

ARTICLE 15A  
DOG CONTROL LAW

Section 1 (Disturbing the peace by barking, etc.) - No person shall own or keep in the Town of Milford any dog which, by barking, biting, howling or in any other manner disturbs the quiet of any person for a prolonged period and in accordance with the registration of a complaint as outlined in Section 2.

Section 2 (Complaint of nuisance, investigation) - If any person shall make a complaint in writing to the Board of Selectmen of the Town of Milford that any dog owned or harbored within the limits of the Town is a nuisance by reason of vicious disposition or excessive barking or other disturbance, the Board of Selectmen shall investigate such complaint, and may make such order concerning the restraint or disposal of such dog as may be deemed necessary.

Section 3 (Restraint of dogs) - No person owning or harboring a dog shall suffer or allow it to run at large in any of the streets or public places in the Town of Milford or allow it upon the premises of anyone other than the owner or keeper of such dog without the permission of the owner or occupant of such premises. No dog shall be permitted in any street or public place within the Town of Milford unless it is effectively restrained by a chain or leash not exceeding 10 feet in length. In no event shall any dog, leashed or unleashed, be permitted upon any school yards, cemeteries, playing fields or public parks.

Any owner or keeper of a dog who shall fail to comply with the provisions of this Section 3 shall be punished as follows:

|  |         |
|--|---------|
| First Offense.....                                     | \$15.00 |
| Second Offense.....                                    | 25.00   |
| Presence on public property.....                       | 50.00   |
| Any offense, unaltered males,<br>unspayed females..... | 50.00   |

Section 3A (License and Tags) - Any owner or keeper of a dog three months of age or older shall by April 1, cause the dog to be registered, numbered, described and licensed with the Town Clerk in accordance with M.G.L. Ch. 140, as amended. The license shall be valid until the following March 31. The fee for such license shall be in accordance with the following schedule:

|   |         |
|---|---------|
| Unspayed females and unaltered males..... | \$25.00 |
|---|---------|

|  |       |
|--|-------|
| Spayed females and altered males.....          | 6.00  |
| Late fee for failure to license by July 1..... | 10.00 |

Section 3B (Removal and Disposal of Canine Waste).

- (a) No person owning or harboring or having custody or control of a dog shall suffer, permit or allow such dog to commit any nuisance or allow such dog to defecate on any public property including but not limited to parks, ball fields or within any public right-of-way, including streets, sidewalks or curbs, without immediately removing such fecal matter and transporting it to a suitable disposal facility or to their own property for burial or disposal via a sanitary sewer system.
- (b) This section shall not apply to a Service Dog accompanying any handicapped person nor shall it apply to any dog when the dog is actually engaged in the sport of hunting in authorized areas and supervised by a competent person.
- (c) Whoever violates the provisions of this section shall be fined \$25.00.

Section 4 (Duties of Dog Officer) - It shall be the duty of the Dog Officer to apprehend any dog found running at large in any street or public place within the Town of Milford or in violation of any of the provisions of this By-Law, and to impound such dog in a suitable place. The Dog Officer, upon receiving any such dog, shall make a complete registry, entering the breed, color, and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. The owner, if known, shall be notified as soon as possible that the dog has been impounded. The owner of any dog so impounded may claim such dog upon the reimbursement to the Dog Officer of the expenses incurred for maintaining such dog according to the following fee schedule:

- a. \$10.00 for each twenty-four hour period, or any part thereof that the dog is held.
- b. \$10.00 for initial handling and pick-up of the dog.

Prior to its release, the owner of said dog shall obtain a license from the Town Clerk, as provided in Section 3A.

Section 5 (Muzzling or confinement of dogs) - The Dog Officer may order a dog to be muzzled or confined to its owner's premises, whichever in his judgment may be required, for any of the following reasons:

- (a) If found at large or un-muzzled, as the case may be,, while an order of the Board of Selectmen for the confinement or muzzling of such dog is in effect.
- (b) If found in a school, school yard or public recreation area.
- (c) For having bitten any person.
- (d) For having killed or maimed or otherwise damaged any other domesticated animal.
- (e) For chasing any vehicle upon any public way or way open to public travel in the Town.
- (f) For any violation of Sections 1 or 3.

A person aggrieved by any order of the Board of Selectmen or the Dog Officer may seek judicial review in the manner provided in the General Laws, Chapter 140, Section 157.

Section 6 (Penalty) - Except for violation of Section 3 which are punishable in accordance with the schedule of fines set forth therein, any owner or keeper of a dog who shall fail to comply with the provisions of this Article or any order of the Dog Officer issued pursuant to this Article, shall be punished by a fine not to exceed Twenty-Five Dollars for each offense.

Section 7 (Disposition of Funds) - Any funds collected pursuant to the provisions of this By-Law by the Dog Officer shall be accounted for and paid over to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer.

NOTE: Adopted ATM 1976, Article 72; Amended STM November 12, 1980, Article 23; Amended ATM May 13, 1985, Article 37; ATM May 14, 1986, Article 34; Amended ATM June 8, 1992, Articles 33, 35 and 36. An Amendment under Article 40 of the June 15, 1987 ATM, which purports to "ban" certain breeds of dogs was not included in this compilation as it was effectively declared illegal by a decision of the Supreme Judicial Court ruling on a similar by-law in Lynn. See American Dog Owners Association vs. City of Lynn, 533 N.E. 2d

642, 404 Mass. 73; Amended Article 24, May 21,  
2007 ATM, approved by the Attorney General  
June 18, 2007.