

Littleton, New Hampshire

**CONTROL OF DOGS ON PUBLIC PROPERTY
Chapter 3-A**

Approved by the Board of Selectmen, August 10, 017

PREAMBLE:

1. This Ordinance is adopted under the authority of RSA 147:1, upon the recommendation of the Town Health Officer. It shall be captioned "Control of Dogs on Public Property Ordinance" and shall take effect on its adoption by the Board of Selectmen.

2. In addition to any other remedy established by law, the Selectmen shall be authorized to enforce the provisions of this ordinance by any proceeding commenced in the Grafton County Superior Court or the Littleton District Court, and shall be entitled to recover from any violator hereof all their costs, including attorney's fees, in connection with such enforcement, to the extent allowed by said Court.

3. If any word, term, phrase, sentence or clause of this ordinance is found to be invalid by any court of competent jurisdiction, or any other agency, such finding shall not affect the validity of any other word, term, phrase, sentence, or clause of this ordinance.

SECTION 1. Purpose

This ordinance is designed to provide a healthy environment for the patrons of the Town's athletic fields and other public properties.

SECTION 2. Definition of Terms

As used in this ordinance, unless the context otherwise indicates, the following terms shall be defined as herein set forth.

- I. The reference to a mechanical or other device shall include, without limitation, a pooper scooper, a trowel, a shovel, a plastic bag or other appropriate container.
- II. For the purposes of this section, municipal athletic fields shall mean all athletic fields owned, leased or maintained by the Town of Littleton.

SECTION 3. Removal from Public Property

Any owner or person having custody of any dog shall not permit the dog to defecate on

any public property, unless the owner or person in control has in his possession a mechanical or other device for the removal of excrement, nor shall such owner or person in control of that dog fail to expeditiously remove any such excrement deposited by the dog in any such place, and properly dispose of it.

SECTION 4. Municipal Athletic Fields

Any owner or person having custody of any dog shall not permit the dog (while under physical control or at large) to trespass or be on the defined playing areas of any municipal athletic field.

All athletic fields as described in this section, shall have signs conspicuously placed at each field which shall state that any owner or person having custody or control of any dog shall not permit the dog to trespass upon the athletic field.

Any owner found violating the provisions of this section shall be guilty of a violation and fine as established in the Town of Littleton Penalties Ordinance.

The Town of Littleton Health Officer shall, annually, inspect each municipal Athletic Field to confirm each sign has been placed in accordance with this section.

SECTION 5. Penalties for Non-compliance

Any person found in violation of this section will forfeit \$25.00 to the Town for the first offense and \$100 for a second offense. If payment is not made to the Town Clerk within 96 hours after notice of forfeiture, a complaint will be filed with the District Court. (96 hours will be calculated as working days, excluding weekends and holidays)

Any person who is notified under this Chapter of a civil forfeiture two (2) times within a 12 month period, may not utilize the forfeiture process for subsequent offenses within that 12 month period. Instead, such subsequent offenses shall be filed directly with the Court.