

## CHAPTER IX

### REGULATING THE LICENSING, CONTROL AND KEEPING OF DOGS

**SECTION 1:** The provisions of Ch. 140 of the Massachusetts General Laws shall govern the regulation of dogs in the Town of Ludlow unless otherwise stated in these Bylaws and authorized by the acceptance of Ch. 308 of the Acts of 1985.

**SECTION 2:** Notwithstanding the provisions of Ch. 140, S. 137 of the General Laws and any other provision of law to the contrary, the registration, numeral listing, description and licensing of dogs, if kept in the Town of Ludlow, shall be conducted by the Town Clerk.

**SECTION 3:** Notwithstanding the provisions of Ch. 140, S. 139 of the General Laws or any other provision of law to the contrary, the annual fees to be charged by the Town of Ludlow for the issuance of licenses for dogs shall be established by the Board of Selectmen.

**SECTION 4:** Notwithstanding the provisions of Ch. 140, S. 147 of the General Laws or any other provision of law to the contrary, all money received for licenses or from the sale of dog licenses by the Town of Ludlow, or recovered as fines or penalties by said Town under the provisions of said Ch. 140 relating to dogs shall be paid into the Town Treasury and shall not thereafter be paid over to Hampden County.

**SECTION 5:** Dog Leash Law - No person owning or keeping a dog in the Town shall permit such dog to be at large in the Town, elsewhere than on the premises of the owner or keeper, except if it be on the premises of another person with the knowledge and permission of such other person. Such owner or keeper of a dog in the Town 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 restrain such dog by a chain or leash not exceeding six feet in length. In any prosecution hereunder the presence of such dog at large upon premises other than premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had. Any dog found to be at large in violation of this section shall be caught and confined by the dog officer, who shall notify forthwith the licensed owner or keeper of such dog. Return of the dog to the licensed owner or keeper shall be dependent upon 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, that if within the twelve months next preceding this offense the owner or keeper has not been convicted for violation of this section or a dog owned or kept by him has not been taken into custody for violation of this section the dog officer may waive prosecution. The park department may designate times and places on public park property where dogs may be exercised or trained off leash while under the control and supervision of their masters.

A violation of this section shall be punishable by a fine of not more than forty dollars (\$40.00) for each offense. (Amended 1013194)

**SECTION 6:** Barking/Nuisance Dogs - Under the authority Of Massachusetts General Laws- Chapter 140, Section 157, the Board of Selectmen shall take action in response to written complaint 'that any dog owned or harbored within the Town of Ludlow is a nuisance by reason of vicious disposition or excessive barking or other disturbance.' For purposes of this section, causing a nuisance shall include:

1. Chasing cars
  2. Running in packs
  3. Breaking or damaging shrubbery and/or gardens
  4. Damaging personal property
  5. Chasing cars
  6. Three verified complaints of continued barking by the Police Department or the Dog Officer.
- (Amended 518/00)

First Offense fine for items 1-5: \$25.00  
Second Offense fine: \$50.00

Pursuant to Massachusetts General Laws Chapter 140, Section 157, the Board of Selectmen retains the authority to investigate or cause to be investigated and order the restraint, removal and/or disposal of a dog for any of the above offenses, subject to the right of the dog owner to petition to have the decision reviewed by a magistrate of the District Court. (Amended 4/12/1999)