

VILLAGE OF BARTON

ORDINANCE REGULATING THE KEEPING AND CONTROL OF DOGS

WITHIN THE VILLAGE OF BARTON, VERMONT

Pursuant to the provisions of Title 24, Chapter 59; Title 24, Section 292 (10), (14) and (15); and Section 3549 of Title 20, Vermont Statutes Annotated it is hereby ordained by the Village of Barton, Vermont that the protection of the health, safety and well being of the residents of the Village of Barton and of the general public requires the establishment of regulations governing the keeping and control of dogs within the Village of Barton.

ARTICLE ONE: General Provisions

Section 1. (A). All rules and regulations contained herein, together with such amendments as may be hereafter adopted, are hereby designated as the ORDINANCE REGULATING THE KEEPING AND CONTROL OF DOGS WITHIN THE VILLAGE OF BARTON, VERMONT, hereinafter referred to as the ORDINANCE.

Section 2. (A). In the event any provision of this ORDINANCE shall conflict with any other applicable regulation, rule, bylaw, ordinance or statute of the Village of Barton, the State of Vermont or the United States of America, the more restrictive provision shall apply.

ARTICLE TWO: RESPONSIBILITIES OF THE KEEPERS OF DOGS

Section 1. (A). ORDINANCE # B.V.-06

No person shall permit a dog owned by, or under the keeping and control of said person, to be at large within the Village of Barton.

Section 2. (A).

No person shall permit a dog owned by, or under the keeping or control of said person, to be beyond the control of such person on any street, sidewalk, park or other public property within the Village of Barton.

Section 3. (A).

No person shall permit a dog owned by, or under the keeping or control of said person, to go upon property owned or occupied by any other person or entity, including any playground or school property, unless such person shall have first obtained written permission from the owner or person in control of such property for the presence of such dog upon such premises.

The within and foregoing Ordinance was adopted pursuant to law  
by the Trustees of the Village of Barton on the 17<sup>th</sup> day of  
April, 1998.

Michael Waufoth  
Ronald A. Gagnon  
Stewart M. Munk  
Trustees, Barton Village

Witnesses by: Colleen Cloutier.

Dated: April 17, 1998.

Section 4. (A).

No person shall permit a dog owned by, or under the keeping or control of said person, to disturb the peace and quiet of any other person by barking, biting, howling or by any other means.

ARTICLE THREE: PENALTIES.

Section 1. (A).

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. § 1974a and §§ 1977 et seq.

Section 2. (A).

A civil penalty of not more than \$500.00 may be imposed for a violation of this civil ordinance. The waiver fee shall be set at \$50.00 for the first offense, \$150.00 for the second offense within a six (6) month period, and \$250.00 for all subsequent offenses within a six (6) month period. Each day that the violation continues shall constitute a separate violation of this ordinance.

ARTICLE FOUR. VALIDITY.

Section 1. (A).

All existing Village of Barton ordinances or part of ordinances in conflict herewith are hereby repealed.

Section 2. (A).

The invalidity of any section, clause, sentence, or provision of this ordinance shall not effect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 3. (A).

This ordinance may be amended from time to time by the Village of Barton as provided by law.

ARTICLE FIVE: ORDINANCE IN FORCE.

Section 1. (A).

This ordinance shall be in full force and effect sixty (60) days from the date of its adoption unless a petition is filed in accordance with Title 24, Section 1973, Vermont Statutes Annotated, in which case the effective date shall be as governed by Title 24, Section 1973(e), Vermont Statutes Annotated.

AMENDMENT TO  
VILLAGE OF BARTON  
ORDINANCE REGULATING THE KEEPING AND CONTROL OF DOGS  
WITHIN THE VILLAGE OF BARTON, VERMONT

Pursuant to the provisions of Title 24, Chapter 59; Title 24, Section 292 (10), (14) and (15); and Section 3549 of Title 20, Vermont Statutes Annotated, it is hereby ordained by the Village of Barton, Vermont that the protection of the health, safety and well-being of the residents of the Village of Barton and of the general public requires the establishment of an amendment to regulations governing the keeping and control of dogs within the Village of Barton, which said regulations were adopted by the Trustees of the Village of Barton, Vermont on the 17<sup>th</sup> day of April, 1998.

