

AMENDED PUBLICATION  
ORDINANCE NO. 922.

Final Publication No. 2003.

First Publication in the Chronicle May 24, 1979.

CITY OF CAMBRIDGE

In the Year One Thousand, Nine Hundred Seventy-nine  
AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Four entitled: "Animals" Article 1, Sections 4-6 through 4-9 is hereby amended by striking out the present sections and substituting in place thereof the following new sections which read as follows:-

**Section 4-6. Licensing of Dogs.**

The fee for every license shall, except as otherwise provided, be three dollars (\$3.00) for a male dog and six dollars (\$6.00) for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the city clerk, in which case the fee shall be three dollars (\$3.00). If the city clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a sworn statement of a veterinarian registered and practicing in the Commonwealth, describing the dog and stating that he has examined the dog, and that it appears to have been and in his opinion has been spayed. No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided that the Division of the Blind certifies that such dog is so trained and actually in the service of a blind person. No part of the license fee shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal, of the dog; nor shall any part of the license fee paid by mistake be refunded after it has been paid over to the County under 4 A.L.M., c. 140, §147.

**Section 4-7. Control of Dogs - Fresh Pond Reservation.**

Dogs may go unleashed on the Fresh Pond Reservation provided they have been trained by their masters to follow oral commands and provided further that they are not allowed to romp in mowed, grassy areas and provided further that their owners are Cambridge residents who have received Resident Sticker Parking Permits approved by the Water Board and issued by the Traffic Department.

Provided further, that the Water Board post appropriate signs in conspicuous locations throughout the Reservation relative to the control of dogs.

**Section 4-8. Leashing of Dogs.**

(a) No person owning or keeping a dog shall permit it to be at large other than on his own premises; if it be on the premises of another person it shall be with the knowledge and permission of such other person. The owner, keeper or person having custody of the dog which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person shall keep the dog under control by means of a chain, rope or cord not exceeding six (6') feet in length of sufficient strength to control the actions of said dog.

(b) In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had.

(c) Any dog found to be at large in violation of this Article shall be caught and confined by the Dog Officer who shall notify forthwith in writing, by certified mail, return receipt requested, the licensed owner or keeper of said dog. The owner or keeper shall have ten (10) days from the date of receipt of such notice within which to recover the dog.

(d) Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The Dog Officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this section, provided, however, if within the twelve (12) months next preceding this offense the owner or keeper has not been convicted for violation of this Article or a dog owned or kept by him has not been taken into custody for violation of this Article, the Dog Officer may waive prosecution.

(e) No person owning or keeping a dog shall permit it to defecate or urinate within the boundaries of any municipally owned playground, lot, park or open space to which the public has access, unless expressly permitted in specially designated areas.

(f) No person owning or keeping a dog shall permit it to defecate or urinate within the bounds of any public sidewalk, however, it shall be permissible for any such person owning or keeping a dog to permit it to defecate or urinate in the gutter of any public street.

(g) For the purposes of enforcing the provisions of subsection a, e, and f of section 4-7, **NOTICES OF VIOLATION** (appearance tickets) may be issued by Sanitation Inspectors and Code Enforcement Inspectors detailed within the Department of Health, Hospital and Welfare, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the animal control officer, and employees of the Water Department recommended by the Water Board and approved by the Chief of Police in those areas under the jurisdiction of the Water Board.

Any owner or keeper of a dog, who has been observed by a police officer to have violated any provisions of sections 4-6, 4-7, 4-8 of this Chapter, and who refuses to give proper personal identification of his or her person to said police officer upon request, shall be subject to arrest.

**Section 4-9. Appointment of Dog Officer.**

A full time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this Article.

**Section 4-10. Disposition of Complaints.**

**ALL NOTICES OF VIOLATION** (appearance tickets) shall be returnable to the Clerk of the Third District Court of Eastern Middlesex located in Cambridge. Unless the person named on said **NOTICE OF VIOLATION** appears before said Clerk within twenty-one days of said violation either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the **NOTICE** the fine provided therein, a complaint will be sought against the person named on said **NOTICE**. If the violation is the first offense subject to Section 4-7 of this chapter committed by such person within a calendar year, the payment to the clerk of a fine of five (\$5.00) dollars shall operate as a final disposition of the case; if it is the second offense so committed in the calendar year, the payment to the clerk of a fine of twenty-five (\$25.00) dollars shall operate as a final disposition of the case; if it is the third or subsequent offense so committed in the calendar year, the payment of a fine of fifty (\$50.00) dollars shall operate as a final disposition of the case. A violation of section 4-6 of this chapter, shall be punishable by a fine of not more than fifteen (\$15.00) dollars for each offense.

Also the present sections designated as 4-10, 4-11 and 4-12 shall now be designated as sections 4-11, 4-12 and 4-13.

In City Council June 25, 1979

Passed to be ordained as amended by a yeas and nays vote: Yeas 8; Nays 0; Absent 1.

James L. Sullivan,  
City Manager.

ATTEST: - Paul E. Healy,  
City Clerk.

