

Chapter 152

DOGS AND OTHER ANIMALS

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| § 152-1. Licensing requirements. | § 152-10. Redemption of impounded dogs or cats. |
| § 152-2. Dangerous and diseased dogs at large. | § 152-11. Notice of impoundment. |
| § 152-3. Running at large. | § 152-12. Animal bites. |
| § 152-4. Female dogs in heat. | § 152-13. Animal waste. |
| § 152-5. Definitions. | § 152-13.1. Animals on beaches. |
| § 152-6. Disturbing the peace. | § 152-14. Violations and penalties. |
| § 152-7. Nuisances. | § 152-15. Effect on other legislation. |
| § 152-8. Enforcement officers. | § 152-16. Severability. |
| § 152-9. Enforcement procedures. | § 152-17. Effective date. |

[**HISTORY:** Adopted by the Board of Selectmen of the Town of Seabrook 9-28-1976; ratified 3-13-1980 ATM by Art. 16.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Dogs in cemeteries — See Ch. 147, § 147-21.
Cats — See Ch. 146.

Beach rules and regulations — See Ch. 202.
Dog races — See Ch. 215.

§ 152-1. Licensing requirements.

No dog three months old or older shall be allowed to be or remain within the Town unless registered and licensed as follows:

- A. All dogs owned or kept in the Town shall be registered as to sex, breed, name and address of owner and name of dog.
- B. At the time of registration, the owner shall obtain a license and tag for each dog and pay the statutory fee therefor.
- C. It shall be the duty of the owner to cause the license tag to be securely attached around the dog's neck and kept there at all times during the licensing period.
- D. Registration and licensing of a dog previously registered and licensed shall be completed annually on or before the 30th of April. The licensed period shall run for one year from the first day of the ensuing May. [Amended 10-25-2005 STM by Art. 41²]
- E. Any person becoming the owner or keeper of a dog after May 1 shall, if the dog is not duly licensed, cause it to be licensed until the first day of the ensuing May.

1. Editor's Note: This chapter was enacted pursuant to the enabling provisions of RSA 466.

2. Editor's Note: This amendment was approved as follows: Yes - 112; No - 28.

- F. A license duly recorded may be transferred to the Town of Seabrook with the dog licensed.
- G. The owner or keeper of five or more dogs or a breeder of dogs shall obtain a special license pursuant to RSA 466:6.

§ 152-2. Dangerous and diseased dogs at large.

No vicious, dangerous or ferocious dog or dogs sick with or liable to communicate hydrophobia or other contagious or infectious disease shall be permitted to run at large in the Town.

§ 152-3. Running at large. [Amended 3-11-1993 ATM by Art. 17]

It shall be unlawful to permit any dog, goat, fowl or swine to run at large at any time.³

§ 152-4. Female dogs in heat.

It shall be unlawful for any female dog in heat to run at large or be off the premises of the owner or keeper, whether on leash or not, during this period.

§ 152-5. Definitions. [Amended by the Board of Selectmen 8-21-1996]

As used in this chapter, the following terms shall have the meanings indicated:

AT LARGE — Off the premises of the owner or the keeper and not under the control of the owner or a responsible person, either by leash, cord, chain or otherwise.

LANGUAGE — Requires the owner of property taking a dog off the premises to have the dog under control by a leash, cord, chain or other similar type of physical connection.

§ 152-6. Disturbing the peace. ⁴

No person owning or keeping any dog within the Town shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by continuous barking, making other loud or unusual noises, running through or across cultivated gardens, lawns or fields or acting in any other manner which would disturb the peace and solitude of the neighborhood.

§ 152-7. Nuisances.

Any dog owned or kept within the Town which is not licensed, disturbs the peace, is not confined and is allowed to run at large or otherwise is in violation of this chapter is, in

3. Editor's Note: Article 45, voted in the affirmative 3-8-1976 by the Annual Town Meeting, reads as follows: "To see if the Town will vote to have a year round leash law."

4. Editor's Note: For provisions relating to noise, see Ch. 189.

addition to any other sanction provided herein or in RSA 466, hereby declared to be a nuisance and shall be impounded as hereinafter provided.

§ 152-8. Enforcement officers.

- A. The Selectmen may appoint at such times and for such terms as may, from time to time, seem expedient, a Dog Officer, and such assistants as may be required, whose duty it shall be to take dogs into custody, impound them and thereafter destroy or dispose of them as provided in this chapter or in the Revised Statutes of the State of New Hampshire.
- B. In the absence of the appointment of a Dog Officer, the Police Department is hereby charged with the duty of impounding all dogs kept or owned in violation of the provisions of this chapter.

§ 152-9. Enforcement procedures.

- A. The police officers are hereby authorized to take all necessary steps in carrying out the provisions of this chapter and shall receive such fees therefor as they may be entitled to by the provisions of this chapter, statute or court award.
- B. The actions of the Dog Officer, his assistants or the Police Department in carrying out this chapter and in taking dogs into custody, impounding them and thereafter destroying or disposing of them shall be regulated by RSA 466.

§ 152-10. Redemption of impounded dogs or cats. [Amended 3-11-1993 ATM by Art. 17]

The owner or keeper of any dog or cat impounded hereunder may redeem the same by paying all assessed costs, charges and penalties that have accrued up to the time of making the redemption. A current cat or dog rabies vaccination certificate and a valid dog license must be shown at the time of redemption. When the above requirements are met, the dog or cat shall be released to its owner.

§ 152-11. Notice of impoundment.

It shall be the duty of the officers to cause notice to be served, by mail, upon the registered owner of any licensed dog impounded under the provisions of this chapter, such notice to be mailed within 72 hours of the time when said dog is impounded.

§ 152-12. Animal bites. [Amended 3-11-1993 ATM by Art. 17]

- A. Whenever any animal bites a person, the owner of said animal shall immediately notify the Chief of Police, who shall order the animal held on the owner's premises or it shall be impounded for a period of two weeks.
- B. The animal shall be examined immediately after it has bitten anyone and again at the end of the two-week period by a qualified veterinarian.

- C. If, at the end of the period of confinement, the veterinarian is convinced that the animal is free from rabies, the animal shall be released from quarantine or from the pound, as the case may be. If the animal dies in the meanwhile, its head shall be sent to the State Department of Health for examination for rabies.

§ 152-13. Animal waste. [Amended 3-14-1996 ATM by Art. 31]

- A. An owner or person having custody of any dog(s), shall not permit said animal to defecate on any public property including: public streets, beaches, alleys, sidewalks, parks or any other public grounds within the Town unless said defecation is removed immediately.
- B. An owner or person having custody of any dog(s), shall not permit said animal to defecate on any private property unless defecation is removed immediately, other than the premises of the owner or person having custody of said animal.

§ 152-13.1. Animals on beaches. [Added 3-13-2007 ATM by Art. 50]

Animals will be permitted on the Town of Seabrook beaches from Memorial Day to Labor Day only after 6:00 p.m. in the evening and before 8:00 a.m. in the morning.

§ 152-14. Violations and penalties. [Amended 3-15-1990 ATM by Art. 16]

Any person violating any provision of this chapter shall, in addition to any other penalty fixed by law, be fined an amount not exceeding \$20 for each offense.

§ 152-15. Effect on other legislation.

This chapter is intended to supplement and not replace any other statute, ordinance or other law regulating the subject to which it is addressed.

§ 152-16. Severability.

In the event that any portion or part of this chapter should be declared to be invalid or void, it shall not affect the validity of any of the remaining.

§ 152-17. Effective date.

This chapter shall be effective beginning at 12:00 noon on the sixth day of October 1976 and shall continue in effect until further notice.