

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 285

6
7 H.P. 238

House of Representatives, January 26, 1983

8 Received by the Clerk of the House on January 26, 1983. Referred to the
9 Committee on Agriculture, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Drinkwater of Belfast.

Cosponsor: Representative Allen of Washington.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Concerning Domestic Animals
18 Running at Large.
19

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

22 Sec. 1. 7 MRSA §3455, as last amended by PL
23 1979, c. 541, Pt. A, §76, is repealed.

24 Sec. 2. 7 MRSA §3456, as amended by PL 1979, c.
25 731, §19, is repealed.

26 Sec. 3. 7 MRSA §3457, as repealed and replaced
27 by PL 1977, c. 696, §105, is repealed.

28 Sec. 4. 7 MRSA c. 717 is enacted to read:

29 CHAPTER 717

30 DOMESTIC ANIMALS

1 §4001. Animals not to run at large

2 1. Prohibition. A person commits a civil viola-
3 tion if any animal owned by him or subject to his
4 control, whether domestic or otherwise, goes at large
5 on any highway, street, land, alley, common, square
6 or any other public place, or upon the property of
7 another person without the consent of that person,
8 after the owner or keeper had been previously warned
9 by any law enforcement officer, animal control offi-
10 cer or any other public official authorized for these
11 purposes, that any animal owned by him or subject to
12 his control had been at large; except that dogs when
13 being used for hunting may be permitted to go at
14 large.

15 2. Seizure. Upon complaint of any person, any
16 animal found in violation of this section may be
17 seized and impounded by any law enforcement officer,
18 animal control officer or other public official
19 authorized for these purposes, at the expense of the
20 animal's owner or keeper.

21 3. Disposal. Any animal so found, not bearing
22 the identification of the owner, shall be classified
23 as a stray, and may be humanely disposed of after
24 being held for 8 days. The officer may keep the ani-
25 mal in any appropriate facility, public or private.
26 In addition to, or in lieu of, seizing and impounding
27 the animal, the officer having jurisdiction may bring
28 suit against the owner or keeper of any animal found
29 in violation of subsection 1.

30 4. Penalty. A forfeiture of not less than \$25
31 nor more than \$100 shall be adjudged for a violation
32 of this section.

33 5. Definition; at large. The term "at large"
34 means off the premises of the owner or keeper and not
35 under the control of any person by means of a chain,
36 rope, material of sufficient strength to control the
37 animal or the personal presence and attention as will
38 reasonably control the conduct of the animal.

39 §4002. Local regulations

1 Municipalities of this State may adopt or retain
2 more stringent ordinances, laws or regulations deal-
3 ing with the subject matter of this chapter. Any
4 less restrictive municipal ordinances, laws or regu-
5 lations dealing with the subject matter of this chap-
6 ter are invalid and of no force and superseded by
7 this chapter.

8 STATEMENT OF FACT

9 The purpose of this bill is to alleviate the
10 problem of domestic animals running at large on
11 public ways where they endanger vehicular or pedes-
12 trian traffic or are endangered by vehicular traffic,
13 and to facilitate the classification of animals not
14 bearing their owner's identification, as strays.

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