

2020 -- S 2246

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LC003996
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOG ENFORCEMENT AND
PENALTIES -- FOSTER

Introduced By: Senator Gordon E. Rogers

Date Introduced: February 04, 2020

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-13-1 of the General Laws in Chapter 4-13 entitled "Dogs" is
2 hereby amended to read as follows:

3 **4-13-1. Regulatory ordinances -- Enforcement and penalties.**

4 (a) City or town councils may make any ordinances concerning dogs in their cities or
5 towns as they deem expedient, to be enforced by the destruction or disposition of the animal, or
6 by pecuniary penalties not exceeding ten dollars (\$10.00) for the first offense, not exceeding
7 fifteen dollars (\$15.00) for the second offense within a year, not exceeding twenty-five dollars
8 (\$25.00) for the third and any subsequent offense within a year to be recovered by action of debt,
9 or by complaint and warrant, to use as that city council or town council may prescribe.

10 (b)(1) Barrington town council is authorized to enact an ordinance:

11 (i) Permitting the animal control officer in the town to issue citations to the owners of
12 dogs for violation of any animal control ordinance which may be paid by mail and;

13 (ii) To prescribe pecuniary penalties as follows:

14 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
15 calendar year;

16 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
17 year;

18 (C) A fine of not more seventy-five dollars (\$75.00) for the third and each subsequent

1 offense within a calendar year.

2 (2)(i) Bristol town council is authorized to enact an ordinance permitting the dog officer
3 in that town to issue citations to the owners of dogs for the violation of any dog ordinance which
4 may be paid by mail, and to prescribe pecuniary penalties as follows:

5 (A) A fine not exceeding twenty-five dollars (\$25.00) for the first offense within a
6 calendar year;

7 (B) A fine not exceeding fifty dollars (\$50.00) for the second offense within a calendar
8 year;

9 (C) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
10 offense within a calendar year.

11 (ii) The Bristol town council may by ordinance prescribe the number of licensed dogs and
12 their breeds which may be kept at any single-family residence other than a breeding kennel
13 licensed under § 4-13-10, and may enforce those ordinances by pecuniary penalties not exceeding
14 two hundred fifty dollars (\$250).

15 (3) Coventry town council is authorized to enact ordinances permitting the dog officer in
16 the town to issue citations to the owners of dogs for the violation of any dog ordinance which
17 may be paid by mail.

18 (4)(i) Cumberland town council may prescribe pecuniary penalties as follows:

19 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
20 year;

21 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
22 year;

23 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
24 within a calendar year.

25 (ii) The town council of the town of Cumberland is authorized to enact an ordinance
26 permitting the animal control officer or any police officer in that town to issue citations to the
27 owners of dogs for the violation of any dog ordinance which may be paid by mail.

28 (iii) The town council of the town of Cumberland is authorized to enact an ordinance
29 establishing the expense of the impoundment of dogs as determined by the town council and
30 providing for the payment to the town of the impoundment expense by the dog owner prior to
31 removal of the dog from the pound.

32 (5) Gloucester town council is authorized to enact an ordinance to prescribe pecuniary
33 penalties as follows:

34 (i) A fine not more than twenty dollars (\$20.00) for the first offense within a calendar

1 year;

2 (ii) A fine not more than thirty dollars (\$30.00) for the second offense within a calendar
3 year;

4 (iii) A fine not more than thirty-five dollars (\$35.00) for the third offense and each
5 subsequent offense within a calendar year.

6 (6) Jamestown town council may prescribe pecuniary penalties as follows:

7 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense within a
8 calendar year;

9 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense within a calendar
10 year;

11 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
12 offense within a calendar year.

13 (7)(i) Middletown may prescribe pecuniary penalties as follows for the violation of
14 animal control ordinances on any beach within the town of Middletown:

15 (A) A fine not exceeding one hundred dollars (\$100) for the first (1st) offense within the
16 calendar year;

17 (B) A fine not exceeding one hundred fifty dollars (\$150) for the second (2nd) offense
18 within a calendar year;

19 (C) A fine not exceeding two hundred dollars (\$200) for the third (3rd) and each
20 subsequent offense within a calendar year.

21 (ii) Middletown may prescribe pecuniary penalties as follows for the violation of animal
22 control ordinances anywhere else within the town:

23 (A) A fine not exceeding fifty dollars (\$50.00) for the first offense within a calendar year;

24 (B) A fine not exceeding one hundred dollars (\$100) for the second offense within a
25 calendar year;

26 (C) A fine not exceeding one hundred fifty dollars (\$150) for the third and each
27 subsequent offense within a calendar year.

28 (iii) The Middletown town council is authorized to enact an ordinance permitting the dog
29 officer in that town to issue citations to the owners of dogs for the violation of any dog ordinance
30 which may be paid by mail.

