

Chapter 79

DOGS AND OTHER ANIMALS

ARTICLE I General Regulations and Restrictions

- § 79-1. License and tags.
§ 79-2. Vaccination of dogs and cats against rabies.
§ 79-3. Limit on number of dogs and cats per residence.
§ 79-4. Kennel licenses, inspection, and regulation.

ARTICLE II Restraint and Control

- § 79-5. Leashing and restraining.
§ 79-6. Barking dogs.

ARTICLE III Emergency Treatment or Disposal

- § 79-7. Payment to veterinarians.

ARTICLE IV Enforcement

- § 79-8. Impoundment; record of impoundment; reclamation.

ARTICLE V Dog Waste Removal

- § 79-9. Dog waste removal required.

ARTICLE VI Adequate Shelter

- § 79-10. Failure to provide adequate shelter.
§ 79-10.1. Neglect.

ARTICLE VII Definitions

- § 79-11. Terms defined.

[HISTORY: Adopted by the Town of Dennis 5-4-2004 ATM, Art. 19;¹ amended in its entirety 5-8-2012 ATM, Art. 35. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Waterfowl — See Ch. 179.

Horses and stables — See Ch. 240.

Shellfish regulations — See Ch. 222.

1. Editor's Note: This bylaw superseded former Ch. 79, Dogs and Other Animals, adopted 5-4-1993 ATM, Art. 17, as amended.

ARTICLE I
General Regulations and Restrictions

§ 79-1. License and tags.

- A. Any person residing in the Town of Dennis, who at the beginning of the license period (January 1 to December 31), or who during the license period, becomes the owner or keeper of a dog six months old or over, shall cause the dog to be licensed within 30 days. The Town Clerk shall issue dog licenses and tags on a form prescribed and furnished by the Town. Subject to the approval of the Select Board, the Town may provide licensing to be conducted through the mail. **[Amended 10-3-2020STM by Art. 12]**
- B. On the license form, the Town Clerk shall record the name, address, phone number and the date of birth of the owner or keeper of the dog, and the name, license number and description of each dog. Each tag shall include the license number, the name of the Town and the year of issue.
- C. The owner or keeper shall cause each dog to wear around its neck or body a collar or harness to which he shall securely attach the license tags. In the event that any tag is lost, defaced or destroyed, substitute tags shall be obtained by the owner or keeper from the Town Clerk at the cost of \$1. Such moneys shall be transmitted to the Town of Dennis' General Fund in the same manner as license fees.
- D. The Town Clerk shall not issue a license for any dog unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that the dog is currently vaccinated against rabies.
- E. Any exemption from the requirements of having to produce a valid rabies certificate in order to obtain a dog license shall be granted if the owner or keeper presents a signed statement from a veterinarian, indicating that because of infirmity, other physical condition or regimen of therapy, inoculation is thereby deemed inadvisable.
- F. The fee for each dog license shall be \$20 unless a certificate from a veterinarian stating that the dog has been spayed or neutered, or a statement from a veterinarian indicating that because of age, infirmity or other physical condition spaying or neutering is deemed inadvisable, is presented to the Clerk, in which case the fee shall be \$5. No fee shall be charged for a dog specially trained to lead or serve a blind, deaf, or handicapped person upon presentation to the Town Clerk of a certificate of such training.
- G. The Clerk shall collect a late fee of \$5 for every dog license issued after the thirty-day period, as defined in § 79-1A of this article.
- H. Any owner or keeper of a dog who moves into the Town of Dennis and has a valid dog license for his/her dog from another city or town in the commonwealth shall, within 30 days, obtain a dog license for a fee of \$1 upon producing evidence of the previous license.
- I. No license fee or part thereof shall be refunded because of subsequent death, loss, spaying, neutering, or removal from the Town of Dennis or any other disposal of said dog.
- J. Any person who violates the provisions of § 79-1A through I shall be subject to a written warning for the first offense, a fine of \$50 for the second offense and a fine of \$100 for the third and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

§ 79-2. Vaccination of dogs and cats against rabies.