(C) July 26

**ORDINANCE NO. 897.**  
**Final Publication No. 1948.**  
**First Publication in the**  
**Cambridge Chronicle**  
**on June 15, 1978.**

**CITY OF CAMBRIDGE**  
**In the Year One Thousand,**  
**Nine Hundred Seventy-Eight**  
**AN ORDINANCE**

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

**Be it ordained by the City Council of the City of Cambridge as follows:**

Chapter Four, entitled: "Animals" is hereby amended by adding a new ordinance at the end thereof entitled: **Article III, Cambridge Animal Commission**, which will read as follows:

**Article III. Cambridge Animal Commission**

**Section 4-13. Establishment.**

There shall be and hereby is established a Cambridge Animal Commission.

**Section 4-14. Function and Purpose.**

It shall be the function of the Commission to facilitate and promote programs affecting animal control within the City of Cambridge. Such programs shall include:

(a) A low cost spaying and neutering program.

(b) A euthanasia program.

(c) A dog pound and adoption program.

(d) An animal census program.

(e) A citizen education program.

(f) Such other activities which, by and with the approval of the City Manager, are considered necessary and appropriate to insure effective animal control within the City of Cambridge.

**Section 4-15. Membership, Appointment, Term.**

(a) The Commission shall consist of seven members. The Chief of the Cambridge Police Department and the Commissioner of Health and Hospitals shall be permanent members of the Commission. The remaining five members shall be appointed initially by the City Manager to serve for the following terms:

(1) One member shall serve for a one year term.

(2) Two members shall serve for a two year term.

(3) Two members shall serve for a three year term.

After the initial terms all Commissioners shall be appointed for a term of three years.

(b) Members of the Commission shall have demonstrated ability in the animal welfare field with related experience in any of the following:

(1) Public information programs.

(2) Animal shelter operations.

(3) Spaying and neutering programs.

(4) Affiliations with national and local animal protection societies.

(5) Knowledge of animal health care and diseases.

**Section 4-16. Appointment of a Director.**

The City Manager shall appoint a Director from a list of names recommended by the Commission. The Director shall have general charge of all animal control activities in the city.

It shall be the function of the Director to coordinate activities of all departments and divisions of City government which affect the control of animals within the City of Cambridge, and to provide such other related services as are deemed necessary and proper by the Commission, subject to the approval of the City Manager.

The Director shall serve a term of employment to be determined by the Commission by and with the approval of the City Manager.

In City Council June 26, 1978.

Passed to be ordained by a yeas and nays vote: Yeas 5; Nays 3; Absent 0; Present 1.

James L. Sullivan

City Manager

ATTEST:-

Paul E. Healy

City Clerk

(C) Jun 29



# CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9094

David A. Wylie  
City Councillor

July 23, 1980

To: Ginger Gay, Animal Commission

From: Councillor David A. Wylie, Chairman of Ordinance Committee,  
Russell B. Higley, City Solicitor, Joseph E. Connarton,  
Deputy City Clerk

Re: Proposed Recodification of the General Ordinances

Dear Ms. Gay:

Enclosed please find a copy of Chapter Twenty-One of the General Ordinances as it was revised in the 1976 Preliminary Draft of the Cambridge City Code. You will note that the style of this draft differs from that of the present code by employing a decimal system to designate the articles and sections of each Chapter.

We are also enclosing any ordinances that pertain to your Department and were passed after the 1976 Preliminary Draft was completed. These must be incorporated into the recodified version of Chapter Twenty-One.

Please review the enclosed material and submit any recommendations you may have to the City Solicitor no later than August 3, 1980.

Very truly yours,

David A. Wylie  
Chairman

Russell B. Higley  
City Solicitor

Joseph E. Connarton  
Deputy City Clerk

THE COMMONWEALTH OF MASSACHUSETTS

Advance Copy

1980

Acts and Resolves

RECEIVED BY  
OFFICE OF CITY CLERK

JUN 25 10 24 AM '80

MICHAEL JOSEPH CONNOLLY, State Secretary

CAMBRIDGE, MASS.

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Chap. 300. AN ACT RELATIVE TO THE LICENSING AND  
KEEPING OF DOGS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and thirty-nine of chapter one hundred and forty of the General Laws or any other provision of law to the contrary, the annual fees to be charged by the city of Cambridge for the issuance of licenses for dogs shall be as follows: unspayed females and unneutered males - ten dollars, spayed females and neutered males - two dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other provision of law to the contrary, all money received for licenses or from the sale of dog licenses by the city of Cambridge, or recovered as fines or penalties by said city under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said city of Cambridge and shall not thereafter be paid over by the city treasurer to the county of Middlesex.

SECTION 3. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other provision of law to the contrary, the registering, numbering, describing and licensing of dogs, if kept in said city, shall be conducted in the office of the animal commission of said city.

SECTION 4. Notwithstanding any provision of law to the contrary, any animal pound, as defined in section one of chapter forty-nine A of the General Laws which is located in said city, is hereby exempt from the provisions of section three of said chapter forty-nine A, and no such animal pound located in said city shall be permitted to deliver from its available impounded animals, any animal to a licensee as defined in said section one of said chapter forty-nine A for the purpose of scientific investigation, experimentation, instruction, or testing of drugs or medicine.

