

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF CHAPTER 6.08 OF THE CODE OF THE CITY OF CRANSTON,
2005, ENTITLED "ANIMALS GENERALLY – DOGS AND OTHER ANIMALS

No.

Passed:

Christopher G. Paplauskas, Council President

Approved:

Kenneth J. Hopkins, Mayor

It is Ordained by the City of Cranston City Council as follows:

Section 1. Chapter 6.08 is hereby amended by adding the following:

Chapter 6.08 - DOGS AND OTHER ANIMALS

Sections:

6.08.010 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

At Large. Any animal dog shall be deemed to be at large when such animal dog is not otherwise in an enclosed space on private property and not under the restraint and control of a properly fitting leash or other security device, whose intended purpose is to restrain the animal at issue and said leash is under the dominion and control of a competent person.

"Adequate food" means the provision at suitable intervals, not to exceed twenty-four (24) hours, a quantity of wholesome foodstuff suitable for the species and age, sufficient to maintain a reasonable level of nutrition in each animal. The foodstuff shall be served in a sanitized receptacle, dish, or container.

"Adequate shelter" means access a structure that is the proper size for the dog, impervious to moisture, has protection from the direct rays of the sun, and has a wind break at the entrance. This includes but is not limited to a doghouse, bam, garage, shed or other structure sufficient to protect the animal from wind, rain, snow, or sun that has adequate bedding to protect against cold and dampness.

"Adequate water" means a constant access to a supply of clean, fresh, potable water provided in a sanitary manner or provided at suitable intervals for the species and not to exceed twenty-four (24) hours at any interval.

44 "Ambient temperature" means the temperature surrounding the animal.

45 "Dog officer" means the person or persons employed by the city as its enforcement officer
46 and shall include any police officer of such city.

47 "Dog pound" means any premises designated by action of the city for the purpose of
48 impounding and caring for all animals found running at large in violation of this chapter.

49 Exposed to Rabies. A dog has been exposed to rabies within the meaning of this chapter if it
50 has been bitten by, or been exposed to, any animal known to have been infected with rabies.

51 "Exotic/wild/hybrid animals" shall include, but not be limited to venomous snakes,
52 alligators, crocodiles, chimpanzees, wolves, hybrid dogs, skunks, raccoons, bats, and
53 groundhogs. Wild and hybrid cats shall be defined as any cat which possesses combined lineage
54 from domestic cats (*Felis domesticus*) and any wildcat (*Felis Silvestris*) and shall include, but not
55 be limited to Savannah, Bengal, Toyger, Chausie, Cheetoh, Jungle Lynx, Serengeti and Pixiebob.

56 "Keeper or custodian" means any person or agency that harbors, feeds, maintains or is
57 responsible for controlling a dog or another animal.

58 "Kennel" means any person, group of persons, or corporations engaged in the commercial
59 business of breeding, buying, selling or boarding dogs or for hobby and recreation.

60 "Minimum care" means care sufficient to preserve the health and well-being of an animal
61 and, except for emergency circumstances beyond the reasonable control of the owner and/or
62 guardian, includes, but is not limited to the requirements set forth in Section 6.08.250.

63 "Minimum veterinary care" means veterinary care deemed necessary by a reasonably
64 prudent person to relieve distress from injury, neglect, or disease.

65 "Nuisance" means any dog or other animal that:

- 66 1. Poses a bodily threat to any person or creates a disturbance by running at passing
67 vehicles or cyclist;
- 68 2. Attacks or chases other domestic animals on property other than their own;
- 69 3. Damages public or private property;
- 70 4. Disturbs any neighborhood or person(s) of average sensibilities by loud and persistent
71 or habitual barking, howling or yelping.

72 "Owner" means any person, groups of persons, agency or corporation who keeps, harbors,
73 owns or has a right of property in a dog or other animal.

74 Restraint. A dog is under restraint within the meaning of this chapter if the animal is under
75 the restraint and control of a properly fitting leash or other security device, whose intended
76 purpose is to restrain the animal at issue and said leash is under the dominion and control of a
77 competent person, or inside an enclosed space on the property of the owner unable to exit the
78 property of the owner. it is controlled by a leash or other restraining device or within a vehicle
79 being driven or parked on the streets or within the property limits of its owner or keeper.

