

AN ORDINANCE REGULATING DOGS

ARTICLE I
DOGS RUNNING AT LARGE

1. Definitions.

As used in this Article, the following terms shall have the meaning indicated:

AT LARGE:

A. Any dog that is unleashed and:

- (1) On property open to the public; or
- (2) On private property not owned by the owner of the dog, unless permission for such presence has been obtained.

B. No dog shall be deemed to be "at large" if it is:

- (1) A guide dog actually leading a blind or deaf person; or
- (2) A police dog in use for police work.

2. Licensing required.

It shall be unlawful within the Town for any person to own or have control of any dog over four (4) months of age unless it be duly licensed in pursuance of the laws of the state, district or territory in which the owner has legal residence or the laws of the State of Delaware.

3. License tag to be worn.

It shall be unlawful within the Town for any person to own or have control of any dog over four (4) months of age unless the license tag thereof be worn at all times by said dog in the manner provided by the laws of the state, district or territory in which the owner has legal residence or the laws of the State of Delaware.

4. Vicious, rabid or diseased dogs.

Vicious dogs shall be controlled and regulated as provided in Article II of this chapter. It shall be unlawful for any person who is the owner or has control of any rabid or diseased dog to permit the same to run at large within the Town at any time. Any person may and it shall be the duty of any member of the police force of the Town forthwith to kill any such rabid dog found running at large within or within one (1) mile of the corporate limits of the Town.

ORDINANCE NO. 19

5. Female dogs in heat.

It shall be unlawful for any person who is the owner or has the control of any unspayed female dog to permit such dog to run at large within the Town at any time during its oestrial period.

6. Running at large.

It shall be unlawful for any person who is the owner or has the control of any dog to suffer or permit the same to run a large anywhere within the Town unless accompanied by the owner or custodian and under immediate control by leash.

7. Barking.

A. All dog(s) within the Town of Frankford, Delaware, shall be given food and water daily by the dog owner in order to control the barking of said dog.

B. All dog(s) within the Town of Frankford, Delaware, shall be kept from continuous barking.

8. Confinement, securing and control of dogs.

It shall be the duty of every person who is the owner or custodian or has the control of any dog within the Town at all times to keep such either:

A. Confined within any enclosure from which it cannot escape;

B. Firmly secured by means of a collar or chain or other device so that it cannot stray from the premises on which it is secured; or

C. Under the reasonable control of some person.

9. Impoundment and disposal.

Any dog found running at large contrary to the provisions of this Article or which is wild, stray or untagged may be delivered to the Society for the Prevention of Cruelty to Animals (S.P.C.A.) or any agent thereof for impounding and disposal under the rules and regulations adopted by it.

10. Killing, injuring or poisoning dogs.

It shall be unlawful for any person, except a police officer or game warden, to place any poison of any description in any place on his premises or elsewhere where it may be easily found and eaten by dogs or to kill, injure or poison any dog or attempt so to do within the Town except in the case of a dog attacking a human being.

ORDINANCE NO. 19

11. Penalties for offenses.

Any person found guilty of violating any of the provisions of this Article shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), plus court costs and Victims Compensation Fund assessment.

ARTICLE II
VICIOUS DOGS

12. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

VICIOUS DOG - A dog that has bitten a human being one (1) or more times or otherwise has injured or attacked a human being or another dog or domesticated animal one (1) or more times.

13. Control of vicious dogs.

- A. In a case where a person files a complaint with the Police Department alleging that a dog is vicious, the owner of the dog or the person responsible for the dog shall be notified of the date and place of the hearing on the complaint before the Town Council. The hearing shall be held within ten (10) days after the notice thereof is given to the owner or person responsible for the dog.
- B. After hearing the evidence, the Town Council shall decide whether the dog is a vicious dog and the owner or person responsible for the dog shall be notified of the Town Council's decision.
- C. In the event that a dog is found by the Town Council to be a vicious dog, the owner or person responsible for the dog shall be ordered not to permit the dog to be upon any street or other public place unless the dog is securely controlled by a leash and muzzle and is under the care and control of the owner or person responsible for the dog.

14. Records to be kept

The Town shall keep an up-to-date record of all vicious dogs, which shall include the name and description of the dog, the name, address and phone number of the owner or person responsible for the dog and the history of the vicious behavior of the dog.

ORDINANCE NO. 19

15. Penalties for offenses.

Any person convicted of violating a provision of this Article shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), plus court costs and Victims Compensation Fund assessment.

Date of Adoption: October 7, 1996

 10-7-96
Secretary

b:dog.ord

LAW OFFICES

TUNNELL & RAYSOR, P.A.
GEORGETOWN, DEL.