

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1980-43

No. 639 **AN ORDINANCE** AMENDING SECTION 4-37(a)
OF THE CODE OF ORDINANCES OF THE CITY OF
PROVIDENCE RELATIVE TO CERTAIN TYPES OF DOGS,
BY CREATING SECTIONS 4-53, 4-54 AND 4-55 OF
SAID CODE, AS AMENDED.

Approved October 24, 1980

Be it ordained by the City of Providence:

WHEREAS, It has come to the attention of the City Council of the City of Providence, Rhode Island, that a certain breed of dog, commonly known as an "American Pit Bull" dog, or also known as a "Pit Bull Terrier" dog, or "Staffordshire Terrier" dog, may have certain vicious propensity towards humans, and

WHEREAS, The City Council has determined that this certain type of dog is a danger to the citizens of the City in that it may be, and sometimes is, unpredictable with persons other than its owner or custodians, and

WHEREAS, This certain type of dog is particularly strong and sometimes vicious, and has the capability and propensity to inflict serious, permanent, and life-threatening damage and injuries on humans, and

WHEREAS, There have been at least thirty (30) reported pit bull dog attacks in the City of Providence within the last year, and

WHEREAS, There have been documented incidents where these types of dogs have caused serious life-threatening injuries to the citizens of the City, and

WHEREAS, It is the intention of the City Council to strictly regulate the ownership and keeping of these dogs within the limits of the City, and

WHEREAS, It is within the knowledge of the members of the City Council that these types of dogs are unique and infamous for strength, stamina, and viciousness, when bred and trained for fighting, and have a powerful muzzle far beyond that of other breeds, and

WHEREAS, The City Council has decided to exercise its power and responsibility to protect the health, safety and welfare of the citizens of the City in that it has decided to restrict and regulate these certain breeds of dogs, as well as those other breeds of dogs which are by definition "vicious dogs".

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROVIDENCE, RHODE ISLAND,

SECTION 1: Section 4-37 (a) is hereby repealed by creating Section 4-53, entitled "Vicious Dogs Running at Large; Defined", to include within that term, vicious dogs and any dog known to have bitten any other dog, without provocation, or any person without provocation.

1. It shall be unlawful for any owner or keeper of any mischievous or vicious dog to permit such dog to run at large or without the enclosure of the owner or keeper thereof within the City limits, without being properly leashed and muzzled.

2. Any dog known to have bitten any person or other animal without provocation, on three or more separate occasions is hereby defined as a "vicious dog", but the term "vicious dog" shall not be limited to only those dogs who are known to have bitten any person or animal, if the owner or anyone has knowledge of the dog's fierce or vicious behavior in the past.

SECTION 2. Chapter 4, entitled "Animals and Fowl" Article 3 entitled "Control of Dogs and Other Animals" is hereby amended by creating Sections 4-54 and 4-55 to read as follows:

"4-54. Registration of Certain Breeds of Dogs Required. Any person having the custody, ownership, or control of any American Pit Bull dog, Put Bull Terrier dog, or Staffordshire Terrier dog, must register said dog with the City on a form to be provided by the City. Said form shall require the following information: Name, address and telephone number of the dog's owner; the address where said dog is harbored, if different from owner's address; dog's sex, color, Providence County rabies certificate and tag number and other distinguishing physical characteristics of the dog, as well as proof of public liability insurance of not less than \$25,000 for such registration. The fee for registration shall be Twenty Dollars (\$20.00)."

"4-55. Owners Responsible. In accordance with the General Laws of the State of Rhode Island 1956, as amended, owners of dogs shall be liable for any damage done by their dogs to any domestic animal or livestock or persons. Additionally, the owners of any dog which shall bite any person while such person is on or in a private place, including the property of the owner, shall be liable for such damages as may be suffered

by persons bitten, regardless of the former viciousness of such dog or the owner's knowledge of such viciousness.

A person is lawfully upon private property of such owner within the meaning of this act when he or she is on such property in the performance of any duty imposed upon him by the laws of this state or by the laws or postal regulations of the United States, or when he or she is on such property upon invitation, expressed or implied, of the owner thereof; or when he or she is on such property in the performance of a duty relative to public safety, which shall include policeman, fireman, or other authorized members of boards or agencies of City government; provided, however, no owner of any dog shall be liable for any damages to any person or his property when such person shall mischievously or carelessly provoke or aggravate the dog inflicting such damage; nor shall any such owner be so liable if at the time of any such injury he had displayed in a prominent place on his premises a sign easily readable including the words 'Bad Dog', 'Beware of Dog' or some other language which shall give sufficient warning to any individual".

SECTION 3. Any person convicted of violating the provisions set forth in Sections 4-53, 4-54, and 4-55 shall be punished by a fine as specified by the General Laws of the State of Rhode Island, 4-13-11 inclusive. Each day any violation of this Ordinance shall continue, shall constitute a separate offense.

SECTION 4. If any word, phrase, clause, subsection or sections of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect upon its passage, and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

IN CITY COUNCIL

OCT 2 1980
FIRST READING
READ AND PASSED

Rose M. Mendonca CLERK

IN CITY
COUNCIL

OCT 1 6 1980

FINAL READING
READ AND PASSED

Ralph Tarsnab
PRESIDENT
Rose M. Mendonca
CLERK

APPROVED

MAYOR

Vincent A. Cianci

OCT 2 4 1980

THE COMMITTEE ON
ORDINANCES

Approves Language of
The Within Ordinance

Rose M. Mendenhall
Clerk Chairman
Sept 25, 1980

Councilman Johnson and Councilman Mansville