

Town of Proctor



45 Main Street
Proctor, VT 05765

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TOWN OF PROCTOR, VERMONT **NOTICE OF AMENDMENT TO THE ANIMAL CONTROL ORDINANCE**

On May 22nd, 2023, the Selectboard of the Town of Proctor, Vermont, adopted amendments to the existing Animal Control Ordinance pursuant to 20 V.S.A. § 3549, 24 V.S.A. §§ 2291 (10), (14), and (15), and 24 V.S.A. Chapter 59. This notice is published pursuant to 24 V.S.A. §1973 to inform the public of these amendments and of the citizens' right to petition for a vote to disapprove these amendments.

SUMMARY OF AMENDMENTS TO ORDINANCE

Purpose: To define the phrase “potentially vicious dog,” declare that owning a potentially vicious dog is a nuisance, and create penalties for owning a potentially vicious dog.

Principal Provisions

Amendment to Section 3. Definitions is as follows:

G. “Potentially vicious dog” means a dog that, while running at large: inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring, another domestic pet or animal or a person from attack or assault or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog.

Amendment to Section 4. Nuisances is as follows:

Nuisance Six: Potentially vicious dog: A dog that while running at large: inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring, another domestic pet or animal or a person from attack or assault or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog.

Amendment to Section 7. Penalties and Costs is as follows:

Potentially vicious Dog:
1st Offense: warning or impoundment and/or \$100.00 fine
2nd Offense: impoundment and/or \$300.00 fine
3rd Offense: impoundment and/or \$500.00 fine

FULL TEXT

The full text of the ordinance is available at the Town Clerk's Office, 45 Main Street, Proctor, Vermont and may be examined during regular office hours.

CITIZENS' RIGHT TO PETITION FOR VOTE

Title 24 V.S.A. §1973 grants the citizens the right to petition for a vote at a special or annual Town Meeting to disapprove ordinance amendments adopted by the Selectboard. To exercise this right, citizens must present to the Selectboard or the Town Clerk a petition for a vote on the question of disapproving the amendments signed by not less than five percent (5%) of the Town's qualified voters. The petition must be presented within forty-four (44) days following the date of the adoption of the amendments. Unless a petition requesting a vote is filed pursuant to 24 V.S.A. §1973, the amended Traffic Ordinance shall become effective sixty (60) days from the date of said adoption.

PERSON TO CONTACT

Additional information pertaining to this Ordinance may be obtained by contacting the Town Clerk or the Town Manager at the Town Office located at 45 Main Street, Proctor, Vermont, 05765 or by calling 802-459-3333 during regular office hours.

DATE POSTED: May 24, 2023