

AMENDED PUBLICATION
ORDINANCE NO. 922.

Final Publication No. 2003.

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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 I, 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, S147.

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, tot 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

