



Dog License Application

This is an application for a 2006 Dog License. All dogs that have attained the age of six months or older must be licensed annually prior to and effective on April 1, 2006. The 2006 dog tag will be mailed to you, but be sure to keep the 2005 tag affixed until the new one arrives.

Full Name of Owner/Keeper Phone #

Address Village Zip Code

Name of Dog Breed

Color Age: Years Months

Indicate dog's sex by circling: Male Female Spayed Neutered

The license fee for a *neutered* Male or *spayed* Female dog is \$10.00

The license fee for an *un-neutered* Male or *un-spayed* Female dog is \$15.00

Please return this application with a check and a copy of the current rabies certificate to:

City Clerk/Dog License
1000 Commonwealth Avenue
Newton, MA 02459

(Checks should be made payable to the City of Newton.)

Please note, a copy of the current rabies certificate must be returned with this application.

G.L.c.140 §145B requires all dogs six months or older to be vaccinated against rabies. Failure to comply is punishable by a fine of up to \$50.00. The City of Newton Ordinances §3-22 through 3-29 contain the following fines for dogs off leash and for violating the "tot lot ordinance"

First offense in a calendar year	\$25.00
Second offense in a calendar year	\$35.00
Each subsequent offense in a calendar year	\$50.00

Complaints concerning dogs should be made to the Newton Police Department Animal Control Division, 617-796-2109.

City of Newton Ordinances

Chapter 3, Article II. Dogs §§ 3-22 – 3-28

Sec. 3-22. Vaccination, Rabies, Certification.

(a) Whoever is the owner or keeper of a dog in the city six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine according to the manufacturer's directions and shall cause such dog to be re-vaccinated at intervals recommended by the manufacturer. Such vaccination shall be in accordance with chapter 140, section 145B of the General Laws, all relevant regulations of the Commonwealth, and any amendments to the same.

(b) Unvaccinated dogs acquired or moved into the city shall be vaccinated within ninety days after the acquisition or arrival into the city or upon reaching the age of six months, whichever last occurs.

(c) The owner or keeper of such dog shall have available for inspection by authorized persons a tag issued by the veterinarian as evidence of rabies vaccination or such other evidence of rabies vaccination as may be specified by applicable state statute and or regulation(s). Said tag may be secured by the owner or keeper of such dog to the collar or harness made of suitable material to be worn by the dog. (Ord. No.V-62, 2-5-96)

Sec. 3-23. License fees; Vaccination Certification and Exemptions; Exemption of fee of Seeing Eye dogs; refund of fees.

X-175

(a) The fee for the license for every male and female dog, except as otherwise provided by law, shall be fifteen dollars (\$15.00) except that the license fee for each dog for which written proof as set forth herein can be shown to the City Clerk to be a neutered male dog or spayed female dog shall be ten dollars (\$10.00). The fee for the issuance of a duplicate dog license shall be two dollars (\$2.00).

The City Clerk shall accept either a certificate of a registered veterinarian that such operation was performed or a certified copy of such a veterinarian's certificate from the office of any City or Town Clerk within the Commonwealth as proof that a dog has been neutered or spayed and has thereby been deprived of the power of propagation. If the City Clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, a statement may be accepted in lieu thereof signed under the penalties of perjury by a veterinarian registered and practicing in the Commonwealth describing the dog and stating that such dog has been examined and that it appears to have been spayed or neutered and thereby deprived of the power of propagation.

(b) No license shall be granted for any dog unless the owner or keeper thereof provides either a veterinarian's certification that such dog has been vaccinated and sets forth the date of such vaccination and the duration of immunity or provides a notarized letter from a veterinarian that a certification was issued or provides a metal rabies tag bearing an expiration date indicating that such certification is still in effect, or has been certified exempt, as hereinafter provided.

