

TOWN OF PITTSFORD
ORDINANCE REGULATING DOMESTIC ANIMALS

SECTION 1. AUTHORITY. This ordinance is adopted by the Town of Pittsford under authority of 24 V.S.A. §§ 2291 (14) and (15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this ordinance is to promote the health, safety, and welfare of the citizens of the Town and to preserve the quiet enjoyment of their property through the abatement of public nuisances associated with the keeping of Domestic Animals, including, but not limited to: the significant danger they pose to the traveling public and the damage they can cause to private and public property when running-at-large; their ability to produce noise detrimental to the enjoyment of life, property, and the conduct of business; and the risk they pose of transmitting communicable diseases to people and other animals, when not properly confined.

SECTION 3. DEFINITIONS. For purposes of this ordinance, the following words and phrases will apply:

- A. **"Domestic animal"** means a species that has been tamed and bred by humans over many generations to live closely with people for purposes such as companionship, work, or as a food source.
- B. **"Domestic pet"** or **"pet"** means any domestic dogs, domestic cats, or other animals living within a residence.
- C. **"Enforcement Officer"** means any Town Constable, Police Officer, Animal Control Officer, Humane Officer, or any other person designated as an Enforcement Officer by the Selectboard.
- D. **"Impoundment"** means to seize and take legal custody of a Domestic Animal or Domestic Pet by the Town at a place designated by the Selectboard. Such a place may or may not be operated by the Town and may or may not be within the geographic boundaries of the Town.
- E. **"Impoundment Expenses"** means any and all costs incurred by the Town related to the initial capture, impoundment, and eventual release, transfer, sale, or humane disposition of a Domestic Animal or Domestic Pet. These costs may include, but are not limited to, Enforcement Officer charges and fees; costs associated with the capture, impoundment, transportation, boarding, feeding and care of an impounded Domestic Animal or Domestic Pet; veterinary expenses deemed reasonably necessary to the life or health of the Domestic Animal, Domestic Pet, or any other animals with which they may interact while impounded; compensation for any repairs or damage done by the Domestic Animal or Domestic Pet to Town property; and all costs associated with providing personal and public notice pursuant to this Ordinance.
- F. **"Lead"** also known as a **"lead line"**, **"lead rope"**, or **"head collar rope"** is used to guide or direct a Domestic Animal and is usually attached to a halter.
- G. **"Owner"** means any person who has actual or constructive possession of a Domestic Animal.
- H. **"Potentially Vicious Dog"** means a dog that, while running at large, inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring, another domestic pet or animal or a person from attack or assault or the other person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring, or otherwise provoking the dog.
- I. **"Premises"** means home and real property of the dog owner.

J. "Remedial Action" may include, but is not limited to, such actions as payments or all applicable fines or waiver fees, and Impoundment Expenses; taking necessary measures such as repairing fences, gates, corrals, paddocks, wiring, pens, or other structures as needed to adequately confine Domestic Animals or Domestic Pets to the Owner's property; permanent forfeiture of the impounded Domestic Animal or Domestic Pet; and/or the temporary or permanent forfeiture of the right to keep any Domestic Animal or Domestic Pet within the geographical boundaries of the Town.

K. "Running at large" means that a Domestic Animal or Domestic Pet is not:

1. on the premises of its Owner;
2. on the premises of another with that person's permission; or
3. in a vehicle; or
4. being led on a Lead or otherwise under the Owner's physical control;

L. "Wolf Hybrid" means an animal that:

1. is the progeny of a dog and a wolf (*Canis lupus* or *Canis rufus*); or
2. is advertised or otherwise described or represented to be a wolf hybrid; or
3. exhibits primarily physical and/or behavioral wolf characteristics.

M. "Working farm dog" means a dog that:

1. is bred or trained to herd or protect livestock or poultry or to protect crops; and
2. is used for those purposes; and
3. is registered as a working farm dog pursuant to State law.

SECTION 4. NUISANCES.