- A. The owner or keeper of a dog or cat six months of age or older housed or sheltered in the Town of Dennis shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine approved by the Massachusetts Department of Public Health. Unvaccinated dogs and cats acquired or moved into the Town of Dennis shall be vaccinated within 30 days after the acquisition or arrival into Dennis or upon reaching the age of six months, whichever last occurs. Such owner or keeper shall procure a veterinarian's certification that such animal has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued.
- B. The veterinarian shall issue a tag with each certificate of vaccination. The tag shall be secured by the owner or keeper of such dog or cat to a collar or harness made of suitable material to be worn by the dog or cat; provided, however, the owner of a cat may choose not to affix a tag to his cat but shall have the tag available for inspection upon demand by the Animal Control Officers, police officers or other such authorized officials of the Town.
- C. Vaccinated animals shall be revaccinated periodically in accordance with the rules and regulations adopted by and promulgated by the Massachusetts Department of Public Health.
- D. Any person who violates the provisions of § 79-2A through C shall be subject to a written warning for the first offense, a fine of \$50 for the second offense and a fine of \$100 for the third and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

§ 79-3. Limit on number of dogs and cats per residence.

- A. No person shall keep more than six cats being over the age of six months at any premises within the Town of Dennis. No person shall keep more than four dogs being over the age of six months at any premises within the Town of Dennis unless a kennel license has first been obtained. Those persons who kept more than four dogs or six cats at their premises as of October 1, 2004, may keep said animals in excess of the aforesaid limit, but said animals may not be replaced so as to exceed the four-dog and six-cat limit.
- B. Any person who violates the provisions of § 79-3A shall be subject to payment of a fine of \$25 per animal in excess per day of violation. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

§ 79-4. Kennel licenses, inspection, and regulation.

- A. Any owner or keeper of five up to and including nine dogs six months of age or older, being maintained at a premises, shall secure a residential kennel license. The Town Clerk shall not issue a residential kennel license unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that each dog six months of age or older is currently vaccinated against rabies. Any owner or keeper of 10 or more dogs, six months of age or older, or of a premises maintained for the boarding or in-residence training of dogs, shall obtain a commercial kennel license.
- B. Issuance of a residential or commercial kennel license shall be contingent upon inspection and approval by the Animal Control Officer to ensure that basic standards of cleanliness and proper care and confinement of said dogs exist on the premises. The name and address of the owner of each dog

kept in any kennel, if other than the person maintaining the kennel, and a veterinarian's certificate verifying that each dog six months of age or older is currently vaccinated against rabies, shall be kept on file thereat and available for inspection by the Animal Control Officer or any authorized persons.

- C. Such license shall be in a form prescribed by the Town Clerk. Such license shall be in lieu of any other license for any dog while kept at such kennel during any portion of the period for which such kennel license is issued. The holder of a license for a kennel shall cause each dog kept therein to wear, while it is at large, a collar or harness of leather or other suitable material, to which shall be securely attached a tag upon which shall appear the number of such kennel license, the year of issue, and the inscription "Dennis."
- D. The residential kennel license fee shall be \$50. The commercial kennel license fee shall be \$75. The Town Clerk shall, upon application, issue without charge a commercial kennel license to any domestic charitable corporation, incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse, and for the relief of suffering among animals. A veterinary hospital shall not be considered a kennel unless it contains an area for the selling or boarding of dogs for other than medical purposes, in which case it shall apply for a commercial kennel license. The license period for a kennel license shall be from January 1 to December 31, inclusive.
- E. The Animal Control Officer, Animal Health Inspector, or any agent authorized by the Town may at any reasonable time inspect any kennel or premises for which a residential or commercial kennel license has been issued.
- F. If the Animal Control Officer, Animal Health Inspector, or other authorized agent, after inspection, determines that the kennel or premises that are the subject of a kennel license are not kept in a sanitary or humane condition, or if records are not kept as required by law, the Select Board Members may, by order after hearing, revoke or suspend such license. If a license has been revoked or suspended, the license may be reinstated after inspection and in accordance with the procedure set forth below in § 79-4G. **[Amended 10-3-2020STM by Art. 12]**
- G. Upon written petition of the Animal Control Officer, or of five Dennis residents, filed with the Select Board Members, setting forth that they are aggrieved or annoyed to an unreasonable extent by one or more dogs at the kennel because of excessive barking or vicious disposition of said dogs, or other conditions connected with such kennel constituting a public nuisance, said Select Board Members, within seven days after the filing of such a petition, shall give notice to the owner or keeper of the kennel, the petitioner(s), and any other person the Select Board Members determine should be given notice, of a public hearing to be held within 14 days after the date of such notice. Said notice shall also be posted on a Town bulletin board. **[Amended 10-3-2020STM by Art. 12]**
- H. Within seven days after such public hearing, said Select Board Members shall make an order either revoking or suspending such kennel license, or otherwise regulating said kennel or premises, or dismissing said petition. **[Amended 10-3-2020STM by Art. 12]**
- I. The holder of such license or other person who is the subject of an order under § 79-4H may petition the District Court for relief in accordance with MGL c. 140, § 137C.
- J. Any person maintaining a residential or commercial kennel after the license has been so revoked, or while such license is so suspended, may be punished by a fine of \$50 for each day in violation of said revocation or suspension. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

