



Published on Old Orchard Beach ME (<https://www.oobmaine.com>)

[Home](#) > Dog Ordinance

Dog Ordinance

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

At large means off the premises of the owner and not under control of the owner or a member of his immediate family or representative either by leash, cord, chain or otherwise.

Dog means a member of the genus and species known as *canis familiaris* or any canine, regardless of generation, resulting from the interbreeding of a member of *canis familiaris* with a wolf hybrid as define in M.R.S.A Title 7, Subsection 3907.

Kennel means one pack or collection of dogs kept in a single premises for breeding, hunting, show, training, field trials and exhibition purposes; or maintaining as a business for the buying and selling of dogs or for any form of boarding or care of dogs.

Lethal means any piece of equipment or level of force that when applied is commonly known to cause death or serious injury.

Less than lethal means any piece of equipment or level of force that when properly applied is commonly known not cause serious injury or death. It must however be recognized that in certain special instances an unknown factor such as a medical condition may cause adverse results in the application of this equipment or force.

Owner means any person owning, keeping or harboring a dog or a person having custody and control of a dog.

Sec. 14-2. Complaints.

All complaints under this chapter will be made to the police department.

Sec. 14-3. Impoundment fees.

Any animal impounded under this chapter may be reclaimed upon payment by the owner of the following fees:

(1) Impoundment fees in the amount of \$5.00 for each dog shall be charged for each impounded animal, in addition to appropriate fines and board as established by state statute.

(2) A fine of \$10.00 shall be paid to the town for the first offense of a dog running loose; a fine of \$25.00 shall be paid to the town for the second offense of a dog running loose. On the third and subsequent offenses, an owner may be taken to court for a dog running loose.

Sec. 14-4. Presence on Staples Field.

No animal shall be allowed on or adjacent to the Staples Field area, including the area known as the practice field. This section will be applicable during the months of April through August, inclusive, of each year.

Sec. 14-5. Dog in heat.

(a) The owner of any dog in heat shall keep the dog confined or on a leash at all times and shall not permit such dog to be at large within the town.

(b) It is unlawful for any owner or custodian of a dog to permit such dog to run at large in violation of this section which violation is hereby declared to be a public nuisance. Such dog running at large shall be impounded.

Sec. 14-6. Dogs on beach, public streets and sidewalks.

(a) Notwithstanding any other section of this chapter, it shall be unlawful for the owner of any dog or other animal other than a horse (which is regulated under chapter 42 of this Code) to permit such dog or other animal, during the period from Memorial Day to Labor Day of each year, between the hours of 10:00 a.m. and 5:00 p.m., inclusive, to enter upon and remain within the public beach in the town, which public beach consists of all that land lying easterly of the line dividing the beach from the upland creating a public park along the beach, as defined by town officials on April 23 and May 28, 1935, and recorded in the county registry of deeds in book 863, page 159 and page 422, from Goose Fare Brook northeasterly to the Scarborough Town line.

(b) It shall be unlawful for the owner of any dog or other animal to permit such dog or other animal within the following described area: Within the public way from the top of Old Orchard Street to the beach, which includes the area known as the square, during the period from Memorial Day to Labor Day from the hours of 10:00 a.m. to 3:00 a.m.

(c) The town manager is authorized and directed to erect or cause to be erected signs at the end of each right-of-way to the beach notifying the public of this section.

Sec. 14-7. Removal of dog feces.

(a) It shall be unlawful for any person who owns, possesses or controls a dog to fail to remove and dispose of any feces left by his dog on the public beach, streets or sidewalks or any property owned by the town.

(b) Any person who owns, possesses or controls a dog shall have on their person some piece of equipment to include but not be limited to a plastic bag or a "pooper scooper" when utilizing the public beach, streets, or sidewalks, or any property owned by the town with their dog.

(c) For the purposes of this section, disposal shall be accomplished by transporting such feces to an appropriate waste receptacle.

(d) This section shall not apply to working police dogs while on duty or to a dog accompanying any handicapped person who, because of his handicap, is physically unable to comply with the requirements of this section.

Sec. 14-8. Barking or howling dogs.

No person shall own, keep or harbor any dog which, by loud, frequent or habitual barking, howling or yelping, shall disturb the peace of any person.

Sec. 14-9. Use of force.

The use of any lethal or less than lethal equipment, or force to include but not be limited to chemical spray's commonly referred to as mace, a tranquilizer gun, pole injector, or bite stick, shall be approved by the chief of police or his duly authorized representative. This approval may be in the form of a written standing order, or a verbal or written order applied to a specific situation.

Any person being authorized to use such equipment shall complete a training course approved by the chief of police. This section may not be interpreted in such a way as to limit the ability of a person to use reasonable force in self defense, or the defense of another.

Dog Park.

The Town of Old Orchard Beach has a Dog Park, located in Memorial Park on First Street. The following are the rules/ordinances: This division provides rules for use of that portion of the public park known as Memorial Park which the town has fenced off and set aside for use as a "dog park," where dogs are allowed to run and play under the supervision of responsible adults. Dogs are allowed to be off-leash within the dog park and, provided all rules and regulations of this ordinance are complied with, shall not be considered "running at large" under the Old Orchard Beach Ordinance relating to dog control.

Sec. 42-92. Definitions.

As used in this division, the following terms have the following meanings:

Dog park means that area within Memorial Park which the town has designated by fencing, signage or otherwise as an exercise/play area for dogs.

Owner means and includes any person or persons, firm, association or corporation owning, keeping or harboring a dog, or other person having custody, possession or control of a dog.

Sec. 42-93. Rules and regulations for use of the dog park.

(a) No person shall bring any food, treats or edible material of any kind, for dogs or humans, into the dog park.

(b) All persons, regardless of age, who enter the dog park, do so at their own risk. It is recommended that children be accompanied and supervised by adults; reasonable use is the responsibility of the user.

(c) No person shall bring a dog into the dog park or allow a dog to enter the dog park unless that dog is accompanied by and supervised by an owner at all times while the dog is within the dog park.

(d) Any dog exhibiting threatening behavior, creating a disturbance or causing complaints from other users of the dog park must be removed immediately by its owner.

(e) No person shall bring a female dog in heat into the dog park or allow a female dog in heat to enter the dog park.

(f) The owner accompanying the dog to the dog park must remove and dispose of all feces left by the dog within the dog park, utilizing proper containers.

(g) No person shall bring any dog into the dog park or allow any dog to enter the dog park unless the dog's legally required vaccinations are current.

(h) No person shall bring any dog into the dog park or allow any dogs into the dog park unless the current dog license and rabies tags are displayed on the dog.

(i) All persons who enter the dog park do so at their own risk and at risk to their animals. The Town of Old Orchard Beach does not provide any supervision for dogs or people within the dog park.

(j) Owners are responsible for the behavior and actions of their dogs within the dog park and may be liable for any damage or injury inflicted by their dog and may be subject to civil or criminal penalties under state animal control laws for the conduct or action of their dogs.

Sec. 42-94. Enforcement.

This division may be enforced by the animal control officer or any officer of the Old Orchard Beach Police Department.

Sec. 42-95. Penalties for violation.

Any person who violates any provision of this ordinance is subject to civil penalties in an amount of \$25.00 for the first violation and \$50.00 for each additional violation. In addition to civil penalties, the town may seek equitable or injunctive relief, including an order that the person committing the violation be prohibited from entering the dog park. In addition to civil penalties, the town may seek equitable or injunctive relief, including an order that the person committing the violation be prohibited from entering the dog park.

Source URL: <https://www.oobmaine.com/town-clerk/pages/dog-ordinance>