

CHAPTER 1-12—ANIMAL CONTROL AT STRATHAM HILL PARK

1-12-01 PURPOSE: The Purpose of this ordinance is to regulate the conduct of dogs and other domesticated animals in and upon Stratham Hill Park.

1-12-02 DEFINITION OF TERMS: As used in this ordinance the following terms shall be defined as set forth herein, unless the context shall indicate otherwise:

- a) Stratham Hill Park: Those lands shown and described on Town of Stratham, Tax Map 14, Lot 33, known and referred to as Stratham Hill Park and Noyes property, and Tax Map 5, Lot 19, known and referred to as the Gifford property.
- b) Dog: Any member of the canine family.
- c) Owner: Any person, individual, couple, group, association or organization maintaining, keeping, caring for, owning, licensing or registering a dog.
- c) Leash: Any strap, rope, cable or device designed and intended to be attached to a dog and which when attached shall act as a restraint on the movements of the dog when held or controlled by any person or individual.
- d) Vicious or Dangerous Dog: Any dog which growls, bites, snaps at, chases or endangers any person or persons, individual or group, while such person, persons or individual is on foot or is on any propelled vehicle. This definition shall also include any dog, which is attacking or has attacked any other animal, whether domestic or wild.

1-12-03 RUNNING AT LARGE PROHIBITED: It shall be unlawful for the owner of a dog to permit the dog to run at large without being controlled by a leash within and upon the parking lot, playing fields or lawns of the Stratham Hill Park.

1-12-04 RUNNING AT LARGE PERMITTED: It shall not be unlawful for the owner of a dog to permit the dog to run at large within the wooded areas of the park or on the trails and trail system located within the wooded areas of the Park, provided that the dog shall be accompanied by the owner and be under the command and/or control of the owner.

1-12-05 IMPOUNDING OF DOGS: Any dog found at large within the parking lot, on the playing fields or on the lawns of Stratham Hill Park may be restrained and impounded by the Town of Stratham Police Department and/or Animal Control Officer or deputy of such officer. A dog so impounded may be confined in a suitable animal shelter for not less than seven (7) days following which the dog may be humanely disposed of by the Stratham Police Department or such shelter.

1-12-06 CLAIMING IMPOUNDED DOGS: An owner, person or other individual claiming a dog impounded by the Stratham Police Department and/or Stratham Animal Control Officer or deputy of such officer shall pay to the animal shelter used to hold or restrain

the dog during the period of impoundment, the customary and usual shelter fees charged by the shelter for keeping the dog for the number of days of impoundment.

1-12-07 VICIOUS DOGS AS A MENACE OR NUISANCE: Any dog may be found to be a vicious dog or may be considered to be a menace or nuisance to persons and to property under some or all, but not limited to, the following conditions:

- a) If the dog growls, snaps at, runs after or chases any person or persons.
- b) If the dog runs after or chases bicycles, motor vehicles, motorcycles or other vehicles being driven or operated within the parking lot or upon the roadways within Stratham Hill Park.
- c) If the dog bites, attacks or preys upon a person or persons or upon other domestic or wild animals.

1-12-08 REMOVAL OF ANIMAL EXCREMENT REQUIRED: Any person who owns, controls or is responsible for a dog shall properly clean up and dispose of any excrement left by the dog in the parking lot or in the playing fields of Stratham Hill Park. The excrement shall be disposed of in a lawful and sanitary manner.

1-12-09 ENFORCEMENT PROCEDURES: The enforcement of this ordinance shall be the responsibility of the Stratham Police Department and/or the Town's Animal Control Officer and/or his/her deputy. The Stratham Police Department/Animal Control Officer or deputy of such officer may issue complaints for any violations of this ordinance.

1-12-10 VIOLATIONS AND FINES: Any person who violates any provision of this ordinance shall be guilty of a violation and shall be liable to paying the civil forfeiture specified below. Any person choosing to pay the civil forfeiture set forth below shall be deemed to have waived the right to have his or her case heard before the Exeter District Court and shall not be otherwise prosecuted for a violation of this ordinance. Any person who does not pay the civil forfeiture set forth below shall have his or her case disposed of in the Exeter District Court. The civil forfeiture imposed by this ordinance shall be in the amount specified for the following violations:

- a) Twenty five dollars (\$25.00) for the first offense under Sections 1-12-03 and 1-12-08; fifty dollars (\$50.00) for a second offense of the same sections committed within twelve (12) months of the first offense.
- b) Fifty dollars (\$50.00) for the first menace or nuisance offense under Sections 1-12-07(a) and 1-12-07(b); one hundred dollars (\$100.00) for a second or subsequent menace or nuisance offense committed within twelve (12) months of the first such offense.
- c) One hundred dollars (\$100.00) for the first vicious offense under Section 1-12-07(c); two hundred dollars (\$200.00) for a second or subsequent vicious offense committed within twelve (12) months of the first vicious offense.

Any person liable for a civil forfeiture shall pay such forfeiture to the Town Clerk of the Town of Stratham within ninety-six (96) hours of the date and time notice is given by any law enforcement officer to the owner of the dog in violation of this ordinance. If the civil forfeiture is not paid within ninety-six (96) hours of the date and time of such notice, then the owner or person violating this ordinance shall be subject to a summons to be issued and heard in the Exeter District Court.

Should a summons be issued as a result of nonpayment of the civil forfeiture within the period of time provided for such payment and should any owner be found guilty of violating the provisions of this ordinance, then such person shall be guilty of a violation and shall be fined not less than one hundred dollars (\$100) for a violation of Sections 1-12-10(a) and 1-12-10(b), and two hundred dollars (\$200) for a violation of Section 1-12-10(c).

Adopted 2004

By: Selectmen David Short, Martin Wool, & Kirk Scamman