- K. Violations and penalties. Any person who violates the provisions of § 79-4A through I shall be subject to a written warning for the first offense, and for each subsequent offense shall be subject to payment of a fine of \$25. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

ARTICLE II
Restraint and Control

§ 79-5. Leashing and restraining.

- A. Any person owning, keeping, or being responsible for a dog shall not allow nor permit said dog to run at large on any of the streets or public places in the Town of Dennis or upon any private property, unless the owner or lawful occupant of such property grants permission therefor.
- B. No dog shall be allowed or permitted in any public place or street within the Town unless it is effectively restrained and controlled by a chain or other form of leash that is sufficient to hold the dog, or unless it is under the immediate and effective voice control of a handler, or unless it is within and confined to a motor vehicle.
- C. Violations and penalties. Any person who violates the provisions of Article II, § 79-5A and B, shall be subject to a written warning for the first offense, and shall be subject to payment of the following fines: \$30 for the second offense, \$50 for the third offense, and \$100 for the fourth and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.
- D. The owner, handler or caretaker of any dog threatening persons or animals while off leash or not under immediate and effective voice control of a handler of said dog, as determined by the Animal Control Officer based upon the officer's witnessing of the behavior or after inquiry into the relevant facts, shall be subject to a fine of \$100 for the first offense, \$150 for the second offense and \$300 for the third and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the noncriminal disposition in accordance with MGL c. 40, § 21D and the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.
- E. No dog shall be tethered to a stationary object for longer than five hours in a 24-hr period or tethered outdoors between 10pm and 6am, unless not for more than 15 minutes and when the owner/guardian/keeper is present.
- F. A person shall not leave a dog outside when a weather advisory, warning, or watch is issued by a local, state, or federal authority, or when outside environmental conditions including, but not limited to, extreme heat, cold, wind, rain, snow, or hail pose an adverse risk to the health or safety of the dog, unless the tethering is not for more than 15 minutes.
- G. Violations and penalties. Any person who violates the provisions of Article II, § 79-5E and F, shall be subject to a written warning or punished by a fine of not more than \$50 for the first offense, shall be punished by a fine of not more than \$200 for the second offense, shall be punished by a fine of not more than \$500 for the third and subsequent offenses and be subject to impoundment of the dog in a local shelter at the owner's, keeper's or guardian's expense pending compliance with this section, or loss of ownership of the dog. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter

§ 79-6. Barking dogs.

- A. No person owning, keeping, or otherwise responsible for a dog shall allow or permit said dog to annoy another person's reasonable right to peace or privacy by making loud or continuous noise, where such noise is plainly audible at a distance of 150 feet from the building, premises, vehicle, or conveyance

§ 79-5

DOGS AND OTHER ANIMALS

§ 79-6

housing said dog, or such noise is continuous in excess of 10 minutes. The fact that such noise is plainly audible at said distance or continuous in excess of 10 minutes shall be prima facie evidence of a violation.