80 "Spayed female" means any bitch which has been operated upon to prevent conception.

81 "Tether" means a rope to chain or otherwise halter a dog allowing in a reasonable range in
82 which to move.

83 "Veterinarian" means a person licensed to engage in the practice of veterinary medicine,
 84 surgery, and dentistry in this state who is a graduate of an accredited veterinary medical,
 85 surgical, and dental school or college of a standard recognized by the Rhode Island veterinary
 86 medical association.

87 6.08.020 - Enforcement of chapter.

88 The provisions of this chapter shall be enforced by the dog officer of the city and any police
 89 officer of the city, and all violations of this chapter shall be referred to Cranston Municipal
 90 Court, and to any state agency or court of competent jurisdiction.

91 6.08.030 - Dog license fees.

92 A. Every owner or keeper of a dog shall annually in the month of April cause such dog to be
 93 licensed from the first day of the ensuing May, in the office of the city clerk, and shall pay to
 94 the city clerk for the license issued twenty ten dollars ~~(\$20.00)~~ ~~(\$10.00)~~, with the exception
 95 of senior citizens who shall, upon proof that they have attained the age of sixty-five (65)
 96 years or receive some form of government assistance, pay the sum of ten seven dollars
 97 ~~(\$10.00)~~ for said license. All licenses issued under the provisions of this section shall be
 98 valid in every city or town during the then current year, provided that any person who shall
 99 become the owner or keeper of a dog shall cause the same to be licensed within thirty (30)
 100 days after he or she becomes the owner or keeper.

101 B. Every owner or keeper of any dog found to be in violation of this section shall for the first
 102 offense be fined ~~twenty five dollars (\$25.00)~~ one hundred dollars (\$100.00) and shall be
 103 required to have said dog tattooed in a manner prescribed by the Rhode Island General Laws
 104 Section 4-13.1-3(a)(2) at a fee of ten dollars (\$10.00), and for a second violation of this
 105 section shall be fined two hundred-fifty dollars ~~(\$200.00)~~ ~~(\$250.00)~~ and shall be required to
 106 have said dog tattooed in a manner prescribed by Rhode Island General Laws Section
 107 4.13.1-3(a)(2) and for a third or subsequent offense shall be fined five hundred dollars
 108 ~~(\$500.00)~~ and shall be required to have said dog tattooed in a manner prescribed by Rhode
 109 Island General Laws Section 4-13.1-3(a)(2).

110 ~~In addition, any owner or keeper convicted of a third or subsequent violation of any offense~~
 111 ~~under this Chapter, shall present to the city clerk proof that the owner or keeper has procured~~
 112 ~~liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00),~~
 113 ~~covering any damage or injury which may be caused by such vicious dog, which policy shall~~
 114 ~~contain a provision requiring the city or town to be named as additional insured for the sole~~
 115 ~~purpose of the city clerk where such dog is licensed to be notified by the insurance company of~~
 116 ~~any cancellation, termination or expiration of the liability insurance policy and the owner or~~
 117 ~~keeper shall comply with the provisions of Rhode Island General Laws Section 4.13.1-3(a).~~

118 No fine and/or tattooing requiring shall be suspended by any court of competent jurisdiction.

119 6.08.040 - Dogs to be kept under restraint.

120 A. All animals not otherwise in an enclosed space on private property shall remain at all times
 121 under the restraint and control of a properly fitting leash or other security device, whose
 122 intended purpose is to restrain the animal at issue and said leash is under the dominion and
 123 control of a competent person.

124 B. The dog officer shall take possession of any animal that is at large.
 125

126 C. An owner or guardian of any animal found to be in violation of this section shall for the first
 127 offense be fined one hundred dollars (\$100.00) and shall be required to have said dog
 128 tattooed in a manner prescribed by the Rhode Island General Laws Section 4-13.1-3(a)(2) at
 129 a fee of one hundred dollars (\$100.00); and for a second violation of this section shall be
 130 fined two hundred-fifty dollars (\$250.00) and shall be required to have said dog tattooed in a
 131 manner prescribed by Rhode Island General Laws Section 4.13.1-3(a)(2) at a fee of two
 132 hundred-fifty dollars,; and for a third or subsequent offense shall be fined five hundred
 133 dollars (\$500.00), shall be required to have said dog tattooed in a manner prescribed by
 134 Rhode Island General Laws Section 4-13.1-3(a)(2) at a fee of five hundred dollars (\$500.00),
 135 and shall forfeit their ability to acquire a future dog license or dog license renewal for any
 136 animal. No fine and/or tattooing requiring shall be suspended by any court of competent
 137 jurisdiction.

