

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1983-66

No. 807 **AN ORDINANCE** IN AMENDMENT OF AND IN ADDITION TO SEC. 4-47 OF ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED: "CONDITIONS DECLARED NUISANCE: ABATEMENT REQUIRED."

Approved December 20, 1983

Be it ordained by the City of Providence:

SECTION 1. Sec. 4-47 of Article III of the Code of Ordinances of the City of Providence, entitled: "Conditions declared nuisance; abatement required" is hereby amended by deleting subsection (a) and inserting in lieu thereof, the following:

(a) The keeping or harboring of any dog, whether licensed or not, which by unreasonable and habitual howling, barking, or any other noise, disturbs a surrounding or adjacent neighbor or neighbors, is hereby declared to be a public nuisance. The said neighbor complaining about the dog nuisance must be willing to sign a complaint and testify in court as to the offending animal. The person or owner of the dog must be warned at least once by the Dog Officer or a representative of the Police Department or Animal Shelter. The Dog Officer shall investigate the complaint to such an extent so as to hear the animal in question barking and to show that the animal is a public nuisance and/or a bother to the peaceable inhabitants of the City, or the neighborhood. The dog officer, if he finds a nuisance exists shall serve written notice upon the owner or custodian of said animal to show that the animal is a public nuisance.

If after said offense has been noted and said offense, howling, barking or any other noise which disturbs a neighbor is not abated, the owner shall be brought to Municipal Court and fined \$25.00 for the first offense and \$50.00 for the second offense and if a third offense exists, said dog shall be impounded.

SECTION 2. This Ordinance shall take effect upon its Passage.

IN CITY COUNCIL

DEC 1 1983

FIRST READING
READ AND PASSED

IN CITY
COUNCIL
DEC 13 1983

FINAL READING
READ AND PASSED

PRESIDENT

CLERK

APPROVED

DEC 20 1983

MAYOR

No.

CHAPTER

AN ORDINANCE

COMMITTEE
IN CITY

READ AND RECORDED
CITY CLERK

RECEIVED

CITY CLERK

DEC 10 1983

IN CITY COUNCIL

SEP 1 1983

FIRST READING

REFERRED TO COMMITTEE ON ORDINANCES

THE COMMITTEE ON

ORDINANCES

Approves Passage of
The Within Ordinance

Rose M. Mendonca
Clerk Chairman

October 17, 1983

Rose M. Mendonca CLERK

Council President Paulino (By Request)

PROVIDENCE POLICE DEPARTMENT

Wednesday July 13, 1983

To: Buddy Johnson: City Hall

From: Sgt Henry J. Sharpe: Director City Dog Pound

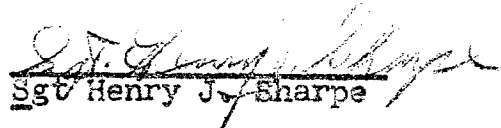
Subject: Ordinance on Barking Dogs

Sir:

In regards to barking dog complaints, The person Making the complaint must be willing to go to Court, they must identify themselves, . The person or owner of the dog must be warned at least once by the Dog Officer or representative of the Police Department, or Animal Shelter There must be an investergation to such an extent, so as to hear the animal in question barking and to show that animal is a Public Nusicance and or a bother to the pesciable inhabitants of the City of Providence, or certian neighborhoods.

There should be a penalty of not less than \$25.00 for the first offense and not less than \$50.00 for the second offenseon the third offense the dog should be taken from the owner nor to be gixen back.

Respectfully Submitted


Sgt Henry J. Sharpe

Amend the Code pertaining to:
draft the ordinance

The Keeping or ~~having~~ of any dog
whether licensed or not which by howling,
barking, or any other noise disturbs
a surrounding or adjacent neighbor or
neighbors. Is hereby declared to be a
public nuisance.

The said ^{neighbor} person complaining about the dog
nuisance must be willing to sign a
complaint & testify in court. As to the offending
animal. The dog officer if he finds a
nuisance exists shall serve written notice
upon the owner or custodian of said animal
to show that the animal is a public nuisance.