- B. Violations and penalties. Any person who violates the provisions of Article II shall be subject to a written warning for the first offense, and shall be subject to payment of the following fines: \$30 for the second offense, \$50 for the third offense, and \$100 for the fourth and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person, may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

ARTICLE III
Emergency Treatment or Disposal

§ 79-7. Payment to veterinarians.

Any veterinarian registered under the provisions of MGL c. 112, § 55 or § 56A who renders emergency care or treatment to, or disposes of, a dog or cat that is injured in any way within the Town of Dennis, and brought to a veterinarian by the Animal Control Officer or police personnel, shall receive payment from the owner of such dog or cat, if known, or if not known, from the Animal Control budget in an amount not to exceed \$100 for such care, treatment or disposal; provided, however, such emergency care, treatment, or disposal shall be for the purpose of maintaining life, stabilizing the animal, or alleviating suffering until the owner or keeper of such dog or cat is identified or for a period of 24 hours, whichever is sooner. Any veterinarian who renders such emergency care or treatment to, or disposes of, such a dog or cat shall notify the Animal Control Officer and upon notification, said Animal Control Officer shall assume control of such dog or cat.

ARTICLE IV
Enforcement

§ 79-8. Impoundment; record of impoundment; reclamation.

- A. It shall be the duty of the Animal Control Officer, and any Assistant Animal Control Officer appointed by the Select Board, to apprehend any dog found running at large and to impound such dog in the Pound or other boarding facility. **[Amended 10-3-2020STM by Art. 12]**
- B. The Animal Control Officer or other impounding officer shall keep a register and make a complete record of each impounding. The record shall contain the following information:
- (1) The breed, color, and sex of each dog.
 - (2) Whether or not the dog is licensed.
 - (3) The license number, if any.
 - (4) The date and place of apprehension.
 - (5) The location where the dog is being kept.
 - (6) The name and address of the owner, if known.
- C. The owner of an impounded dog, when known, shall be notified verbally or in writing of such impoundment, or, if the owner is unknown, written notice shall be posted with the Police Department and Animal Rescue League. Notice shall contain a description of the dog, date and place of apprehension, and location where the dog is being kept.
- D. The owner, keeper, or responsible person may reclaim the dog so impounded upon payment of the license fee, if unpaid, as well as any costs imposed under the provisions of § 79-8E.
- E. An impoundment fee in the amount of \$15 per day for dogs and \$10 per day for cats shall be charged to the owner of each animal that is held at the Animal Control Kennel. Medical expenses and/or damage to the kennel/cages incurred during impoundment shall be charged directly to the dog or cat owner. Such expenses may include, but are not limited to flea treatment, vaccination against rabies (required by state law) prior to discharging if the animal is not current on the vaccinations, and treatment for injuries or conditions that are causing pain or discomfort to the animal while it is in custody. The above impoundment fees, medical costs and damage costs shall be paid in full directly to the Animal Control Department prior to release of the animal.

ARTICLE V
Dog Waste Removal

§ 79-9. Pet or companion animal waste removal required.

- A-1. Removal of pet or companion animal waste from public property or property of others. No person owning or having the care, custody, or control of any pet or companion shall permit such pet or companion to soil or defile or commit any nuisance upon any sidewalk, street, thoroughfare, beach, or wetland, in or upon any public property or in or upon the property of persons other than the owner or persons having the care, custody, or control of such pet or companion, unless said person picks up any such waste and disposes of same in a sanitary manner. Anyone having custody or control of a dog in a public place shall have in their possession a device or equipment to pick up and remove pet or companion animal feces. Individuals with disabilities aided by service dogs and law enforcement, emergency or rescue officials with dogs carrying out official duties are exempt from this section.
- A-2. No person owning or having the care, custody, or control of any horse or livestock shall permit such horse or livestock to soil or defile or commit any nuisance upon any sidewalk, street, thoroughfare, beach, or wetland, in or upon any public property or in or upon the property of persons other than the owner or persons having the care, custody, or control of such horse or livestock, unless said person picks up any such waste and disposes of same in a sanitary manner. Anyone having custody or control of a horse or any livestock in a public place shall have in their possession a device or equipment such as a small plastic type shovel and grain feed type bag to pick up and remove the manure immediately.
- B-1. Violations and penalties. Any person found in violation of Article [V](#) by the Animal Control Officer or Assistant Animal Control Officer shall be subject to a warning for the first offense, a payment of a fine of \$150 for the second offense; \$200 for the third offense and payment of \$300 for the fourth and subsequent offenses. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter [1](#), Article [I](#).