Approved June 16, 1980.

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CHAPTER 21

ANIMAL CONTROL

Art. I. In General

- Definitions, sec. 21.101
- Animals Constituting A Nuisance, sec. 21.102
- Licensing Of Dogs, sec. 21.103
- Leashing Of Dogs, sec. 21.104
- Appointment Of Dog Officer, sec. 21.105
- Penalty, sec. 21.106

Art. II. Inspector Of Animals

- Appointment Of Inspector, sec. 21.201
- Duties Of Inspector, sec. 21.202
- Report To City Manager, sec. 21.203

ARTICLE I. IN GENERAL

ARTICLE 21.101. DEFINITIONS. As used herein: (a) "Animals" shall mean all mammals but man, and all fowl and reptiles.

(b) "Keep" shall mean possessing, controlling, exercising or allowing to run at large.

(c) "Owner" shall mean any person possessing, keeping, harboring or having custody of an animal.

SECTION 21.102. ANIMALS CONSTITUTING A NUISANCE.<sup>1</sup> It shall be unlawful for any owner to fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passerbys, biting, chasing vehicles, habitually attacking other domestic animals or trespassing upon private property shall be deemed a nuisance.

SECTION 21.103. LICENSING OF DOGS. The fee for every dog license shall, except as otherwise provided, be Three (\$3.00) Dollars for a male dog and Six (\$6.00) Dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that the female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the City Clerk, in which case the fee shall be Three (\$3.00) Dollars. If the City Clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a sworn statement of a veterinarian registered and practicing in the Commonwealth, describing the dog and stating that he has examined the dog, and that it appears to have been and in his opinion has been spayed. No fee shall be charged for a license for a dog specially

<sup>1</sup>For State Law relative to dogs, see G.L., c. 140, secs. 137 to 175.

See Chapter 300  
Section I  
for fee  
structure

## ANIMAL CONTROL

trained to lead or serve a blind person: provided that the Division of the Blind certifies that such dog is so trained and is actually in the service of a blind person. No part of the license fee shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal of the dog; nor shall any part of the license fee paid by mistake be refunded after it has been paid over to the County under G.L., c. 140, sec. 147. (Ord. No. 765, sec. 5, April 22, 1968)

**SECTION 21.104. LEASHING OF DOGS.** (a) No person owning or keeping a dog shall permit it to be at large other than on his own premises; if it be on the premises of another person it shall be with the knowledge and permission of such other person. The owner, keeper or person having custody of the dog which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person shall keep the dog under control by means of a chain, rope or cord not exceeding six feet in length of sufficient strength to control the actions of said dog or by such personal presence and attention as will reasonably control its actions and conduct. ] → out

(b) In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had.

(c) Any dog found to be at large in violation of this Article shall be caught and confined by the Dog Officer who shall notify forthwith in writing, by certified mail, return receipt requested, the licensed owner or keeper of said dog. The owner or keeper shall have ten days from the date of receipt of such notice within which to recover the dog.

(d) Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The Dog Officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this Section, provided, however, if within the twelve months next preceding this offense the owner or keeper has not been convicted for violation of this Article or a dog named or kept by him has not been taken into custody for violation of this Article, the Dog Officer may waive prosecution. (Ord. No. 765, sec. 6, April 22, 1968)

(e) A licensed kennel owner having custody of a dog confined under this Article shall be allowed a sum not exceeding that established by G.L., c. 140, sec. 151A for the care of such dog, payable by the owner or-keeper thereof. (Ord. No. 765, sec. 7, as amended)

**SECTION 21.105. APPOINTMENT OF DOG OFFICER.** A full time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this Article. (Ord. No. 765, sec. 7, April 22, 1968)

## ANIMAL CONTROL

SECTION 21.106. PENALTY. Any person who violates any of the provisions of this Article shall be subject to a fine not exceeding Twenty-Five (\$25.00) Dollars for each offense. (Acts 1973, c. 627)

### ARTICLE II. INSPECTOR OF ANIMALS

SECTION 21.201. APPOINTMENT OF INSPECTOR. The City Manager shall annually, in March, nominate one or more Inspector of Animals, and before April 1 send to the Director of Animal Health the name, address, and occupation of each nominee. Such nominee shall not be appointed until approved by the Director. (G.O. 1943, c. 2, sec. 168 as amended by St. 1967, c. 347)

SECTION 21.202. DUTIES OF INSPECTOR. The Inspector shall comply with and enforce all orders and duties enumerated by statute and such other duties as the City Manager may from time to time require.<sup>2</sup>

SECTION 21.203. REPORT TO CITY MANAGER. He shall annually, in January, and whenever requested by the City Manager, make a full and detailed report of all matters pertaining to his department, with such suggestions as he may deem proper. (G.O. 1943, c. 2, sec. 170)

<sup>2</sup>For State Law relative to duties of Inspector see G.L., c. 129, secs. 15 et seq.

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