

[HISTORY: Adopted by the Annual Town Meeting of the Town of Blackstone 3-28-1953 by Art. 35, as Section IX of the Revised Bylaws; amended in its entirety 4-30-1984 ATM by Art. 11. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Cats — See Ch. [60](#).

Animals — See Ch. [164](#).

Swine — See Ch. [192](#).

§ 63-1 Definitions.

The following words and phrases, as used in this chapter, unless the context requires otherwise, shall have the following meanings:

HUNTING OR SPORTING DOG

An animal under the control and direction of its owner or keeper while used in training or actual hunting. It also includes animals used in events or trials participating under sanctioned competition.

KEEPER

Person, other than the owner, harboring in his possession any animal. The keeper shall be held liable for the action of the animal.

KENNEL

One pack or collection of dogs on a single premise, whether maintained for breeding, boarding, sale, training, hunting or other purposes, and including any shop where dogs are on sale, who are not covered by MGL c. 129, § 39A, and also including every pack or collection of more than three dogs six months old or over owned or kept by a person on a single premise, irrespective of the purpose for which they are maintained. Any and all kennels registered in the Town of Blackstone shall be subject to state and local business regulations.

[Amended by 10-19-1987 STM, Art. 11]

OWNER

Includes corporation, societies, associations and partnerships, and individuals, provided that they show ownership of an animal by possession of a current and valid license or other satisfactory proof of ownership.

WORKING DOG

An animal used in the performance of a particular set of tasks. The animals must be engaged in such tasks to be exempt from § [63-2](#). Examples include guard dogs, Seeing Eye dogs and dogs used to control a farmer's herd or flock.

§ 63-2 Dogs to be restrained by leash; exceptions.

A.

No person shall permit a dog owned or kept by him beyond the confines of the property of the owner or keeper unless the dog is held firmly on a leash. The length of a leash shall not exceed six feet when off the property of the owner/keeper. An owner or keeper may use a leash of a greater length to restrain a dog on the property of an owner or keeper, provided that the dog is securely confined to the premises of the owner or keeper.

B.

Exceptions. Animals which are classified as hunting or sporting dogs, as well as working dogs, while used in such capacity, are excepted.

§ 63-3 Evidence of violation.

The unauthorized presence of any animal on public lands or on the land of any person other than the owner or keeper of such animal, when such animal is not restrained as above mentioned, shall be prima facie evidence of a violation of the provisions of this chapter.

§ 63-4 Violations and penalties.

[Amended by 4-28-1986 ATM, Art. 23; 5-28-1997 ATM, Art. 34]

A violation of this chapter shall be punishable by a fine of \$25 per offense, with the exception of § [63-13](#), in which failure to vaccinate against rabies shall be punishable by a fine of \$50 in accordance with MGL c. 140, § 145B.

§ 63-5 Licensing; fees.

[Amended by 10-19-1987 STM, Art. 10; 4-27-1992 ATM, Art. 10; 5-28-1997 ATM, Art. 34]

A.

Any owner or keeper of a dog six months of age or older in the Town of Blackstone shall cause that dog to be licensed as required by MGL c. 140 within the stipulated time.

B.

The annual fee for every dog license, except as otherwise provided for by law, shall be \$10 unless a certificate of a registered veterinarian who performed the operation that such female dog has been altered and has thereby been deprived of the power of breeding or producing offspring has been shown to the Town Clerk, in which case the fee shall be \$6. If the Town Clerk is satisfied that the certification by the veterinarian who altered the dog cannot be obtained, he may accept in lieu thereof a statement under the penalties of perjury by a veterinarian registered describing the dog and stating that he has examined the dog and in his opinion the dog is not capable of breeding or producing offspring by reason of spaying or neutering. Until the veterinarian has examined the dog in question, the license fee for the licensing period shall be at the rate of \$10. When applying for a license, the applicant must also show proof by a veterinarian certificate that the dog has been vaccinated against rabies within the last three years, if the dog is six months of age or over, as required by MGL c. 140, § 145B. No fee shall be charged for a license for a dog specifically trained to lead or serve a blind person or a deaf person, provided that the Division of the Blind or Deaf certifies that such dog is so trained and actually in the services of a blind or deaf person. Kennel fees shall be as follows: four dogs or fewer, \$50; 10 dogs or less, \$75; and 25 dogs or less, \$100. No license fee or part thereof shall be refunded because of subsequent death, loss, spaying, neutering or removal from the commonwealth or other disposal of the dog.