138 6.08.050 - Impoundment.

139 A. Any dog, or dogs running at large shall be taken up by the dog officer, and impounded in
 140 the shelter designated as the city dog pound, and there confined in a humane manner for a
 141 period of not less than seven days, unless first claimed by the owner thereof in accordance
 142 with Section 6.08.060, and may thereafter be disposed of in a humane manner if not claimed
 143 by their owners.

144 B. The dog officer may transfer possession of any dog held at the dog pound to the Society for
 145 the Prevention of Cruelty to Animals after the legal detention period has expired and such
 146 dog has not been claimed by its owner.

147 C. When dogs are found running at large, and their ownership is known to the dog officer,
 148 such dogs need not be impounded but such officer may cite the owners of such dogs in
 149 accordance with Section 6.08.220 of this chapter.

150 D. Immediately upon impounding dogs, the dog officer shall make every possible reasonable
 151 effort to notify the owners of such dogs, so impounded, and inform such owners of the
 152 conditions whereby they may retain custody of such dogs.

153 E. Any animal, other than a dog, found running at large within the city limits may be
 154 impounded or disposed of according to law when such action is required either to protect the
 155 animal or to protect the residents of the city.

156 F. No animal shall be destroyed, transferred to the Society for the Prevention of Cruelty to
 157 Animals or otherwise disposed of, or delivered to anyone other than the owner, by the dog
 158 officer pursuant to this chapter, until five days has elapsed after written notice to the owner
 159 of the animal that the animal is impounded and informing the owner of the conditions under
 160 which custody of the animal may be regained. Such written notice shall be delivered to the
 161 owner by a police officer or be sent by certified mail, return receipt requested. Except where
 162 exotic/wild/hybrid animals are involved, and state law requires transfer of said animal to a
 163 state agency.

164 6.08.060 - Redemption of animals.

165 A. The owner shall be entitled to regain possession of any impounded dog or other animal,
 166 except as hereinafter provided in the cases of certain dogs, at any time upon the payment of
 167 impoundment fees set forth herein.

168 B. Any dog or other animal impounded under the provisions of this chapter and not reclaimed
 169 by its owner within seven days, may be humanely destroyed by the dog officer, have its
 170 possession transferred to the Society for the Prevention of Cruelty to Animals as provided
 171 for in Section 6.08.050(B), or placed in the custody of some person deemed to be a
 172 responsible and suitable person, who will agree to comply with the provisions of this chapter
 173 and such other regulations as shall be fixed by the dog officer.

174 6.08.070 - Redemption of animals—Fees.

175 Any animal impounded may be reclaimed, as herein provided, upon payment by the owner
 176 to the dog officer of the sum of ~~ten two-hundred fifty~~ two-hundred fifty dollars ~~(\$10.00)~~ (\$250.00) plus the
 177 additional sum of ~~five~~ five fifty dollars (\$50.00) for each day such animal has been impounded. Such
 178 fees shall be collected by the dog officer for the city and turned over to the city collector.

179 6.08.080 - Confinement of certain dogs and other animals.

180 A. Every female dog or other animals in heat shall be kept confined in a building or secure
 181 enclosure, or in a veterinary hospital or boarding kennel or under control of a competent
 182 agent, in such a manner that such female dog or other animals cannot come in contact with
 183 another dog or animal, except for intentional breeding purposes.

184 B. Any animal described in the foregoing subsections of this section found at large, shall be
 185 impounded by the dog officer and may not be reclaimed by owners, unless such reclamation
 186 be authorized by any court having jurisdiction.

187 C. Any dog or other animal may, the first time it is impounded for being a public nuisance, be
 188 reclaimed as provided in Section 6.08.050(A), but may not be reclaimed when so
 189 impounded on second or subsequent occasions unless such reclamation is authorized by a
 190 court having jurisdiction in the matter.

191 D. When in the judgment of the dog officer or any police officer in this city, an animal should
 192 be destroyed for humane reasons, such animal may not be reclaimed.