31 (8) Narragansett town council is authorized to enact an ordinance:

32 (i) Permitting the animal control officer in the town to issue citations to the owners of
33 dogs for the violation of any animal control ordinance which may be paid by mail; and

34 (ii) Establishing the expense of the impoundment of dogs as determined by the town

1 council and providing for the payment to the town of the impoundment expense by the dog owner
2 prior to removal of the dog from the pound; and

3 (iii) Prescribing pecuniary penalties as follows:

4 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
5 calendar year;

6 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
7 year;

8 (C) A fine of not more than seventy-five dollars (\$75.00) for the third and each
9 subsequent offense within a calendar year.

10 (9) Newport city council is authorized to enact an ordinance:

11 (i) Permitting the animal control officer, and his or her agents, in that city to issue
12 citations to the owners of dogs for violation of any animal control ordinance which may be paid
13 by mail;

14 (ii) To prescribe pecuniary penalties as follows:

15 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
16 calendar year;

17 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
18 year;

19 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
20 offense within a calendar year.

21 (10) North Providence town council is authorized to enact an ordinance permitting the
22 animal control officer in that town to issue citations to the owners of dogs for the violation of any
23 dog ordinance which may be paid by mail.

24 (11)(i) Portsmouth may prescribe pecuniary penalties as follows:

25 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
26 year;

27 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
28 year;

29 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
30 within a calendar year.

31 (ii) The Portsmouth town council is authorized to enact an ordinance permitting the dog
32 officer in that town to issue citations to the owners of dogs for the violation of any dog ordinance
33 which may be paid by mail.

34 (iii) The Portsmouth town council may, by ordinance, prescribe the number of licensed

1 dogs which may be kept at any single family residence other than a breeding kennel licensed
2 under § 4-13-10 and may enforce those ordinances by pecuniary penalties not exceeding twenty-
3 five dollars (\$25.00).

4 (12) The Richmond town council is authorized to enact ordinances:

5 (i) Establishing the following penalties for animal control offenses:

6 (A) A fine of not more than fifty dollars (\$50.00) for the first offense within one year;

7 (B) A fine of not more than seventy-five dollars (\$75.00) for the second offense within
8 one year of the first offense;

9 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
10 offense within one year of the first offense.

11 (ii) Permitting the animal control officer or any police officer to issue citations for
12 violation of any animal control ordinance punishable by a fine of five hundred dollars (\$500) or
13 less, and to provide for payment of those fines by mail.

14 (13)(i) Scituate town council may prescribe pecuniary penalties as follows:

15 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
16 year;

17 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
18 year;

19 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
20 within a calendar year.

21 (ii) Scituate town council is authorized to enact ordinances permitting the dog officer in
22 the town to issue citations to the owners of dogs for the violation of any dog ordinance which
23 may be paid by mail.

24 (14)(i) Smithfield town council may prescribe pecuniary penalties as follows:

25 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
26 year;

27 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
28 year;

29 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
30 within a calendar year.

31 (ii) The Smithfield town council is authorized to enact an ordinance permitting the animal
32 control warden in the town to issue citations which may be paid by mail to the owners of dogs for
33 the violation of any dog ordinance in that town.

34 (15) Tiverton town council may prescribe pecuniary penalties as follows:

- 1 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense;
2 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;
3 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
4 offense.

5 (16) Warwick city council may prescribe pecuniary penalties as follows:

- 6 (i) A fine not exceeding fifty dollars (\$50.00) for the first offense within a calendar year;
7 (ii) A fine not exceeding one hundred dollars (\$100) for the second offense within a
8 calendar year;
9 (iii) A fine not exceeding two hundred dollars (\$200) for the third and each subsequent
10 offense within a calendar year; and
11 (iv) A fine not exceeding three hundred dollars (\$300) for the fourth and each
12 subsequent offense within a calendar year.

13 (17) Westerly town council is authorized to enact an ordinance:

14 (i) Permitting the animal control officer in the town to issue citations to the owners of
15 dogs for the violation of any animal control ordinance which may be paid by mail; and

16 (ii) Establishing the expense of the impoundment of dogs as determined by the town
17 council and providing for the payment to the town of the impoundment expense by the dog owner
18 prior to removal of the dog from the pound; and

19 (iii) Prescribe pecuniary penalties as follows:

20 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
21 calendar year;

22 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
23 year;

24 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
25 offense within a calendar year.

26 (18) West Greenwich town council is authorized to enact an ordinance:

27 (i) Permitting the animal control officer in the town to issue citations to the owners of
28 dogs for the violation of any animal control ordinance which may be paid by mail; and

29 (ii) Establishing the expense of the impoundment of dogs as determined by the town
30 council and providing for the payment to the town of the impoundment expense by the dog owner
31 prior to removal of the dog from the pound; and

32 (iii) Prescribe pecuniary penalties as follows:

33 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
34 calendar year;

1 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
2 year;

3 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
4 offense within a calendar year.

5 (19) The town council of the town of Exeter is authorized to enact any ordinance
6 prescribing fines and penalties, in addition to those otherwise allowed by law, as follows:

7 (i) Providing a fine of up to twenty-five dollars (\$25.00) for the first offense;

8 (ii) Providing a fine of up to one hundred dollars (\$100) for the second offense; and

9 (iii) Providing a fine of up to two hundred dollars (\$200) for the third and for any
10 subsequent offenses within a one year period. In addition, the town may require proof of owners
11 liability insurance for a twelve (12) month period insuring against injury and damages caused by
12 the dog. That insurance shall be in the amount of one hundred thousand dollars (\$100,000) and
13 shall name the town as a named insured for the purposes of notice.