A. **PROHIBITED NUISANCES.** The Owner of a Domestic Animal or Domestic Pet may not allow, permit, or suffer such animal to create a nuisance. The following activities are hereby deemed nuisances:

Nuisance One: Disturbing the Peace

A Domestic Animal or Domestic Pet that disturbs the quiet, comfort and repose of others by bellowing, bleating, braying, calling, clucking, crowing, crying, honking, howling, neighing, whining, or making some other noise for a continuous period of 30 minutes or more or frequent, long continuous noise, barking, or howling which disturbs the comfort of people in the vicinity.

1. Exemptions. This prohibition does not apply to any person raising, feeding, or managing at least the number of adult Domestic Animals as specified in Section 3.1(d) of the State of Vermont's Required Agricultural Practices Rule on a farm that is no less than four (4.0) contiguous acres in size.

Nuisance 2: Running at large

A Domestic Animal or Domestic Pet Running-At-Large in Town.

Nuisance 3: Failure to remove waste

A Domestic Animal or Domestic Pet that defecates in any public area or on the private premises of another person in Town and whose Owner does not immediately remove the fecal material and dispose of it in a sanitary manner.

Nuisance 4: Unconfined Dog in Heat

Nuisance 5: Lack of Current License and/or Rabies Tag:

Nuisance 6: Damage To, or Interference With, The Property of Another

A Domestic Animal or Domestic Pet that, while Running-At-Large, damages the property (public or private) of any other than its Owner, including, but not limited to, eating or damaging lawns, gardens, flowers, plants, vegetables, fruits; turning over garbage containers; causing damage to real or personal property; or injuring, worrying, mating, or attempting to mate with another Domestic Animal or Domestic Pet.

A. Exemptions for Working Dogs. The provisions of the sections pertaining to running at large and disturbing the peace shall not apply to working farm dogs if the working farm dog is:

1. Barking in order to herd or protect livestock or poultry or to protect crops; or
2. Running at large in order to herd or protect livestock or poultry or to protect crops.

SECTION 5. COLLAR AND LICENSE. Each dog shall be licensed according to the laws of this State and shall wear a collar or harness with a current license attached. A dog that is visiting from out of state must wear a collar or harness with a current license from its home state attached. A dog that is found without a collar or harness and license shall be in violation of this Ordinance and may be immediately impounded.

SECTION 6. ENFORCEMENT. A violation of this Ordinance is a civil matter which may be enforced in the Vermont Judicial Bureau or in the Rutland County Superior Court, at the election of the Selectboard.

Violations enforced in the Judicial Bureau will be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer has the authority to issue tickets and represent the Town at any hearing.

Violations enforced in the Superior Court will be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

SECTION 7. PENALTIES AND COSTS.

A. The Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance in the following amounts for each violation:

Nuisance One: Disturbing The Peace:

1st Offense: \$100 fine	Waiver Fee: \$ 50
2nd Offense: \$150 fine	Waiver Fee: \$ 100
3rd & Subsequent Offense: Impoundment and/or \$200 fine	Waiver Fee: \$150

Nuisance Two: Running-At-Large:

1st Offense: impoundment and/or \$100 fine	Waiver Fee: \$50
2nd Offense: impoundment and/or \$150 fine	Waiver Fee: \$100
3rd & Subsequent Offense: impoundment and/or \$200 fine	Waiver Fee: \$150

Nuisance Three: Failure to Remove Waste:

1st Offense: \$75 fine	Waiver Fee: \$ 25
2nd Offense: \$100 fine	Waiver Fee: \$50
3rd & Subsequent Offense: Impoundment and/or \$150 fine	Waiver Fee: \$100

Nuisance Four: Unconfined Dog in Heat:

1st Offense: impoundment and/or \$100 fine	Waiver Fee: \$50
2 nd Offense: impoundment and/or \$125 fine	Waiver Fee: \$75
3 rd and Subsequent Offense: Impoundment and/or \$150 fine	Waiver Fee: \$100

Nuisance Five: Lack of Current License and/or Rabies Tag:

1 st Offense: impoundment and/or \$1000 fine	Waiver Fee: \$50
2 nd Offense: impoundment and/or \$150 fine	Waiver Fee: \$100
3 rd and Subsequent Offense: impoundment and/or \$250 fine	Waiver Fee: \$200

Nuisance Six: Damage To, or Interference With, The Property of Another:

The cost will be the replacement cost of property damaged.