193 E. No wild animal may be kept within the city limits, except under such conditions as shall be
 194 fixed by the dog officer, provided, however, that wild animals may be kept for exhibiting
 195 purposes by circuses, zoos, and educational institutions, in accordance with such regulations
 196 shall be established by the dog officer. Any wild animal which escapes and is found at large
 197 may be destroyed by the dog officer or any police officer of this city.

198 F. The owner of any known fierce, dangerous or vicious dog shall be responsible for its
 199 actions and should the animal bite or otherwise inflict any injury upon any person or persons, he
 200 or she shall be subject to a fine of ~~one five~~ five hundred dollars ~~(\$100.00)~~ (\$500.00) per violation, or
 201 twenty (20) days in jail, or both. ~~for the first offense; one hundred dollars (\$100.00) or twenty~~
 202 ~~(20) days in jail for the second offense; one hundred dollars (\$100.00) or thirty (30) days in jail~~
 203 ~~for the third offense or any subsequent offense thereafter. No fine and/or incarceration shall be~~
 204 suspended by any court of competent jurisdiction.

205

206 G. The owner of any exotic/wild/hybrid animal as defined in Section 6.08.010, shall be
 207 responsible for its actions and should the animal bite or otherwise inflict any injury upon any
 208 person or persons, he or she shall be subject to a fine of five hundred dollars (\$500.00) per
 209 violation, or twenty (20) days in jail, or both. No fine and/or incarceration shall be suspended by
 210 any court of competent jurisdiction.

211 6.08.090 - Rabies control.

212 A. Every animal which bites a person shall be promptly reported to the dog officer, and shall
 213 thereupon be securely quarantined at the direction of the dog officer for a period of fourteen
 214 (14) days, and shall not be released from such quarantine except by written permission of
 215 the dog officer. At the discretion of the dog officer, such quarantine may be on the premises
 216 of the owner, at the shelter designated as the dog pound, or at the owner's option and
 217 expense, in a veterinary hospital of his or her choice. In the case of stray animals, or in the
 218 cases of animals whose ownership is not known, such quarantine shall be at the shelter
 219 designated by the dog officer.

220 B. The owner upon demand by the dog officer shall forthwith surrender any animal which has
 221 bitten a human or animal, or which is suspected as having been exposed to rabies, for
 222 supervised quarantine, the expense of which shall be borne by the owner. Such animal may
 223 be reclaimed by the owner if it is adjudged free of rabies, upon payment of fees set forth in
 224 Section 6.08.060.

225 C. When rabies has been diagnosed in an animal under quarantine or rabies suspected by a
 226 licensed veterinarian, and the animal dies while under such observation, the dog officer shall
 227 immediately send the head of such animal to the state health department for the pathological
 228 examination, and shall notify the proper public health officer of reports of human and animal
 229 contacts and the diagnosis.

230 D. When one or both reports indicate a positive diagnosis of rabies, the dog officer shall
 231 recommend an area wide quarantine for a period of ninety (90) days, and upon invoking of
 232 such emergency quarantine, no animal shall be taken into the streets, or permitted to be in
 233 the streets, during such period of quarantine. During such quarantine, no animal may be
 234 taken or shipped from the city without written permission of the dog officer.

235 During this quarantine period and as long afterward as he or she decides, it is necessary to
 236 prevent the spread of rabies, the dog officer shall require all dogs, six months of age and older, to
 237 be vaccinated against rabies with a canine rabies vaccine approved by the biologics control
 238 section of the United States Department of Agriculture. The types of approved canine anti-rabies
 239 vaccine to be used and the recognized duration of immunity for each shall be those established
 240 by the state health department. All vaccinated dogs shall be restricted (leashing or confinement
 241 on enclosed premises) for thirty (30) days after vaccination. During the quarantine period, the
 242 dog officer shall be empowered to provide for a program of mass immunization by the
 243 establishment of temporary emergency canine rabies vaccination clinics strategically located
 244 throughout the city.

245 No dog which has been impounded by reason of its being a stray unclaimed by its owner,
 246 may be claimed during the period of the rabies emergency quarantine, except by special
 247 authorization of the dog officer.