Said regulations are hereby amended by adding to "ARTICLE TWO: RESPONSIBILITIES OF THE KEEPERS OF DOGS" the following provisions:

Section 5.

(A). Any dog found at large within the Village of Barton may be impounded in the Town of Barton animal pound or such other facility designated by the Trustees of the Village of Barton for the confinement and disposition of any dog found in violation of this ordinance.

(B). Such person as may be designated by the Trustees of the Village of Barton as an enforcement officer to enforce this ordinance shall upon the impounding of any dog make and keep a record of the breed, color and sex of such dog, where the dog was found and whether the dog was licensed as required by law. Such record shall be filed in the office of the Barton Village Clerk and the Barton Town Clerk.

(C). The designated enforcement officer shall within twenty-four (24) hours of the impounding of any dog hereunder give notice to the owner or person having care of such dog, if known, either in person or by written notice mailed to the last known address of such individual. If such owner or person having care of an impounded animal is not known, the designated enforcement officer shall post a notice relative to the impounding, together with a description of the animal, at the office of the Barton Town Clerk and the office of the Barton Village Clerk.

(D). The owner or person having care of an impounded dog may reclaim such animal upon payment of the waiver fee established under the terms of Article III hereof and payment of the impounding fee and daily boarding fee established for the Town of Barton animal pound or other designated facility prior to such animal being released into the custody of such individual.

Upon payment of the fees provided for herein the designated enforcement officer shall issue a receipt authorizing the pound keeper to release such animal.

(E). Any dog impounded pursuant to this civil ordinance which remains unclaimed for a period of five (5) days may be given away or disposed of in a humane way by the pound keeper of the Town of Barton.

This Amendment to the Ordinance Regulating The Keeping And Control Of Dogs Within The Village Of Barton, Vermont shall be in full force and effect sixty (60) days from the date of its adoption unless a petition is filed in accordance with Title 24, Section 1973, Vermont Statutes Annotated, in which case the effective date shall be as governed by Title 24, Section 1973(e), Vermont Statutes Annotated.

The within and foregoing Ordinance was adopted pursuant to law by the Trustees of the Village of Barton on the 12 day of June, 2000.

Ronald A. Gagnon  
Michael H. Shields  
Peter P. Gray  
Trustees  
Village of Barton, Vermont

A TRUE RECORD:  
ATTEST:

Colleen Cloutier  
CLERK

In accordance with the provisions of Title 24, Section 1973, Vermont Statutes Annotated, an ordinance adopted by a municipality may be disapproved by a vote of a majority of the qualified voters of the municipality voting on the question at an annual or special meeting duly warned for the purpose, pursuant to a petition signed by not less than five per cent (5%) of the qualified voters of the municipality and presented to the legislative body or the clerk of the municipality within forty-four (44) days following the date of adoption of the ordinance by the legislative body.

Questions regarding the ordinance or the process of petitioning for a vote to disapprove the same may be directed to Barton Village Clerk, Barton, Vermont 05822, whose telephone number is (802) 525-4747.

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# BARTON VILLAGE, INC.

17 VILLAGE SQUARE, SUITE A  
P.O. BOX 519  
BARTON, VT 05822  
(802) 525-4747  
FAX 802-525-4707

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FAX TRANSMITTAL  
802-525-3200

TO: The Chronicle  
FROM: Colleen  
DATE: June 14, 2000  
# Pages 1 (including cover)

Please print this notice on June 21 and June 28, 2000. If it could be near the Dog Ordinance Amendment, that would be perfect.

## Barton Village Dog Ordinance Fines

A civil penalty of not more than \$500.00 may be imposed for a violation of this civil ordinance. The waiver fee shall be set at \$50.00 for the first offense, \$150.00 for the second offense within a six (6) month period, and \$250.00 for all subsequent offenses within a six (6) month period. Each day that the violation continues shall constitute a separate violation of this ordinance.