A vaccination exemption may be granted for any dog which has not yet attained the age of six months, any dog which the Commissioner of Health of the City of Newton, for a specified period of time, declared exempt upon presentation of a veterinarian's certificate stating that because of infirmity, other physical condition or regimen or therapy, that inoculation is thereby deemed

inadvisable, or any dog in transit, or dog brought into the Commonwealth of Massachusetts temporarily, for the sole purpose of showing in dog shows or exhibitions.

(c) No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided, that the Division of the Blind certifies that such dog is so trained and actually in the service of a blind person.

(d) No license fee or part thereof shall be refunded because of the subsequent death, loss, neutering, spaying or removal from the Commonwealth or other disposal of the dog, nor shall any license fee or part thereof paid be recovered after it has been paid over to the City Treasurer. (Rev. Ords. 1973, § 3-18; Ord. No. S-51, 3-19-84; Ord. No. S-56, 4-18-84; Ord. No. S-337, 11-7-88; Ord. No. T-168, 9-3-91)

Cross references—Receipt of money from dog fund, § 2-139; licenses and fees generally, Ch. 17

State law references—Authority to regulate dogs, G.L. c. 140, § 173; Establishment of dog licensing fees, G.L. c. 140, § 147A; dog licenses generally, G.L. c. 140, § 137 et seq.

Sec. 3-24. Disturbing the peace by barking, etc.

No person shall own or keep in the city any dog which, by barking, biting, howling or in any other manner, disturbs the quiet of any person. (Rev. Ords. 1973, § 3-19)

State law reference—Barking dogs, G.L. c. 140, § 157

Sec. 3-25. Complaint of nuisance; investigation by dog officer.

If any person shall make a complaint in writing to the dog officer of the city that any dog owned or harbored within his jurisdiction is a nuisance by reason of a vicious disposition or excessive barking or other disturbance, the dog officer shall investigate such complaint, which may include an examination on oath of the complainant, and may order such dog to be confined or muzzled. (Rev. Ords. 1973, § 3-20)

Sec. 3-26. Restraint of dogs.

1. Prohibitions:

1. No person owning or harboring a dog shall suffer or allow it to run at large in any of the streets or public places in the city. No person owning or harboring a dog shall allow it upon the premises of anyone other than the owner or keeper of such dog without the permission of the owner or occupant of the premises. No dog shall be permitted in any street or public place within the city unless it is effectively restrained by a chain or leash not exceeding ten (10) feet in length.

2. Tot Lots: No person owning or harboring a dog shall suffer or allow a dog, leashed or unleashed, to enter a tot lot as hereinafter defined. For the purposes of this section, the term "tot lot" shall mean an outdoor play area located on land owned or controlled by the city intended for use by young children, the boundaries of which may be designated by a fence and/or sand, ground cover, grass or otherwise, and which may contain play equipment. Without limiting the foregoing, tot lot shall include currently designated tot lots which are listed below. Tot lots are fenced unless otherwise noted.

Albemarle Park
 *Angier School (approximately 155' x 30')
 *Burr Park (approximately 95' x 75')
 Burr School
 Carleton Street area
 Cabot Park, East Side Parkway
 *Crescent Street Playground (approximately 90' x 70')
 Davis School Playground
 Emerson Playground
 Franklin School
 Hawthorn Park
 ** Lower Falls Community Center (approximately 80' x 80')
 *Memorial-Spaulding School (approximately 90' x 90')
 ** Newton Centre Playground, (approximately 115' x 105')
 Newton Highlands Playground
 Winchester Street (Centre and Needham Streets)
 Newton North High School
 Newton South High School
 *Richardson Playground, Allen Avenue (approximately 150' x 62')
 River Street Playground
 Sterns Playground
 Upper Falls Playground
 *Ware's Cove (approximately 200' x 60')
 West Newton Common, Elm and
 Webster Streets
 *Williams School (approximately 50' x 60')

* Tot lots which are not surrounded by a fence. Area measurements of non-fenced sites are in excess of ground cover.

