

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 204

H.P. 155

House of Representatives, January 13, 2005

### An Act To Protect Dogs That Are Left Outside

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative KOFFMAN of Bar Harbor.  
Cosponsored by Senator NUTTING of Androscoggin and  
Representatives: CANAVAN of Waterville, DAVIS of Falmouth, GERZOFKY of  
Brunswick, PERCY of Phippsburg, PIOTTI of Unity, SAMPSON of Auburn, WALCOTT of  
Lewiston, Senator: COWGER of Kennebec.

Be it enacted by the People of the State of Maine as follows:

2  
3       **Sec. 1. 7 MRSA §4015, sub-§2, ¶B**, as amended by PL 1997, c.  
4 456, §8, is further amended to read:

6       B. Except as provided in subsection 5, shelter from  
7 inclement weather must be as follows.

8  
9           (1) An artificial shelter, with a minimum of 3 sides  
10 and a waterproof roof, appropriate to the local  
11 climatic conditions for the species concerned must be  
12 provided as necessary for the health of the animal.

14           (2) If a dog is tied or confined unattended outdoors  
15 under weather conditions that adversely affect the  
16 health of the dog, a shelter, consisting of a 4-sided  
17 structure, of suitable size with a floor above ground  
18 and waterproof roof must be provided to accommodate the  
19 dog and protect it from the weather and, in particular,  
20 from severe cold. There must be a portal entry of  
21 sufficient size to allow the animal unimpeded passage  
22 into and out of the structure. The portal entry must  
23 include a baffle, or the passage of entrance must be  
24 constructed in a manner to provide a sheltered  
25 entrance. The shelter must have clean bedding material  
26 sufficient to retain the animal's normal body heat.  
27 Inadequate shelter may be indicated by the shivering of  
28 the dog due to cold weather for a continuous period of  
29 30 minutes.

30       **Sec. 2. 7 MRSA §4015, sub-§2, ¶D** is enacted to read:

32       D. When an animal is confined by a chain or similar device,  
33 the chain must be attached to both the animal and the anchor  
34 by swivels or similar devices to prevent the chain from  
35 becoming entangled or twisted. The chain or similar device  
36 must be attached to a well-fitting collar or harness that  
37 does not cut into the animal's flesh or impinge on the  
38 animal's circulation or ability to ingest food or water or  
39 to vocalize. The chain must be at least 5 times the length  
40 of the animal from the tip of its nose to the base of its  
41 tail.

42  
43       **Sec. 3. 17 MRSA §1037, sub-§2, ¶B**, as amended by PL 1997, c.  
44 456, §18, is further amended to read:

46       B. Except as provided in subsection 5, shelter from  
47 inclement weather must be as follows.

48  
49           (1) An artificial shelter, with a minimum of 3 sides  
50 and a waterproof roof, appropriate to the local

2 climatic conditions for the species concerned must be  
provided as necessary for the health of the animal.

4 (2) If a dog is tied or confined unattended outdoors  
under weather conditions that adversely affect the  
6 health of the dog, a shelter, consisting of a 4-sided  
structure, of suitable size with a floor above ground  
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10 from severe cold. There must be a portal entry of  
sufficient size to allow the animal unimpeded passage  
into and out of the structure. The portal entry must  
include a baffle, or the passage of entrance must be  
constructed in a manner to provide a sheltered  
entrance. The shelter must have clean bedding material  
sufficient to retain the animal's normal body heat.  
16 Inadequate shelter may be indicated by the shivering of  
18 the dog due to cold weather for a continuous period of  
30 minutes.

20 **Sec. 4. 17 MRSA §1037, sub-§2. ¶D** is enacted to read:

22 D. When an animal is confined by a chain or similar device,  
24 the chain must be attached to both the animal and the anchor  
by swivels or similar devices to prevent the chain from  
26 becoming entangled or twisted. The chain or similar device  
must be attached to a well-fitting collar or harness that  
28 does not cut into the animal's flesh or impinge on the  
animal's circulation or ability to ingest food or water or  
30 to vocalize. The chain must be at least 5 times the length  
of the animal from the tip of its nose to the base of its  
32 tail.

34 **SUMMARY**

36 This bill amends the type of shelter that must be available  
38 for a dog to protect it from inclement weather. The bill also  
establishes requirements for the type of device that confines the  
40 animal.