and time the disturbance began, a description of the disturbance, and the length of time of the disturbance. The complaint must be signed and sworn to the Animal Control or other Police Officer. The officer shall investigate the complaint