248 E. Dogs bitten by a known rabid animal shall be immediately destroyed or if the owner is
 249 unwilling to destroy the exposed animal, strict isolation of the animal in an enclosure of six
 250 months shall be enforced. If the dog has been previously vaccinated, within time limits
 251 established by the dog officer based on the kind of vaccine used, revaccination and restraint
 252 (leashing and confinement) for thirty (30) days shall be carried out.

- 253 F. In the event there are additional positive cases of rabies occurring during the period of the
254 quarantine, such period of quarantine may be extended for an additional six months.
- 255 G. No person shall kill, or cause to be killed, any rabid animal, any animal suspected of having
256 been exposed to rabies, or any animal biting a human, except herein provided, nor remove
257 the same from the city limits without written permission from the dog officer.
- 258 H. The carcass of any dead animal exposed to rabies shall upon demand be surrendered to the
259 dog officer.
- 260 I. The dog officer shall direct the disposition of any animal found to be infected with rabies.
- 261 J. No person shall fail or refuse to surrender any animal for quarantine for destruction as
262 required herein when demand is made therefor by the dog officer.

263 (Prior code § 4-10)

264 6.08.100 - Reports of bite cases.

265 It shall be the duty of every witness to a bite inflicted by an animal, owner of an animal
266 involved in a bite inflicted by an animal, and physician, hospital or other medical practitioner, to
267 report to the dog officer or police department the names and addresses of persons treated for
268 bites inflicted by animals, together with such other information as will be helpful in rabies
269 control. Any person found in violation of this section shall be fined no more than five hundred
270 dollars (\$500.00) per offense. No fine shall be suspended by any court of competent jurisdiction.

271 6.08.110 - Responsibilities of veterinarians.

272 It shall be the duty of every licensed veterinarian to report to the dog officer any animal
273 known or considered by him or her to be a rabies suspect.

274 6.08.180 - Nuisance abatement.

275 A. The keeping or harboring of any dog or other domestic animal, whether licensed or not,
276 which is by barking, biting, howling or yelping in any other manner, disturbing the public
277 peace or the quiet of any person whomsoever, is unlawful and is declared to be a nuisance,
278 and each day shall constitute a separate offense ~~if a complaint is affirmed by a proper public~~
279 ~~official.~~

280 B. Allowing or permitting any animal to trespass on private or public property so as to damage
281 or destroy any property or thing of value, is unlawful and declared to be a nuisance, and
282 each day shall constitute a separate offense ~~if a formal complaint(s) is confirmed by a~~
283 ~~defined public official(s).~~

284 C. Whenever a formal complaint(s) is made that a dog or other domestic animal is a nuisance
285 by reason of any of the foregoing, an animal control officer or any police officer shall
286 investigate the formal complaint(s) and if such nuisance is found to exist, notice shall be
287 served by an animal control officer or any police officer upon the owner, keeper or guardian
288 of such animal, to abate such nuisance.

289 D. It shall be unlawful for any owner, keeper or guardian of a dog or other domestic animal to
290 refuse or neglect to abate such a nuisance after they receive notice to do so from an animal
291 control officer or any police officer.

292 E. ~~All formal complaint(s) pertaining to noise nuisances made under the provisions of this~~
293 ~~section, shall be made in writing to an animal control officer or any police officer, and no~~

294 ~~formal complaint(s) shall be taken and no summons shall be issued for any violation unless~~
 295 ~~there are at least two or more formal complaints by witnesses residing in separate domiciles~~
 296 ~~who have signed such a formal complaint(s), or unless the police or animal control officer~~
 297 ~~are summoned and witness the noise nuisance, notwithstanding the present authority of the~~
 298 ~~animal control officers or police officers to issue summonses.~~

299 F. Any person violating any provisions of this section shall be fined ~~an amount not to exceed~~
 300 ~~one hundred twenty five dollars (\$100.00) (\$25.00)~~ for the first offense, ~~an amount not to~~
 301 ~~exceed two hundred fifty one hundred dollars (\$250.00) (\$100.00)~~ for the second offense
 302 ~~within a twelve (12) month period, an amount not to exceed five hundred two hundred~~
 303 ~~dollars (\$500.00) (\$200.00)~~ for the third and any subsequent offenses ~~within a twelve (12)~~
 304 ~~month period~~ to be recovered for the use of the city.

