

**Town of Arlington**  
**Office of the Town Clerk**  
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## MEMO

TO: Select Board  
FROM: Juli Brazile, Town Clerk  
DATE: March 3, 2021  
RE: Article 8 - 2021 Annual Town Meeting

The proposed changes to Section 4 – Licensing of the Canine Control bylaw seek to accomplish two goals. First, to make them easier to enforce by reducing the late fee from \$50 to \$25 so simple lapses are not so financially painful. Second, to more clearly spell out the procedures and deadlines for renewals, as well as new registrations.

In English:

All dogs should be registered each year.

- The deadline to renew is January.
- New adult dogs should register within 30 days of moving to town.
- Puppies should register when they are six months old.
- For all of these deadlines there is a 45-day grace period that ends the next Thursday at 7 pm, which is the day our office is open late.

The basic fine is lower, but multiple fines can be assessed.

- The fine for missing these deadlines is reduced from \$50 to \$25.
- The fine for missing an entire year is \$25 and the payment of the fee for the previous year.
- The late fees apply to owners who do not otherwise pay to license their dog.

I have also prepared a chart that shows how the fines play out over time.

- The dates are made up and show owners either on time/within the grace period or late.
- This chart reflects the fee of \$15/month for altered dogs.
- The total shown in the far right column is the check the owner would have to write in that year.
- The cost per year is reflected along with a note of how that compares to the base rate of \$15.

Note: We don't charge a registration fee to owners 70 and older or to register guide dogs – they would only pay the fines.

# ARTICLE 2

## CANINE CONTROL

### Section 4. Licensing

(ART. 25, ATM – 04/27/88)

(ART. 23, ATM – 05/04/2009)

(ART. 13 -04/29/13)

#### A. Licensing Requirement.

1. License required. The owner or keeper of any dog over the age of six months kept in the Town of Arlington shall obtain a license for the dog from the Town Clerk.

2. Annual renewal. Licenses issued under this section shall be renewed on an annual basis in accordance with procedures to be determined by the Town Clerk. Licenses are issued for the calendar year and must be renewed every January, although there is a grace period established in sub-section F before fines are assessed.

3. Transfer. Within 30 days of moving into the Town ~~within a licensing period~~, the owner or keeper of a dog must apply to the Town Clerk ~~to transfer the dog's for a license. The Town Clerk shall issue a transfer license for a fee and in accordance with procedures that the Town Clerk shall determine.~~

#### B. Conditions.

1. Rabies vaccination. The Town Clerk shall not grant a license unless (i) the license applicant provides a veterinarian's certification or notarized letter that the dog has been vaccinated against rabies; or (ii) the dog is exempted from the vaccination requirement by the Town of Arlington Board of Health or the Town Clerk in accordance with Section 145B of Chapter 140 of the General Laws.

2. Control. Any license granted under this section is granted on the condition that the licensed dog shall be controlled and restrained from killing, chasing, or harassing livestock or fowl.

3. Previous conviction of animal cruelty. Town Clerk shall not grant a license under this section or Section 5, below, to an applicant who has been convicted of one or more of the offenses set forth in Section 137D of Chapter 140 of the General Laws within the preceding five years.

#### C. License Forms.

1. Symptoms of rabies. Every license issued to the owner of a dog shall have a description of the symptoms of rabies printed thereon, as supplied by the state

Department of Public Health.

2. Description of dog. The owner of a dog to be licensed under this section may add to the license application form up to ten descriptive words indicating the dog's color, breed, weight, or any special markings.

D. Tags.

1. Issuance. ~~Along with the~~ As proof of license licensure, the Town Clerk shall issue a durable tag inscribed with the license number, designation of the Town of Arlington, and the year of issue.

2. Affixed to dog. The owner or keeper of the licensed dog shall keep a collar or harness of leather or other suitable material affixed around the dog's neck or body to which the tag shall be securely attached.

3. Lost tags. If the tag is lost or destroyed, the owner or keeper shall immediately secure a substitute tag from the Town Clerk for a fee to be determined by the Town Clerk.

E. Exemptions. The requirements of this section shall not apply:

(1) to a person to whom the applicable kennel license has been issued under this Bylaw and remains in force; or (2) to a dog housed in a research institution.

F. Fees. (ART. 10, ATM – 04/23/18)

1. Annual license fees. The annual license fees are as follows:

- a. female: \$20
- b. spayed female: \$15
- c. male: \$20
- d. neutered male: \$15

To be charged the lower fee for licensing a spayed or neutered dog, the license applicant must provide proof of spay or neuter in the form of either: (a) a certificate from the veterinarian who spayed or neutered the dog; (b) a veterinary bill for performing the procedure; or (c) a statement signed under the penalties of perjury by a veterinarian registered and practicing in the Commonwealth describing the dog and stating that the veterinarian has examined the dog and that the dog appears to be spayed or neutered and therefore incapable of propagation.

2. Failure to comply; penalties.

a. Penalty for failure to comply with licensing requirements.

Failure to comply with this section shall be punishable by a fine of ~~\$50~~ \$25.

Grace period. Failure to ~~comply with this section within~~ satisfy licensing requirements before the first Thursday following 45 business days of the date that the licensing or re-licensing obligation arises will constitute failure to comply with licensing requirements.

b. Additional late fees.

Missed year. An additional ~~\$50~~ \$25 fine shall be applied where owners fail to register a dog for an entire calendar year, due upon registration the following calendar year, and the license fee for the missed year must be paid in full. These late fees shall be in addition to any other applicable penalty provided for in this Bylaw.

Multiple penalties. If the owners fail to register a dog for an entire calendar year and apply for registration outside of the grace period, the fine will consist of the \$25 late fee and the \$25 skipped year fee, due upon registration in the current year.

3. Waiver of fees.

a. Service animal.

No fee shall be charged for the licensure of a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. Late fees apply.

b. Owner aged 70 and over.

If the Town so votes in accordance with Section 139(c) of Chapter 140 of the General Laws, no fee shall be charged for the licensure of a dog owned by a person aged 70 years and older. Late fees apply.

4. No refund of fees. No license fee paid under this section shall be refunded, in whole or in part, due to mistake or due to the subsequent death, loss, spay or neuter, removal from the Town or the Commonwealth, or other disposal of the licensed dog.”; ~~and~~

## Dog Fine Analysis

1	base	late	skip	total
18-Dec	15			
19-Jan	15			
30-Nov	15			
30-Mar	15	25		\$40
8-Jan	15			
late once - cost per year \$20 (+5)				

3	base	late	skip	total
8-Jan	15			
10-Dec	15			
5-Apr	15	25	25	** \$65
1-Dec	15			
skip a year and late - cost per year \$22 (+7)				

5	base	late	skip	total
20-Dec	15			
8-May	15	25	25	\$65
5-Jan	15	15	25	\$55
skip twice and late - cost per year \$27 (+12)				

2	base	late	skip	total
4-Jan	15			
10-Dec	15			
15-Jan	15	15	25	* \$55
1-Dec	15			
skip a year - cost per year \$20 (+5)				

4	base	late	skip	total
17-Dec	15			
1-Dec	15	15	25	\$55
5-Jan	15	15	25	\$55
skip twice - cost per year \$25 (+10)				

\* bylaw written that you must make up missed registration if you skip AND you pay a fine

\*\* multiple errors you pay the late fee in lieu of making up the annual fee