- B. **The Enforcement Officer** is authorized to recover a waiver fee in lieu of a civil penalty, in the stated amount, for any person who declines to contest a municipal complaint and pays the waiver fee.
- C. **Determining the sequences of offenses** for violations of this Ordinance shall be as follows: a subsequent violation that is identical to, and that occurs within 1 month of, a previous violation shall be considered a higher offense (i.e., second, third, or subsequent offense). Any subsequent identical violation that occurs after 12 months of a previous identical violation shall be considered a new first offense.
- D. **Reckless Dog Owner.** Any owner who has violated this Ordinance (3) times, whether the offenses are identical or not shall provide proof to the Enforcement Officer of successful completion of a behavior modification program, pre-approved by the Selectboard, and designed to improve the owner's understanding of dog ownership responsibilities, within (1) month from the date of notification. The Enforcement Officer shall issue a notification of this requirement, in writing by regular mail postage prepaid, to the owner's last known address. Failure to provide such certification within the time allotted shall subject the offending dog(s) to immediate seizure and impoundment.
- E. For purposes of calculating the sequence of offenses, offenses shall be counted against the owner(s).
- F. A warning shall not be counted towards the calculation of the number of offenses under this Ordinance.

SECTION 8. IMPOUNDMENT.

- A. **Grounds for Impoundment.** Any dog may be immediately impounded if the dog:
 - 1. has been determined by an Enforcement Officer to be a "potentially vicious dog," which presents an imminent danger to people or other animals;
 - 2. has reportedly bitten a person off or on the premises of its owner;
 - 3. is in violation of State licensing law;
 - 4. has unknown rabies vaccination history or is suspected of having been exposed to rabies;
 - 5. is running at large;
 - 6. is an unconfined dog in heat; or
 - 7. is found without a collar or harness and license.
- B. **Notice of Impoundment.** The officer who impounds a dog shall, within twenty-four (24) hours, give notice to the owner thereof either personally, by telephone call, or by regular mail postage prepaid at the owner's last known address. Such notice shall inform the owner of the nature of the violations, the dog's location, and the necessary steps to have it returned to the owner.

If the owner of the dog is unknown, the officer who impounds a dog shall, within twenty-four (24) hours of impoundment, post a public notice. Notification shall be posted in the town clerk's office and other usual places for public notice for a ten (10) calendar day period. The public notice shall include a description of the dog, including any significant marks of identification, and when and where it was impounded or found by the person placing the dog in the town's custody.

The public notice must also declare that, unless the owner 1) claims the dog, 2) pays all expenses incurred by the town for treatment, boarding and care of the dog, and any applicable penalties, and 3) takes all necessary remedial action within ten (10) calendar days following posting, the town may place the dog in an adoptive home or transfer it to a humane society or rescue organization. If the dog cannot be placed in an adoptive home or transferred to a humane society or rescue organization, it may be destroyed in a humane way.

- C. **Release from Impoundment.** Impounded dogs shall be released to the owner only after payment of all penalties and impoundment fees (including, but not limited to, boarding, food, and veterinary expenses), the final disposition of a potentially vicious dog or vicious dog hearing if applicable, and after all necessary remedial action, as determined by the enforcement officer in consideration of the violation committed, is taken by the owner. Remedial action shall include, but is not limited to, such actions as providing a collar and current license; verification of certification of current vaccination against rabies; payment of all applicable fines or waiver fees; and proof of satisfactory successful completion of a program designed to improve the owner's understanding and execution of dog ownership responsibilities.

If the owner of a dog impounded under the provisions of this ordinance refuses to take the remedial action necessary to secure the dog's release within ten (10) calendar days following notice of impoundment or gives notice either personally, by telephone call, or in writing to the town of forfeiture of ownership before that time, the dog may be placed in an adoptive home, transferred to a humane society or rescue organization; or, if the town is unable to transfer the dog, it may be humanely destroyed.