C.

Discounts.

(1)

Provided that the license year does not exceed the year in which the rabies vaccination will expire, a dog owner shall have the option to license for one year, two years or three years at the time of licensing. Rabies vaccinations must be valid for the full year of licensing.

[Amended 5-31-2005 ATM, Art. 34]

(2)

Fee schedule.

	Year	Spayed/Neutered	Nonspayed/Nonneutered
	1st	\$6.00	\$10.00
	2nd	\$10.00	\$18.00
	3rd	\$14.00	\$26.00

D.

The licensing period will be based on a calendar year. Discounts shall not apply to kennel licenses.

Should any owner or keeper of a dog fail to license that dog before January 1, that owner or keeper shall pay a late fee of \$5, plus an additional fee of \$1 per month beginning January 1, before obtaining said license, excepting a dog brought into the Town as provided in MGL c. 140, § 138. This late fee shall be applicable from the 61st day after the arrival of such dog.

E.

Any person maintaining a kennel in the Town of Blackstone who fails to license as prescribed by this section and the laws of the commonwealth shall pay a late fee of \$10, plus an additional fee of \$2 per month beginning January 1.

F.

Such fees as collected by the Animal Control Department shall be accounted for and paid over to the Town Treasurer to be incorporated into the general fund.

§ 63-6 Impoundment and/or citations for certain offenses.

[Amended by 5-28-1997 ATM, Art. 34; 5-31-2005 ATM, Art. 34]

The Animal Control Officer can cite an owner for the following offenses:

A.

Unlicensed dog.

B.

Found at large with or without owner or keeper present.

C.

Injuring or menacing a person.

D.

Injuring or menacing a domestic animal or fowl.

E.

Chasing vehicles (autos, motorcycles, trucks).

F.

Chasing bicycles.

G.

Causing any disturbance (barking, howling, disturbing the peace, etc.).

H.

Being unmuzzled while a muzzling order is in effect.

I.

Being found in a school or schoolyard or posted recreational area.

J.

Violation of a quarantine.

§ 63-7 Muzzling for certain offenses; exceptions.

[Amended by 5-28-1997 ATM, Art. 34]

A.

Any officer of the Animal Control Department can order a dog to be muzzled or made to wear an electronic collar for the following:

(1)

Biting or menacing a person.

(2)

Injuring or menacing a domestic animal or fowl.

(3)

Excessive barking or howling.

B.

Exceptions. Only an officer of the Animal Control Department has the power to remove a muzzle order if he or she so desires; i.e., an exception is feeding time.

§ 63-8 Biting; violations of quarantine orders.

For biting a person, the animal must be quarantined subject to MGL c. 129, § 21. Any and all violations of a quarantine order will be subject to general penalties under MGL c. 129, § 30.

§ 63-9 Storage fee; impoundment of unlicensed and licensed dogs.

[Amended by 4-25-1988 ATM, Art. 37; 5-28-1997 ATM, Art. 34]

A.

A storage fee for the boarding of impounded animals shall be levied at a rate of \$15 per day.

[Amended 5-31-2005 ATM, Art. 34]

B.

Impounded unlicensed dogs will be kept for 10 days. During such time, a description of the dog will be posted at the Municipal Center. To obtain the release of an unlicensed dog, the owner or keeper must license the dog and pay all fines and storage fees. If the dog must be released for the purpose of obtaining a rabies inoculation, the owner or keeper shall leave a deposit of \$50 with the Town Clerk, which will be refunded at the time of licensing, providing the rabies inoculation and license is obtained within seven days after which the deposit becomes nonrefundable. If the dog is not claimed within 10 days it shall become available for adoption or destroyed in a humane manner upon approval of the Board of Selectmen.

