

**MUNICIPAL OFFICERS' CERTIFICATION OF OFFICIAL TEXT OF A
PROPOSED ORDINANCE
[30-A M.R.S.A. § 3002 (2)]**

To the Town Clerk of the Town of Thomaston:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled "Subsection 102.4.7 Dog Waste Ordinance", which is to be presented to the voters for their consideration on **November 6, 2018**.

Pursuant to 30-A M.R.S.A. §3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the polling places on the day of the vote.

Dated: September 10, 2018.

ATTEST:

THOMASTON SELECT BOARD:

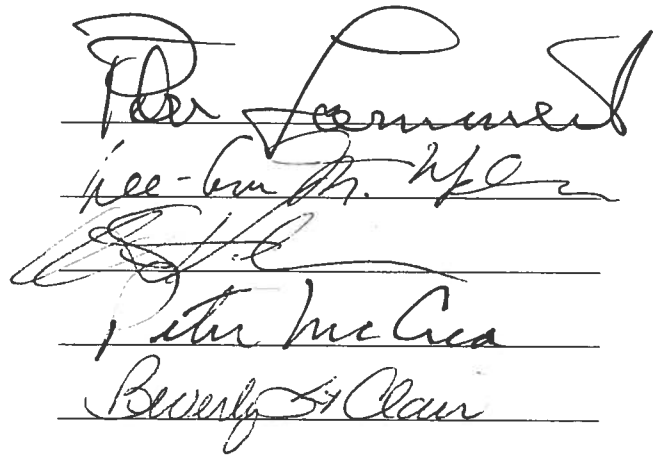
Peter Lammert, Chairman

Lee-Ann Upham, Vice Chairman

Bill Hahn

Peter McCrea

Beverly St. Clair



Handwritten signatures of the Thomaston Select Board members: Peter Lammert, Lee-Ann Upham, Bill Hahn, Peter McCrea, and Beverly St. Clair.

A true attested copy.

Dated: 9/10/2018

Kara M.C. George
Kara M.C. George, Town Clerk
Thomaston, Maine

ARTICLE 5

Shall Chapter 1 *Thomaston Government & Organization*, Article II, Section 102 *Police* be amended by changing and moving Subsection 102.3.4 *Control of Annoyance of Barking or Howling Dogs* adopted May 9, 1977 to be Subsection 102.4.6 so that it follows Subsection 102.4.5 *Control of Dogs* and shall the new Subsection 102.4.7 *Dog Waste Ordinance* be adopted?

A copy of this ordinance certified by the Municipal Officers' has been on file with the Clerk's Office at least seven days before the Town Meeting. A certified copy of this ordinance is available for review in the Office of the Town Clerk during regular business hours.

SELECT BOARD RECOMMEND APPROVAL

ARTICLE 5
Subsection 102.4.7 DOG WASTE ORDINANCE

102.4.5 – Control of Dogs

1. Roaming-At-Large Prohibited

No owner or keeper of any dog shall permit any dog to roam at large.

2. Dogs shall be under restraint while on any public way or place.

Dogs while on any public way or place shall be under restraint, within the meaning of this ordinance if it is controlled by

- a. a leash not be more than eight (8) feet long, or
- b. at “heel”, beside a competent person and obedient to that person’s commands, or
- c. on or within a vehicle being driven or parked on the streets, or
- d. being within the property limits of its owner or keeper.

Nothing in this ordinance shall be held to require the leashing of any dog while on the property of its owner or keeper.

3. Penalties

Any owner or keeper found violating paragraphs 1 or 2 of this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$10.00 nor more than \$50.00 for each such offense.

Subsection 102.4.5 Adopted: March 31, 1969

102.4.6 – Control of Annoyance of Barking or Howling Dogs

1. No person shall harbor or keep any dog which causes annoyance, to any person or Neighborhood, or disturbs the quiet enjoyment of said neighborhood, by unreasonable or incessant barking, howling or making other sounds common to its’ species.

2. The penalty for violations of this section shall be a fine of not less than \$10.00 nor more than \$100.00.

Subsection 102.3.4 Adopted: May 9, 1977

102.4.7 – Dog Waste Ordinance

1. Disposal of Dog Waste

a. It shall be a violation for any person who owns a dog, or anyone having a dog under his or her control, to fail to immediately remove and lawfully dispose of any feces left by the dog on any street, sidewalk, publically owned property, or private property of another.

b. Violation of this ordinance shall be a civil offense punishable by a fine of \$50.00 for the first conviction. Each additional conviction after the first conviction shall be punishable by a fine of \$100.00. All fines so assessed shall be recovered for use of the Town of Thomaston through District Court.

c. This section shall be enforced by the Animal Control Officer or the Thomaston Police Department.