If after said ~~offense~~ offense
has been noted & said offense howling
barking, or any other noise which disturbs
a neighbor is not abated. The owner
shall be brought to municipal court
& fined \$25.00 for the first offense &
50.00 per offense after that. If the
offense continues said dog shall be removed
to dog pound until the dog officer is
satisfied that the offenses will not
continue.

An ordinance to supersede
section 4-47

City of Providence
Dog Ordinances

Asolino
(*Mr Joe Parler*)

Sec. 4-32 Enforcement

The provisions of this article shall be enforced by the dog officer of the City of Providence and the police officer of said city.

Sec. 4-33 Restraint of dogs Required

The owner shall keep his dog under restraint at all times and shall not permit such dog to be at large, off the premises or the property of the owner, unless the control of a competent person by means of leash or within a vehicle being driven or parked on the streets or within the property limits of it's owner.

→ Sec. 4-34 Impoundment of dogs and other animals

Any dog, or dogs, found running at large shall be taken up by the dog officer or any police officer and impounded in the shelter designated as the city dog pound, and there confined in a humane manner for a period of not less than (5) five days, unless first claimed by owner thereof in accordance with Sec. 4-35, and may thereafter be disposed of in a humane manner if not claimed by thier owners.

(c) When dogs are found running at large, and thier ownership is known to the dog officer, such officer may (a) cite the owners of such dogs to appear in the Providence Police Court to answer to charges of violation of this article (b) impound the dog or (c) both cite the owners to appear in the Providence Police Court and impound the dog.

Sec. 4-34.1 Proof of ownership prior to impounding dog or cat

(b) the dog officer shall charge a fee, as specified in the following schedule, to be paid by said owner of any dog or cat taken to the dog pound for the purpose of transferring title or for disposal according to the law.

*check fee schedule on page 332.2

Sec. 4-35 Redemption of dogs or other animals

(a) the owner shall be entitled to regain possission of any impounded dog or other animal, except as hereinafter provided in the cases of certain dogs, at any time upon the payment of impoundment fees set forth herein.

Sec. 4-36 Impoundment Fees

Any animal impounded hereinunder may be reclaimed as herein provided upon payment by the owner to the dog officer of \$10.00 and the additional sum of \$4.00 per day for each day such dog is retained. Said owner prior to reclaiming of the animal, must sign an affidavit that he or she is the owner of the animal which he or she is attenpting to reclaim....Such fees, shall be collected by the dog officer and deposited with the city collector, with a monthly report concerning the number of dogs retained and accounting of the fees collected, and a copy of the paid receipt given to each owner upon the reclaiming of the animal.

→ Sec. 4-47. Conditions declared nuisance; abatement required

(a) the keeping or harboring of any dog, or other animal or fowl, whether licensed or not, which by unreasonable or habitual howling, yelping, barking or other noise disturbs or annoys three (3) or more persons having separate residences is unlawful, and is hereby declared to be a public nuisance and each day shall constitute a separate offense.

(c) If the nuisance is not abated, the dog officer may impound the animal, notify the owner to appear before the Providence Police Court for a hearing to determine if there is has been a violation of Sec. 4-47. Each day shall constitute a separate offense.

→ Sec. 4-48. Filing complaints under article

All complaints made under the provisions of this article shall be made to the dog officer or the police department, and may be made orally; provided however, that such complaint is with in 48 hours, reduced to writing on forms provided by the dog officer and shall be signed by the complaintant showing his address and telephone number, if any.

Sec. 4-49. Right of dog officer to enter premises, examine and seize dog

In the discharge of his duties imposed by this article, the dog officer of this city shall have the authority at all reasonable times to enter upon any premises (but such authority shall not include the right to enter any residence on such premises) to examine a dog or other animal which is allegedly in violation of this article. Such officer shall have the further authority to take possession of any such dog or other animal and remove it from such premises for cause set forth herein.

Sec. 4-49.1 Dog officer authorized to serve summonses

The dog officer and his duly qualified agents shall hereby have the authority to serve summonses and or/citations for appearance before the municipal court of Providence for violation of the Providence Code Of Ordinances pertaining to dogs.

Sec 4-52. Penalty for violation of article

Except as otherwise provided herein, any person convicted of violating any provision of this article may be punished by the payment of fine not exceeding \$10.00 to be recovered for the use of the City, and if such violation be continued, each days violation may constitute a separate offense.