305 6.08.190 - Miscellaneous provisions.

306 A. No dogs or other domestic animal shall be allowed in schoolyards or on school property,
 307 whether at large or under restraint, unless they are seeing-eye dogs, service dogs or official
 308 law enforcement canines.

309 B. No dogs or other domestic animal shall be allowed in any stores or eating places within the
 310 city, whether at large or under restraint, unless they are seeing-eye dogs, service dogs or
 311 official law enforcement canines.

312 C. No dog shall be allowed on any city-owned recreational facility, ball field or playground, or
 313 walking track, whether at large or under restraint, unless they are seeing-eye dogs, service
 314 dogs or official law enforcement canines so-called-excepted. Dogs under restraint shall be
 315 allowed on walking trails in natural areas, including, but not limited to, trails at the Knight
 316 Farm property and along the Pawtuxet River.

317 D. All complaints made under the provisions of this chapter shall be made to the dog officer or
 318 any police officer and may be made orally, provided, however, that such complaint is within
 319 forty-eight (48) hours of the incident, reduced to writing on forms provided by the dog
 320 officer and shall be signed by the complainant showing his or her address and telephone
 321 number, if any.

322 E. The city council may establish by resolution a public dog pound at such place in the city as
 323 it may deem convenient and proper.

324 F. The city clerk shall not issue to any person, or to more than one person residing at the same
 325 address, licenses for more than two dogs unless the dog officer shall certify in writing to the
 326 city clerk that the premises at which such dogs are proposed to be kept are suitable for the
 327 keeping of more than two dogs and that the keeping of more than two dogs therein will not
 328 tend to create a nuisance. The city clerk shall collect an additional fee in the amount of two
 329 hundred-fifty (\$250.00) dollars for each license provided to a single address that already
 330 have two or more dogs.

331 G. It shall be unlawful for any person to own or keep within the city more than two dogs, ~~one~~
 332 ~~or more of which are unlicensed, unless that person has and who does not have~~ a kennel
 333 license or license set forth in §6.08.190(F) above, for the keeping of such dogs.

334 H. It shall be unlawful for any person or persons at the same address to own or keep within the
 335 city more than four cats, unless the premises are lawfully used for a kennel or pet shop.

336 I. The animal control officer shall charge a fee, as specified in the following schedule, to be
337 paid by the owner of any dog or cat taken to the animal shelter for the purpose of
338 transferring title or for the disposal of said animal according to law.

339 **Fee Schedule**

For each adult (six mos. or older) dog	\$20.00 <u>\$50.00</u>
For each puppy	5.00 <u>\$50.00</u>
For each adult (six mos. or older) cat	10.00 <u>\$50.00</u>
For each kitten	5.00 <u>\$50.00</u>

340
341 6.08.200 - Authority to investigate.
342 In the discharge of the duties imposed by this chapter, the dog officer of this city shall have
343 the authority at all reasonable times to enter upon any premises (but such authority should not
344 include the right to enter any residence on such premises) to examine a dog or other animal
345 which is allegedly involved in a violation of a provision of this chapter. Such officer shall have
346 the further authority to take possession of any such dog or other animal and remove it from such
347 premises for cause set forth herein.

348 6.08.210 - Interference with dog officer.
349 No person shall interfere with, hinder or molest the dog officer of this city in the
350 performance of his or her duties, or seek to release any animal in the custody of the dog officer
351 or any police officer, except as herein provided.

352 6.08.220 - Records to be kept.
353 A. It shall be the duty of the dog officer to keep, or cause to be kept, accurate and detailed
354 records of the impoundment and disposition of all animals coming into his or her custody.

355 B. It shall be the duty of the dog officer to keep, or cause to be kept, accurate and detailed
356 records of all bite cases reported to him or her and his or her investigation of the same.

357 C. It shall be the duty of the dog officer to keep, or cause to be kept, accurate and detailed
358 records of all moneys belonging to the city, which records shall be open to inspection at all
359 times by authorized personnel of the city and shall be audited by the city annually in the
360 same manner as other city records are audited.

361 D. In addition to the duties of the dog officer as provided by law, the dog officer in the city
362 shall make a monthly report to the city auditor of all dogs killed and buried by him or her,
363 specifying the name and residence of the owner of such dog, the license number and the
364 color and sex of such dog, and whether collared. The director of finance shall furnish to the
365 dog officer printed forms for the returns aforesaid.

