

Title 6

ANIMALS

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Chapter 6.04

ANIMAL CONTROL REGULATIONS

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6.04.010 Definitions.

As used in this chapter:

- A. "Animals" means all mammals, fowl and reptiles, except man.
- B. "At large" means off the premises of the owner or custodian and not under the control of the owner or custodian either by leash, cord, chain or otherwise.
- C. "Keep" means possessing, controlling, exercising or allowing to run at large.
- D. "Owner" means any person possessing, keeping, harboring or having custody of an animal. (Ord. 998 (part), 1983: prior code § 4-1)

6.04.020 Dogs—License required—Fee.

Every dog three months old or over shall be licensed pursuant to G.L. c. 140, § 137. The fee for such license shall, except as otherwise provided, be two dollars for a spayed or neutered dog and ten dollars for an unspayed or unneutered dog. As proof that the dog has been spayed or

neutered, the owner or keeper shall present to the Director of the Animal Commission or his designee a certificate of the registered veterinarian who performed the operation. If the Director is satisfied that the certificate of the veterinarian who performed the operation 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, in his opinion, it has been spayed or neutered. No fee shall be charged for a license for a dog specially trained to lead or serve a blind person, if 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 fee shall be refunded because of the subsequent death, loss, spaying, castration, removal from the Commonwealth or other disposal of the dog. Nor shall any part of the fee paid by mistake be refunded. (Ord. 998 (part), 1983: prior code § 4-7)

6.04.030 Dogs—Leash or restraint—Required—Offense.

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 a 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 such dog.

B. In any prosecution under this chapter, 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 chapter shall be caught and confined by the Dog Officer, who shall notify forthwith the owner or keeper of such dog by telephone or by

leaving a written message at his or her place of residence. If the Dog Officer is unable to communicate with the owner or keeper by these means, he shall, within two days of such failure, notify such owner or keeper, by certified mail, return receipt requested. The owner or keeper shall have ten days from the date the dog is caught 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 chapter or a dog owned or kept by him has not been taken into custody for violation of this chapter, the Dog Officer may waive prosecution. (Ord. 998 (part), 1983: prior code § 4-9)

6.04.040 Dogs—Leash or restraint—Areas exempted where.

A. 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 City residents who have received resident sticker parking permits approved by the Water Board and issued by the Traffic Department.

B. The Water Board shall post appropriate signs in conspicuous locations throughout the Reservation relative to the control of dogs. (Ord. 998 (part), 1983: prior code § 4-8)

6.04.050 Dogs—Nuisances unlawful.

No person shall own or keep in the City any dog which by barking, biting, howling or in any other manner, disturbs the quiet of any person. (Ord. 998 (part), 1983: prior code § 4-2)

6.04.060 Dogs—Removal of waste required.

It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his dog on any sidewalk, gutter, street or other public area, or on any private property neither owned nor occupied by such person. No such person shall appear with a dog on any sidewalk, gutter, street or other public area, or on any private property neither owned nor occupied by such person without the means of removal of any feces left by such dog. (Ord. 998 (part), 1983: prior code § 4-10)

6.04.070 Running at large—Permits for exhibitions.

No owner or person having the care of any domestic fowl, or any goats, sheep, swine, horses, oxen, cows or other grazing animals, shall permit or suffer the same to go at large, or to graze on any street; and no person shall publicly exhibit any animal in the streets or public places of the City except in accordance with a permit from the Superintendent of Streets. (Ord. 998 (part), 1983: prior code § 4-3)

6.04.080 Fast driving.

No person having the care or use of a horse or other beast of burden, carriage or drougt, shall ride, drive or permit such horse or other beast to go at a rate of speed greater than is reasonable and proper having regard to traffic and the use of the way and the safety of the public. (Ord. 998 (part), 1983: prior code § 4-4)

6.04.090 Frightening horses.

No person shall, by any noise, gestures, words or other means, wantonly and designedly frighten and drive any horse in any street. (Ord. 998 (part), 1983: prior code § 4-5)

6.04.100 Enforcement officials designated.

A full-time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this chapter. (Ord. 998 (part), 1983: prior code § 4-12)

6.04.110 Violation—Complaint disposition.

A. For the purpose of enforcing the provisions of Sections 6.04.030 and 6.04.060 of this chapter, notices of violation (appearance tickets) may be issued by Sanitation Inspectors and Code Enforcement Inspectors detailed with the Department of Health and Hospitals, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the Dog 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.

B. Any owner or keeper of a dog, who has been observed by a Police Officer to have violated any provisions of Sections 6.04.020, 6.04.030, 6.04.040 and 6.04.060 of this chapter, and who refuses to give proper personal identification of his or her person to such Police Officer upon request, shall be subject to arrest.

C. All notices of violation (appearance tickets) shall be returnable to the Clerk of the Cambridge Division, District Court Department of the Trial Court, Middlesex County. Unless the person named on such notice of violation appears before such Clerk within twenty-one

days of such 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 in such notice. If the violation is the first offense under Section 6.04.030 and 6.04.060 of this chapter committed by such person within a calendar year, the payment to the Clerk of a fine of ten dollars shall operate as a final disposition of the case. If it is the second offense in a calendar year, payment to the Clerk of a fine of twenty-five dollars shall operate as a final disposition of the case. If it is the third or subsequent offense in a calendar year, payment of a fine of fifty dollars shall operate as a final disposition of the case. A violation of Section 6.04.020 of this chapter shall be punishable by a fine of not more than fifteen dollars for each offense. (Ord. 998 (part), 1983: prior code § 4-11)

6.04.120 Violation—Penalty.

Any person who violates any of the provisions of Section 6.04.040, 6.04.070, 6.04.080 or 6.04.090 of this chapter shall be subject to a fine not exceeding fifty dollars for each offense. (Ord. 998 (part), 1983: prior code § 4-6)

Chapter 6.08

**ANIMALS CONSTITUTING A
NUISANCE**

Sections:

**6.08.010 American Staffordshire
terrier—Muzzle required—
Penalty.**

**6.08.010 American Staffordshire terrier—
Muzzle required—Penalty.**

**A. No owner, or person having the care of,
any American Staffordshire terrier, also known**

as American pit bull terrier or bull terrier, shall permit it to be off his own premises, whether leashed or unleashed, unless it is wearing a muzzle.

B. In this section, the word “muzzle” means a device constructed of strong, soft material or a metal muzzle such as that used commercially with greyhounds. The muzzle must be made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

C. Any person who violates this section shall be subject to a fine not exceeding three hundred dollars for each offense. (Ord. 1004, 1984: prior code § 4-20)

Title 7

(RESERVED)