The owner of a dog transferred or humanely destroyed shall remain liable for all expenses incurred by the Town for treatment, boarding and care of the dog for the duration of its impoundment, and any expenses associated with its transfer or humane disposal. The town may also seek legal action to recover these costs at the expense of the owner.

D. **Rabies Suspect.** The procedures provided in this section shall only apply if the dog is not a rabies suspect. If an official designated by the Selectboard to enforce the provisions of this ordinance determines that the dog is a rabies suspect, the Selectboard shall immediately notify the Town Health Officer who shall proceed in accordance with the Vermont Department of Health's rules.

SECTION 9. INVESTIGATION OF VICIOUS DOGS.

A. **Complaint.** When a dog has bitten a person while the dog is off or on the premises of its owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the Animal Control Officer, a Pittsford Police Officer, or the Selectboard of the municipality. The complaint shall contain the time, date, and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the Animal Control Officer, Pittsford Police Officer, or Selectboard in conducting its investigation.

B. **Investigation and Hearing.** The Selectboard, Pittsford Police Department, or Animal Control Officer, within seven (7) calendar days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the dog which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date, and place of hearing and a copy of the complaint.

C. **Protective Order.** If, after a hearing on the matter, the dog is found to have bitten the victim without provocation, the Selectboard shall make such order for the protection of persons as the facts and circumstances of the case may require, including, without limitation, that the dog is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested, to the owner. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in 20 V.S.A. § 3550.

D. **Rabies suspect.** The procedures provided in this section shall only apply if the dog is not a rabies suspect. If a member of the Selectboard, Animal Control Officer, or Pittsford Police Officer determines that the dog is a rabies suspect, the Selectboard, Animal Control Officer, or Pittsford Police Department shall immediately notify the Town Health Officer who shall proceed in accordance with the Vermont Department of Health's rules. If the dog is deemed healthy, the terms and conditions set forth in the Selectboard's order shall be enforced.

SECTION 10. POTENTIALLY VICIOUS DOGS.

A person claiming a dog is a "potentially vicious dog" may file a written complaint with the Animal Control Officer, Pittsford Police Department, or the Selectboard. The complaint shall contain the time, date, and place where the alleged behavior occurred, an identification of the domestic pet or domestic animal threatened or attacked, the name and address of any victim or victims, and any other facts that may assist in conducting a hearing. Upon receipt of a "potentially vicious dog" complaint, the Selectboard shall proceed as in the case of a "vicious dog" complaint using Section 9 B.-D. above, with the exception that if the Selectboard determines that the behavior classifies the dog as "potentially vicious" the Selectboard may order any protective measures be taken absent the dog being humanely destroyed.

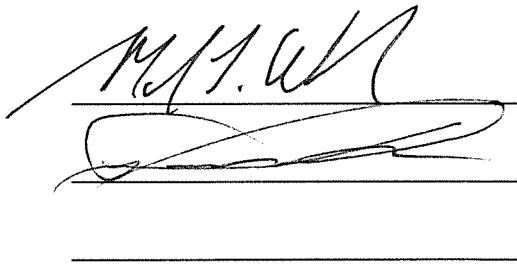
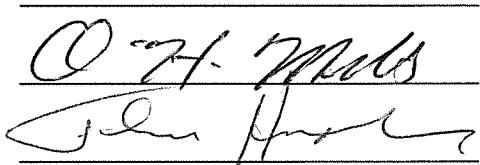
SECTION 11. OTHER LAWS. This ordinance is in addition to all other ordinances of the Town of Pittsford and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION 13. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adopted this 17 day of December, 2025

SIGNATURES:



Adoption History

1. Agenda item at regular Selectboard meeting held on October, November, and December 2025
2. Read and approved at regular Selectboard meeting on 12/1/2025 and entered in the minutes of that meeting which were approved on 1/1/2026.
3. Posted in public places on 1/1/2026.
4. Notice of adoption published in the Rutland Herald newspaper on _____ with a notice of the right to petition.
5. Other actions