14 (20) West Warwick town council may prescribe pecuniary penalties as follows:

15 (i) A fine not exceeding fifteen dollars (\$15.00) for the first offense;

16 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;

17 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
18 offense.

19 (21) Woonsocket city council is authorized to enact an ordinance:

20 (i) Permitting the animal control office of the city to issue citations to the owners of dogs
21 for the violation of any animal control ordinance which may be paid by mail;

22 (ii) Establishing the expense of the impoundment of dogs as determined by the city
23 council and providing for the payment to the city for the impoundment expense by the dog owner
24 prior to removal of the dog from the pound; and

25 (iii) Prescribing pecuniary penalties as follows:

26 (A) A fine of not more than fifty dollars (\$50.00) for the first offense within a calendar
27 year;

28 (B) A fine of not more than one hundred dollars (\$100) for the second offense within a
29 calendar year;

30 (C) A fine of not more than one hundred fifty dollars (\$150) for the third and each
31 subsequent offense within a calendar year.

32 (22) Pawtucket city council is authorized to prescribe pecuniary penalties directly related
33 to its ordinance banning the owning or keeping of pit bulls in the city as follows:

34 (i) For a pit bull properly licensed according to the city ordinance;

1 (A) A fine not exceeding two hundred fifty dollars (\$250) for the first offense;

2 (B) A fine not exceeding five hundred dollars (\$500) on a second offense;

3 (C) A fine not exceeding one thousand dollars (\$1,000) on a third offense.

4 (ii) For a pit bull that is not licensed pursuant to the exceptions in the city ordinance:

5 (A) A fine not exceeding five hundred dollars (\$500) on a first offense;

6 (B) A fine not exceeding one thousand dollars (\$1,000) on a second or subsequent
7 offense.

8 (iii) Notwithstanding any other provision of this section, Pawtucket may through its
9 Municipal Court impose a sentence of imprisonment not exceeding thirty (30) days in addition to
10 the fines in subsection (ii)(A) or (B).

11 (23)(i) The Lincoln town council is authorized to prescribe pecuniary penalties as
12 follows:

13 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
14 calendar year;

15 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
16 year;

17 (C) A fine of not more than one hundred twenty-five dollars (\$125) for the third and each
18 subsequent offense within a calendar year.

19 (ii) The Lincoln town council is authorized to enact an ordinance permitting the dog
20 officer and police officers in that town to issue citations to the owners of dogs for the violation of
21 any dog ordinance, which citation may be paid by mail.

22 (24)(i) The East Providence city council is authorized to enact an ordinance permitting
23 the animal control officer or any police officer in that city to issue citations to persons in violation
24 of any animal ordinances, which may be paid by mail, and to prescribe pecuniary penalties as
25 follows:

26 (A) A fine of not more than thirty dollars (\$30.00) for the first offense within a calendar
27 year;

28 (B) A fine of not more than sixty dollars (\$60.00) for the second offense within a
29 calendar year;

30 (C) A fine of not more than one hundred twenty dollars (\$120) for the third offense
31 within a calendar year; and

32 (D) A fine of not more than three hundred dollars (\$300) for the fourth offense and any
33 subsequent offense within a calendar year.

34 (25)(i) The Warren town council is authorized to enact an ordinance permitting the

1 animal control officer in the town to issue citations to the owners of animals for violation of any
2 animal control ordinance which may be paid by mail, and to prescribe pecuniary penalties as
3 follows:

4 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
5 calendar year;

6 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
7 year;

8 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
9 offense within a calendar year.

10 (26)(i) The Burrillville town council is authorized to enact an ordinance:

11 (A) Permitting the animal control officer in the town to issue citations to the owners of
12 dogs for the violation of any animal control ordinance which may be paid by mail; and

13 (B) To prescribe penalties for violation of the provisions of revised general ordinances,
14 Town of Burrillville, Rhode Island, 2004, as amended, Chapter 4, entitled "Animals"; and

15 (C) Establishing an expense not to exceed ten dollars (\$10.00) for the day during which
16 impoundment occurs plus five dollars (\$5.00) every day the animal is detained and providing for
17 the payment to the town of the impoundment expense by the dog owner prior to removal of the
18 dog from the animal control facility.

19 (27) The Foster town council is authorized to enact ordinances permitting the dog officer
20 in the town to issue citations to the owners of dogs for the violation of any dog ordinance which
21 may be paid by mail, and may prescribe pecuniary penalties as follows:

22 (i) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
23 year.

24 (ii) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
25 year.

26 (iii) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
27 within a calendar year.

28 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOG ENFORCEMENT AND
PENALTIES -- FOSTER

- 1 This act would authorize the Foster town council to enact ordinances permitting the dog
- 2 officer in the town to issue citations for the violation of dog ordinances.
- 3 This act would take effect upon passage.

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