366 6.08.230 - Penalty for violation of chapter.

367 Except as otherwise provided in this chapter, any violation of any provisions of this chapter
 368 may be punished by destruction or disposition of the animal, or by the payment of a fine of one
 369 hundred dollars (\$100.00) for the first offense, two hundred ~~twenty five~~ fifty dollars ~~(\$250.00) (\$200.00)~~ and
 370 seizure of the animal for the second offense ~~within a year~~, and ~~five~~ four hundred dollars
 371 ~~(\$500.00) (\$400.00)~~ and seizure of the animal for the third and any subsequent offense ~~within a~~
 372 ~~year~~.

373 A second and subsequent violations of Sections 6.08.250 and 6.08.260 may be considered a
 374 violation of Rhode Island General Laws Section 4-1-2.

375 For a violation of any provision of this chapter, the enforcing officer shall issue a citation
 376 which may not be paid by mail but shall require an appearance before a justice of the Cranston
 377 municipal court.

378 Any owner or keeper convicted of a third or subsequent violation of any offense under this
 379 Chapter, shall present to the city clerk proof that the owner or keeper has procured liability
 380 insurance in the amount of at least one hundred thousand dollars (\$100,000.00), covering any
 381 damage or injury which may be caused by such vicious dog, which policy shall contain a
 382 provision requiring the city or town to be named as additional insured for the sole purpose of the
 383 city clerk where such dog is licensed to be notified by the insurance company of any
 384 cancellation, termination or expiration of the liability insurance policy and the owner or keeper
 385 shall comply with the provisions of Rhode Island General Laws Section 4.13.1-3(a).

386 6.08.240 - Domestic animal waste and its removal.

387 A. Duties to Dispose. It shall be the duty of each person who owns, possesses or controls a
 388 domestic animal to remove and dispose of any feces left by his or her domestic animal on
 389 any sidewalk, street, park or other public area, or any other property, whether public or
 390 private ~~owned by the city~~.

391 B. Duty to Possess Means of Removal. No person who owns, possesses or controls such
 392 domestic animal shall appear with such domestic animal on any sidewalk, street, park or
 393 other public area, or any other property, whether public or private, ~~owned by the city~~
 394 without the means of removal of any feces left by such domestic animal.

395 C. Method of Removal and Disposal. For the purpose of this regulation, the means of removal
 396 shall be any tool, implement or other device carried for the purpose of picking up and
 397 containing such feces, unexposed to said person or the public. Disposal shall be
 398 accomplished by transporting such feces to a place suitable and regularly reserved for the
 399 disposal of human feces.

400 D. Fines for Violation. Violation of this regulation shall be punishable by a fine not exceeding
 401 one hundred fifty (\$150.00) ~~twenty five dollars (\$25.00)~~ for the first offense, not exceeding
 402 three ~~one~~ hundred dollars (\$300.00) ~~(\$100.00)~~ for the second offense ~~within a year~~, not
 403 exceeding five ~~two~~ hundred dollars (\$500.00) ~~(\$200.00)~~ for the third and any subsequent
 404 offenses ~~within a year~~ to be recovered for the use of the city.

405 E. Exemption. This regulation shall not apply to a licensed dog accompanying any
 406 handicapped person who, by reason of his or her handicap, is physically unable to comply
 407 with the requirements of this section.

408 6.08.250 - Minimum care of animals.

- 409 A. An owner or guardian of any animal must provide daily proper nourishment and access to
 410 adequate water at a drinkable temperature, quality and quantity as required by the species,
 411 breed, size, and age of the said animal, which will allow and foster normal growth and
 412 maintenance of body weight.
- 413 B. An owner or guardian of any animal must maintain a sanitary environment, which is dry
 414 and free of accumulated feces, and free of debris and garbage that may clutter the
 415 environment so as not to inhibit comfortable rest, normal posture and range of movement or
 416 pose a danger to or entangle an animal, this as set by the industry standard for the
 417 environmental health scale as set forth in the most recently adopted version of the Tufts
 418 Animal Care and Conditions Scale (TACC).
- 419 C. An owner or guardian of any animal must maintain said animal's health with minimum
 420 veterinary care, and a healthy physical condition as set by the industry standard for the body
 421 condition scale, and physical care scale as set forth in the most recently adopted version of
 422 the Tufts Animal Care and Conditions Scale (TACC).