ARTICLE VI
Adequate Shelter

§ 79-10. Failure to provide adequate shelter.

- A. Any person owning, keeping, or otherwise responsible for a companion animal or pet or farm animal or livestock who confines that animal by tethering, fencing, or other means, shall provide for that animal access to adequate shelter from the elements of weather such as rain, cold, or sun. Potable water must be available to the animal at all times.
- B. Violations and penalties. Any person who violates the provisions of Article VI shall be subject to a written warning for the first offense, and for each subsequent offense shall be subject to payment of a fine of \$50 for each day in violation of said bylaw. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

§ 79-10.1. Neglect. [Added 11-13-2012 STM, Art. 13]

- A. Any person owning, keeping, or otherwise responsible for a companion animal or pet or farm animal or livestock who confines said animal in a parked vehicle or trailer where the vehicle confinement endangers the health or safety of the animal shall be subject to a fine.
- B. Violations and penalties. Any person who violates the provisions of § 79-10.1 shall be subject to a warning for the first offense, a fine of \$50 for the second offense and a fine of \$100 for a third or subsequent offense. In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person may enforce these penalties through the Town's Noncriminal Disposition Bylaw, Chapter 1, Article I.

ARTICLE VII
Definitions

§ 79-11. Terms defined.

For the purposes of Chapter 79, the following terms shall have the following definitions:

ADEQUATE SHELTER — A structure that is large enough for the animal, whether it be livestock or pet, to stand naturally, turn around and lie down inside of the structure without being exposed to the elements of weather. The roof and walls of the structure are waterproof and windproof. Bedding must be kept dry and changed regularly to preserve insulating qualities. Insulation and an inner wall must be included in shelter for dogs with short fur (example: Pointers, Staffordshire Terriers, Boxers, Labrador Retrievers) to provide adequate protection from cold. During cold weather a moveable flap must be placed over the entrance to a dog shelter to preserve the dog's body heat. Adequate shelter from sun may be provided by a tarp placed in a manner to provide deep shade and allow air to pass through for ventilation.

COMPANION ANIMAL or PET — Any dog or cat, and shall also mean any other domesticated animal normally maintained in or near the household of the owner or keeper who cares for such other domesticated animal. "Pet" or "companion animal" shall not include a "farm animal" as defined in this section.

FARM ANIMAL or LIVESTOCK — Any poultry, ungulate, species of cattle, sheep, swine, goats, llamas, equine, or other fur-bearing animal, which are raised for commercial or subsistence purposes.

KENNEL — means one pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes, and including any shop where dogs are on sale, and also including every pack or collection of five or more dogs six months of age or older, owned or kept by a person on a single premises irrespective of the purpose for which they are maintained.

KENNEL, COMMERCIAL — Any premises maintained for the boarding or in-residence training of dogs, or where 10 or more dogs six months of age or older are kept.

KENNEL, RESIDENTIAL — Any premises where an owner or keeper maintains five up to and including nine dogs six months of age or older.

OWNER or KEEPER — Any person possessing, harboring, keeping, having an interest in, or having control or custody of a dog. If the animal is owned by a person under the age of 18, that person's custodial parents or legal guardian shall be responsible for complying with all requirements of this bylaw.

A True Copy, Attest:

Theresa T. Bunce

Theresa T. Bunce, MMC/CMMC
Dennis Town Clerk

Approved by Assistant Attorney General Kelli E. Gunagan on August 15, 2025.