** Tot lots which are partially surrounded by a fence.

(b) Penalties: Any owner or keeper of a dog who shall fail to comply with the foregoing provisions of subparagraph (a) shall be punished as follows:

- (1) for the first offense in a calendar year.....\$25.00
- (2) for the second offense in a calendar year\$35.00
- (3) for each subsequent offense in a calendar year.....\$50.00

(c) It shall be the duty of the department of animal control to apprehend any dog found running at large in any street or public place within the city, or any dog, leashed or unleashed, found within a tot lot, or any dog found in violation of any of the provisions of this article, and to impound such dog in the place provided therefor. The department, upon receiving any such dog, shall make a complete registry, entering the breed, color, and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. The owner, if known, shall be notified as soon as possible that the dog has been impounded. The owner of any dog so impounded may reclaim such dog upon payment of the license fee, if unpaid, and of all costs and charges incurred by the city for impounding and maintenance of such dog as provided by law.

(Rev. Ords. 1973, § 3-21; Ord. No. 626, 2-19-74; Ord. No. 77, 7-7-75; Ord. No. 271, 4-18-78; Ord. No. S-50, 3-19-84; Ord. V-72, 3-4-96)

Sec. 3-27. Muzzling or confinement of dogs.

(a) The dog officer may order a dog to be muzzled or confined to its owner's premises, whichever in his judgment may be required, for any of the following reasons:

(1) If found at large or unmuzzled, as the case may be, while an order of the dog officer for the confinement or muzzling of such dog is in effect;

(2) If found in a school, school yard or public recreational area;

(3) For having bitten any person;

(4) For having killed or maimed or otherwise damaged any other domesticated animal;

(5) For chasing any vehicle upon any public way or way open to public travel in the city;

(6) For any violation of section 3-24 or 3-26.

(b) The owner or keeper of any dog that has been ordered to be confined or muzzled or has been confined under this article may, within seven (7) days after such order or confinement, file a request in writing with the dog officer that the confining order be vacated, or that the dog be released, and after investigation by the dog officer such officer may vacate such order or release such dog. If such order is not vacated or the dog is not released, as the case may be, the owner or keeper of such dog, within ten (10) days after such order or confinement, may bring a petition in the District Court of Newton addressed to the justice of such court, praying that the order or confinement may be reviewed by the court, and after such notice to the officer or officers involved as the court may deem necessary, it shall review such action, hear the witnesses and affirm such order or confinement, unless it shall appear that it was made without proper cause or in bad faith, in which case such order shall be reversed or the dog shall be ordered released. The decision of the court shall be final and conclusive upon the parties. (Rev. Ords. 1973, § 3-22)

Sec. 3-28. Penalty.

Except for violations of section 3-26 which are punishable in accordance with the schedule of fines set forth therein, any owner or keeper of a dog who shall fail to comply with the provisions of this article or any order of the dog officer issued pursuant to this article shall be punished by a fine not to exceed twenty-five dollars (\$25.00) for each offense. (Rev. Ords. 1973, § 3-23; Ord. No. 626, 2-19-74; Ord. No. T-168, 9-3-91)

Sec. 3-29. Removal and disposal of canine wastes.

X-175

It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any sidewalk, gutter, street, park or other public area or on any

private property neither owned nor occupied by said person. No person who owns, possesses, or controls such dog shall appear with such dog on any sidewalk, gutter, street, park or other public area or on any private property neither owned nor occupied by said person without the means of removal of any feces left by such dog. For the purposes of this section the means of removal shall be any tool, implement, or other device carried for the purpose of picking up and containing such feces in a manner that such feces shall be unexposed to said person or the public. Disposal shall be accomplished by transporting such feces to a place suitable and regularly reserved for the disposal of human feces, specifically reserved for the disposal of canine feces, or as otherwise designated as appropriate by the Commissioner of the Health Department. Penalties for violation of this section shall be in accordance with the penalties prescribed for a violation of section 3-26(b) of these Revised Ordinances. (Ord. No. S-139, 11-18-85)