423 6.08.260 - Disposition of animals.

424 Any animal seized in enforcement of Section 6.08.230 shall be impounded and, if the
 425 identity of owner is known by animal control, the animal control officer shall make every
 426 possible, reasonable effort to notify the owners of such animals so impounded and to inform the
 427 owners of the conditions whereby they may regain custody of their animal. Animal(s) seized will
 428 then be held for a period of ten (10) days, at the owners expense, unless (i) a release is signed by
 429 owner or guardian relinquishing ownership of the animal to the city, (ii) the animal is euthanized
 430 for humane reasons, or (iii) the owner remedies the problem for which the animal was seized,
 431 and the animal control officer sees it fit to return the animal to the owner upon payment of fees.
 432 Upon conclusion of the ten (10) day hold period, if the owner has not come forward, the animal
 433 may be humanely destroyed, have its title transferred to the Rhode Island S.P.C.A., or be placed
 434 in a suitable home or with a rescue group. The owner/guardian shall be accountable for all fines,
 435 fees, and costs to the city for the minimum care of the animal.

436 6.08.270 - Sheltering, tethering, and nourishment of dogs.

- 437 A. No person shall allow a dog to be kept outside tethered, penned, caged, fenced, or
 438 otherwise confined for more than thirty (30) minutes without access to adequate shelter or
 439 adequate water for use by such dog.
- 440 B. No person shall allow a dog to be kept outside tethered, penned, caged, fenced, or
 441 otherwise confined for more than thirty (30) minutes when the ambient temperature is
 442 beyond the industry standard for the weather safety scale as set forth in the most recently
 443 adopted version of the Tufts Animal Care and Conditions Scale (TACC). Penalties for
 444 violation of this section as set by Section 6.08.230.

445 6.08.280 - Animal confinement in motor vehicles prohibited.

446 A. No person shall confine any animal in a motor vehicle, or any such enclosure with little to no
447 ventilation, in such a manner that places it in a life or health threatening situation by exposure to
448 a prolonged period of extreme heat or cold, without proper ventilation or other protection from
449 such heat or cold. In order to protect the health and safety of an animal, any individual who has
450 a reasonable suspicion that an animal is in a motor vehicle, or any such enclosure, in such a
451 manner that places the animal in a life or health threatening situation by exposure to a
452 prolonged period of extreme heat or cold, without proper ventilation or other protection from
453 such heat or cold, any individual may take steps that are reasonably necessary to remove an
454 animal from the vehicle or enclosure. if the animal's safety, health or well-being appears to be
455 in immediate danger from heat, cold or lack of adequate ventilation and the conditions could
456 reasonably be expected to cause extreme suffering or death.

457 Nothing in this section shall prevent a law enforcement officer, firefighter or animal control
458 officer from removing an animal from a motor vehicle if the animal's safety appears to be in
459 immediate danger from heat, cold, lack of adequate ventilation, lack of food or water, or any
460 other circumstances that could reasonably be expected to cause suffering, disability, or death to
461 the animal.

462 C. A law enforcement officer, firefighter or animal control officer who removes an animal in
463 accordance with this section shall in a secure and conspicuous location on or within the motor
464 vehicle, leave written notice bearing the officer's or agent's name and office and the address of
465 the location where the animal may be claimed. The owner may claim the animal only after
466 payment of all charges that have accrued for the maintenance, care, medical treatment and
467 impoundment of the animal.

468 D. A law enforcement officer, firefighter or animal control officer who removes an animal from a
469 motor vehicle pursuant to this section is immune from criminal or civil liability that might
470 otherwise result from the removal.

471 E. Any person who knowingly violates this section shall be subject to the penalties in Section
472 6.08.230 of this code.

473 **Section 2.** This ordinance shall take effect upon its final adoption.
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477 Positive Endorsement: Negative Endorsement: (Attach reasons)

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480 _____
481 City Solicitor Date City Solicitor Date

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483 Sponsored by Councilman Reilly, Councilwomen Renzulli and Germain

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485 Referred to Ordinance Committee July 26, 2021

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