

2024 -- S 3120

=====
LC006194
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

—————
A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

Introduced By: Senator E Morgan

Date Introduced: May 31, 2024

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 4-13-1 and 4-13-15 of the General Laws in Chapter 4-13 entitled
2 "Dogs" are 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 towns
5 as they deem expedient, to be enforced by the destruction or disposition of the animal, or by
6 pecuniary penalties not exceeding ten dollars (\$10.00) for the first offense, not exceeding fifteen
7 dollars (\$15.00) for the second offense within a year, not exceeding twenty-five dollars (\$25.00)
8 for the third and any subsequent offense within a year to be recovered by action of debt, or by
9 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 dogs
12 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
19 offense within a calendar year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 year;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (iii) Prescribing pecuniary penalties as follows:

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

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

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

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

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

11 (ii) To prescribe pecuniary penalties as follows:

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

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

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

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

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

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

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

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

28 (ii) The Portsmouth 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 (iii) The Portsmouth town council may, by ordinance, prescribe the number of licensed
32 dogs which may be kept at any single family residence other than a breeding kennel licensed under
33 § 4-13-10 and may enforce those ordinances by pecuniary penalties not exceeding twenty-five
34 dollars (\$25.00).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense;

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

34 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent

1 offense.

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

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

4 (ii) A fine not exceeding one hundred dollars (\$100) for the second offense within a
5 calendar year;

6 (iii) A fine not exceeding two hundred dollars (\$200) for the third and each subsequent
7 offense within a calendar year; and

8 (iv) A fine not exceeding three hundred dollars (\$300) for the fourth and each subsequent
9 offense within a calendar year.

10 (17) Westerly 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 dogs
12 for the violation of any animal control ordinance which may be paid by mail; and

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

16 (iii) Prescribe pecuniary penalties as follows:

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

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

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

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

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

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

29 (iii) Prescribe pecuniary penalties as follows:

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

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

34 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent

1 offense within a calendar year.

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

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

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

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

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

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

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

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

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

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

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

22 (iii) Prescribing pecuniary penalties as follows:

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

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

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

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

31 (i) For a pit bull properly licensed according to the city ordinance:

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

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

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

1 (ii) For a pit bull that is not licensed pursuant to the exceptions in the city ordinance:
2 (A) A fine not exceeding five hundred dollars (\$500) on a first offense;
3 (B) A fine not exceeding one thousand dollars (\$1,000) on a second or subsequent offense.
4 (iii) Notwithstanding any other provision of this section, Pawtucket may through its
5 municipal court impose a sentence of imprisonment not exceeding thirty (30) days in addition to
6 the fines in subsection (b)(22)(ii)(A) or (B).

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

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

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

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

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

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

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

22 (ii) A fine of not more than sixty dollars (\$60.00) for the second offense within a calendar
23 year;

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

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

28 (25) The Warren town council is authorized to enact an ordinance permitting the animal
29 control officer in the town to issue citations to the owners of animals for violation of any animal
30 control ordinance which may be paid by mail, and to prescribe pecuniary penalties as follows:

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

33 (ii) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
34 year;

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

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

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

6 (ii) To prescribe penalties for violation of the provisions of revised general ordinances,
7 Town of Burrillville, Rhode Island, 2004, as amended, Chapter 4, entitled “Animals”; and

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

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

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

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

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

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

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

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

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

28 **4-13-15. Collaring of dogs — Impoundment and disposition of uncollared dogs.**

29 (a) Every owner or keeper of a dog shall cause the dog to wear a collar around its neck
30 distinctly marked with its owner’s or keeper’s name and with its registered number. Any person
31 may cause any dog not so collared to be impounded in the public pound of the town or city where
32 the dog is found; and if the dog is not claimed by its owner or keeper within a period of five (5)
33 days after the impoundment, the dog may be disposed of or destroyed. The five (5) days shall not
34 include any day or part of a day that the public pound is not open for a specified period of time, not

1 to be less than one-half (½) the normal hours of business, for the purpose of reclaiming any
2 impounded dog by its rightful owner. All periods of time shall be listed in a prominent location at
3 the entrance to all public pounds. The owner or keeper of any dog so impounded shall not take the
4 dog out of the pound until he or she has first paid to the poundkeeper the expense of keeping the
5 dog, that expense not to exceed two dollars (\$2.00) per day and to be determined by the city or
6 town council in which impoundment occurs. The town council of the town of Glocester may, by
7 ordinance, determine an expense not to exceed ten dollars (\$10.00) for each of the first five (5)
8 days during which this impoundment occurs plus five dollars (\$5.00) every day the animal is
9 detained, plus an additional ten dollars (\$10.00) if the owner or keeper is unable to show that the
10 dog has a current rabies shot pursuant to § 4-13-31, and further, the dog shall not be released from
11 the pound until all the provisions of this chapter and the ordinances of the city or town are complied
12 with. The provisions of this section relating to the five-day (5) waiting period shall not be deemed
13 to apply to any dog which, when impounded, was injured or maimed, and after the dog has been
14 examined by a licensed veterinarian who shall confirm, in writing, that the dog be destroyed for
15 humanitarian purposes.

16 The town of West Warwick may provide by ordinance an impounding fee of five dollars
17 (\$5.00) per day and may provide by ordinance for a fee for the purposes of transferring ownership
18 or for the disposition of said animals according to law for each adult dog (six (6) months or older)
19 the sum of twenty dollars (\$20.00) and for each puppy the sum of five dollars (\$5.00) and for each
20 adult cat (six (6) months or older) the sum of ten dollars (\$10.00).

21 (b) Any person violating the provisions of this section is subject to the penalty provisions
22 of § 4-1-2.

23 (c) Notwithstanding the provisions of subsection (a) the town council of the town of Exeter
24 may impose an initial impoundment fee of up to fifteen dollars (\$15.00) plus two dollars (\$2.00)
25 per day for each day of impoundment.

26 (d) Notwithstanding the provisions of subsection (a), the city council of the city of East
27 Providence is authorized to enact an ordinance imposing an initial impoundment fee of up to twenty
28 dollars (\$20.00) plus five dollars (\$5.00) per day for each day of impoundment.

29 (e) Notwithstanding the provisions of subsection (a), the town council of the town of
30 Richmond is authorized to enact an ordinance providing for an impoundment fee of not more than
31 twenty dollars (\$20.00) per day for any impounded animal, and requiring payment of the fee before
32 an impounded animal may be released to its owner.

33 (f) Notwithstanding the provisions of subsection (a) of this section, the Foster town council
34 is authorized to enact an ordinance providing for an impoundment fee of not more than fifteen

1 dollars (\$15.00) per day for any impounded animal, and requiring payment of the fee before an
2 impounded animal may be released to its owner.

3 (g) Notwithstanding the provisions of subsection (a) of this section, the Hopkinton town
4 council is authorized to enact an ordinance providing for an impoundment fee of not more than
5 twenty dollars (\$20.00) per day for any impounded animal, and requiring payment of the fee before
6 an impounded animal may be released to its owner.

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

=====
LC006194
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

1 This act would permit the town council of the town of Hopkinton to enact ordinances which
2 increase the fines pertaining to the violation of any dog ordinance and also to increase the fee to be
3 paid before an animal in impoundment may be released to its owner.

4 This act would take effect upon passage.

=====
LC006194
=====