

Chapter 62

ANIMALS

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[HISTORY: Adopted by the Town Meeting of the Town of Hopkinton as indicated in article histories. Amendments noted where applicable.]

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GENERAL REFERENCES

Riding of horse or animals on sidewalks -- See Ch. 91.

ARTICLE I
Dog Burial Fee
[Adopted 3-8-1955 ATM, Art. 43]

~ **62-1. Amount of fee.** [Amended 4-14-1975 ATM, Art. 66; 05-07-07 ATM, Art. 4]

Any person killing a dog with a motor vehicle within the limits of the Town of Hopkinton shall pay the Animal Control Officer the sum of \$5 for burying said dog.

ARTICLE II
Dog Licensing
[Adopted 4-25-1990 STM, Art. 7]

~ **62-2. Deadline; penalty.**

Any person who is the owner or a keeper of a dog or dogs six months of age or older in the Town of Hopkinton and fails to license said dog or dogs on or before April 1st of each year shall be subject to a penalty in addition to the applicable license fee. The amount of the penalty shall be \$25.00 per household irrespective of the number of dogs which reside in the household which have not been licensed on or before April 1st of such year. [5-3-2004 ATM, Art. 63]

ARTICLE III
Leashing of Dogs
[Adopted 5-3-1993 ATM, Art. 14]

~ **62-3. Leashing and curbing required certain hours; exception.**

No person who owns or keeps a dog or dogs shall allow the same to run free between the hours of 7:00 a.m. and 8:00 p.m. unless said dog is on the owner's or keeper's premises. Any dog not on the premises of its owner or keeper between said hours shall be leashed and curbed, provided that the said leashing or curbing shall not apply to a hunting dog under direct command of its owner or keeper while training or working in the field.

~ **62-4. Violations and penalties.**

Whoever violates this article shall be subject to the following penalties:

- A. First offense: \$25.
- B. Second offense: \$45.
- C. Third and all subsequent offenses: \$75.

~ 62-5. Redemption fee.

A fee of \$15 shall be charged to the owner or keeper of a dog which must be picked up by the Animal Control Officer and shall be payable to the general fund of the town.

ARTICLE IV
Animals at Large
[Adopted 5-4-1993 ATM, Art. 15]

~ 62-6. Redemption fee.

Should it be necessary in the judgment of the Animal Inspector that the Animal Inspector apprehend and pick up any domestic animal other than a dog, or any livestock, running free within the town, the owner or keeper of the animal shall be charged a fee equal to the expense incurred by the Animal Inspector to apprehend the animal and transport it to a secure facility. Such fee shall include any expense incurred by any other department of the Town in assisting the Animal Inspector in the apprehension of the animal. In no event shall such fee be less than \$15.

ARTICLE V
Kennel Licensing
[Adopted 5-3-1999 ATM, Art. 47¹]

~ 62-7. Violations and penalties.

Any person who holds a kennel license and is determined to be in violation of any law or regulation pertaining to such license shall be subject to a fine of \$25 per violation. Each day that such violation continues shall be deemed to be a separate violation and be subject to the above penalty. If the violation results from failure to comply with the limitation on the number of dogs permitted within the kennel, the fine for such violation shall be \$25. per dog beyond the permissible limit. Each day that such violation continues shall be deemed to be a separate violation and be subject to the above penalty; and further that violations of article be addressed in accordance with the provisions of MGL c. 40, ~ 21D, and Ch. 1, Art. II, Noncriminal Dispositions, of the General Bylaws of the Town of Hopkinton.

ARTICLE VI
Dogs on Town Common
[Adopted 5-6-1996 ATM, Art. 64]

~ 62-8. Violations and penalties.

The owner of any dog which is found on the Town Common in violation of the sign on the Town

Common which states "No dogs on the Common" shall be subject to a fine of \$10.

ARTICLE VII
Regulation and Licensing of Dogs
[Adopted 9-30-1997 STM, Art. 2; amended
5-6-2003 STM, Art. 5]

~ **62-9. Fee amounts.** [Amended 5-6-2003 STM, Art. 5]

All fees for the licensing of dogs, as well as all penalties, fines and other charges in the nature thereof and relating to the maintenance, control, possession, custody or other regulation of dogs shall be in the amounts as established by this article and shall be paid to the Town of Hopkinton.

~ **62-10. Authority of Town Clerk.**

The Town Clerk shall be authorized to take all action necessary or appropriate relating to the licensing of dogs in the town.

¹

Editor's Note: This article also repealed former Art. V, Kennel Licensing, adopted 5-6-1996 ATM, Art. 63.

~ **62-11. License fees.** [Amended 5-6-2003 STM, Art. 5]

The fee for a license for every dog six months of age or older owned or kept in the Town of Hopkinton shall be \$8 for a spayed female or male neutered dog and \$12 for any other female or male dog, \$26 for a kennel of four or less dogs, \$51 for a kennel of five to 10 dogs, and \$76 for a kennel of more than 10 dogs.

~ **62-12. Effect on other bylaws.**

In all other respects, the bylaws of the Town of Hopkinton relating to the regulation of dogs shall remain in full force and effect, except as specifically modified hereby, and the adoption and enactment of such bylaws is hereby ratified and confirmed.

~ **62-13. Severability; conflicts with statute.**

If any part, section or provision of this article is found to be invalid, the remaining provisions of this article shall not be affected thereby and shall remain in full force and effect. No provision or interpretation of any provision of this article is intended to conflict with or constitute an

ARTICLE VIII
Barking Dogs
[Adopted 5-3-1999 ATM, Art. 46]

~ **62-14. Disturbance of peace prohibited.**

5-7-2007

No person shall keep in this Town any dog that by barking, howling or in any other manner disturbs the peace and quiet of any neighborhood or endangers the health or safety of any person.

~ 62-15. Complaints; investigations.

If any person shall make complaint, in writing, to the Town Manager, the Animal Control Officer or the Police Department that any dog owned or harbored within the Town is a nuisance by reason of such excessive barking, howling or other disturbance or that such excessive barking or howling or other disturbance adversely affects the peace and quiet of any neighborhood or endangers the health or safety of any person, the Animal Control Officer shall be advised of such complaint and shall investigate or cause to be investigated such complaint and may make such order concerning the restraint or disposal of such dog as appears appropriate. [5-7-07 ATM, Art. 4]

~ 62-16. Violations and penalties.

- A. Any person who fails to comply with such order of the Animal Control Officer shall be punished by a fine as hereafter set forth, each day being considered a separate offense.
- B. The violation of any provision of this article may be addressed by the procedure for noncriminal disposition as provided in MGL c. 40, ~ 21D, as incorporated in the Town of Hopkinton General Bylaws, Ch. 1, Art. II, Noncriminal Disposition. In the event of any violation of the provisions of this article, the provisions for the disposition by noncriminal proceedings pursuant to said Noncriminal Disposition Bylaw of the Town of Hopkinton shall apply.