

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 94

H.P. 64

House of Representatives, January 21, 1993

Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TARDY of Palmyra.

Cosponsored by Senator CAHILL of Sagadahoc and Representative STEVENS of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-THREE

An Act to Impose a Fine on Owners of Dogs That Disturb the Peace.

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

4 Sec. 1. 7 MRSA c. 719, first 2 lines are repealed and the
following enacted in their place:

6 CHAPTER 719

8 UNCONTROLLED AND NUISANCE DOGS

10 Sec. 2. 7 MRSA §3911-A is enacted to read:

12 §3911-A. Nuisance dogs

14 The following provisions apply to nuisance dogs.

16 1. Prohibition. A dog owner may not allow that dog to
repeatedly disturb any person by prolonged, repeated or habitual
barking, whining, crying, howling or yelping.

20 2. Notice. After a complaint and a subsequent
investigation of that complaint, any law enforcement officer or
municipal animal control officer may serve notice of a violation
of subsection 1 on a dog owner. Upon receiving notice, that dog
owner shall take action to stop the violation of subsection 1.

26 3. Penalty. Notwithstanding section 3915, the owner of any
dog that fails to take action after written notice under
subsection 2 commits a civil violation for which a forfeiture may
be adjudged of not less than \$50 for the first violation and not
less than \$100 for each subsequent violation.

32 Sec. 3. 7 MRSA §3947, first ¶, as amended by PL 1991, c. 779,
§39, is further amended to read:

34 Each municipality shall appoint one or more animal control
36 officers whose duties are enforcement of sections 3911, 3911-A,
3912, 3921, 3924, 3943, 3948, 3950, 3950-A and 3966 to 3970 and
38 such other duties to control animals as the municipality may
require.

42 **STATEMENT OF FACT**

44 This bill creates a penalty for owners of nuisance dogs. If
46 a dog is creating a nuisance, a person may complain to a law
enforcement officer or animal control officer. After
48 investigating that complaint, the officer may serve notice of
violation on that dog owner. The dog owner must then act to stop
50 the disturbance or be subject to a fine.