C.

The owner of an impounded licensed dog will be notified, by registered mail, of the animal's confinement. The animal will be kept until the owner pays all fines and storage. If not claimed within 30 days, it will be destroyed in a humane manner upon approval of the Board of Selectmen.

§ 63-10 Dogs in estrous cycle; violations and penalties.

[Amended by 5-28-1997 ATM, Art. 34]

A fine of \$25 shall be levied against the owner or keeper of a female dog in heat, running at large.

§ 63-11 Animal Control Officer.

[Amended by 5-28-1997 ATM, Art. 34]

Subject to approval of the Board of Selectmen, the Town Administrator shall appoint an Animal Control Officer or Officers as are deemed necessary to administer and enforce this chapter and the sections of Massachusetts General Laws Chapter 140, as amended, relating to dogs.

§ 63-12 Kennels.

[Amended by 10-19-1987 STM, Art. 12; 4-24-1989 ATM, Art. 11; 5-28-1997 ATM, Art. 34]

A.

No person shall house more than three dogs, age six months or older, on a single premises without first applying for a kennel license with the Town Clerk. A copy of the special permit from the Zoning Board of Appeals must be included, or such application shall be denied. Upon review of the application, the Animal Control Officer and/or his assistant(s), along with the health agent, shall inspect the facility prior to the issuance of any kennel license. The Animal Control Officer and/or his assistant(s) and/or the health agent may deny the application if the facility is not in compliance with any or all sections of this bylaw.

B.

It shall be a condition of the issuance of any kennel license that the Animal Control Officer shall be permitted to inspect all animals and the premises where animals are kept at any time and shall, if permission for inspection is refused, revoke the license of the refusing owner or keeper with no part of the fee refunded.

C.

Any person who receives a kennel license shall erect a kennel in accordance with the following specifications:

(1)

A minimum of 4 by 8 feet for each dog shall be provided.

(2)

Locks on gates to prevent the escape of dogs and the entry of children shall be provided.

(3)

Kennels shall be 60 feet from the street and 40 feet from lot lines.

(4)

The Zoning Board of Appeals may waive any provision of Subsection [C](#).

D.

No person convicted of cruelty of animals shall be issued a license to operate a kennel.

E.

Any person or persons who holds a kennel license shall make available to the Animal Control Officer and the Police Department an emergency number where they can be reached.

F.

Kennel licenses shall be given only to people who apply under the conditions of operating a breeding and/or boarding and/or grooming facility by means of making moneys or hobby.

G.

Kennel licenses shall not be given to any person who is not a resident of the Town of Blackstone unless they are operating a commercial business.

H.

Pet stores shall not be required to carry a kennel license as long as they are in accordance with MGL c. 129, § 39A.

I.

All complaints received of a kennel will be handled in accordance with MGL c. 140, § 157, as amended.

§ 63-13 Vaccination against rabies.

[Added by 5-28-1997 ATM, Art. 34]

All dog owners will be in compliance of MGL c. 140, § 145B.

§ 63-14 Defecating on Town or private property.

[Added by 5-28-1997 ATM, Art. 35]

A.

Each person who owns, keeps or controls a dog within the Town shall remove and dispose of any feces left by such dog on any sidewalk, street, park or other public area or on any private property which is not owned or occupied by such person.

B.

No person who owns, keeps or controls a dog within the Town shall permit such dog to be on any sidewalk, street, park or other public area unless such dog is accompanied by a person carrying a device which is suitable for picking up and containing feces, unexposed to such person and to the general public.

C.

For the purpose of § [63-14A](#), feces may only be disposed of at a place suitable and regularly reserved for the disposal of human feces or otherwise designated as appropriate by the Board of Health.

D.

Section [63-14A](#), [B](#) and [C](#) shall not apply to a dog accompanying any handicapped person who, by reason of a handicap, is physically unable to comply with the requirements of such sections.

E.

A violation of § [63-14](#) will be punishable by a fine of \$25.