

**City of Worcester**

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**ORDINANCES FOR THE LICENSING AND REGULATION OF DOGS, CATS AND  
FERRETS TO STATE LAW**

**§ 10. Dog Regulation & Licensing To Be Governed By State Law**

(a) The city shall implement to the fullest extent possible the provisions of sections 136A through 174D of chapter 140 of the General Laws, as may be amended from time to time, as concerns the licensing and regulation of dogs and dog kennels, and, where applicable, cats and ferrets. The provisions of this ordinance shall be interpreted in accordance with 1) said sections of chapter 140 of the General Laws, including the defined terms contained therein, and, 2) the city charter. In the event of any conflict between any part of this ordinance and any provision in sections 136A through 174D of chapter 140 of the General Laws, the provisions of the General Laws shall prevail.

(b) For purposes of implementing sections 136A through 174D of chapter 140 of the General Laws, the “hearing authority” as stated in the General Laws shall be a “hearing officer” designated by the city manager, such hearing officer may be an animal control officer or any other officer or employee of the city in any department under the jurisdiction of the city manager.

(c) All fees, funds, fines and penalties collected pursuant to both this ordinance and sections 136A through 174D of chapter 140 of the General Laws shall be deposited with the city treasurer who shall credit them to the general fund of the city. The city treasurer shall keep an accurate and separate account of all money received and expended by the treasurer under this chapter and under chapter 140 of the General Laws relating to animals.

**§ 11. Additional Requirements**

Pursuant to section 173 of chapter 140 of the General Laws, the city hereby makes the following additional requirements concerning the licensing and regulation of dogs, kennels, cats and ferrets:

(a) Dog and kennel licenses shall be valid from April first through March thirty-first each year and shall be renewed annually only during the month of March.

(b) The city clerk shall furnish with every license issued hereunder, tags containing the words “city of Worcester” and the license number and the year issued. The owner or keeper of every dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which such tag shall be securely fastened.

(c) The city clerk shall not issue any dog or kennel license to any person under the age of eighteen, nor issue more than two dog licenses for any single dwelling unit, nor issue any kennel license for any multi-family dwelling or on the premises thereof, or any location which does not comply with the zoning ordinances of the city with respect to kennels. Each license shall be issued upon the condition that the owner or keeper shall comply with the provisions of this ordinance and any law, rule or regulation relating to the ownership and control of dogs.

(d) Under authority of section 139(a) of chapter 140 of the General Laws, the fee for every license, except as otherwise provided in subsections (h) and (i) herein, shall be as follows:

<b>Females:</b>	<b>\$30.00</b>
<b>Males:</b>	<b>\$30.00</b>
<b>Spayed females:</b>	<b>\$25.00</b>
<b>Neutered males:</b>	<b>\$25.00</b>

(e) Any person who fails to obtain an annual dog license on or before May 31<sup>st</sup> shall be charged when applying for a license, in addition to the license fee, a late fee of fifteen (\$15.00) dollars.

(f) Pursuant to section 139 of chapter 140 of the General Laws no fee shall be charged for a license issued under section 137 of said chapter 140 for a service dog as defined by the Americans with Disabilities Act or regulations promulgated thereunder.

(g) No fee shall be charged for a license for a dog owned by a person aged 70 years or over.

(h) No license fee or portion thereof shall be refunded because of the subsequent death, loss, spaying or removal from the commonwealth or other disposal of the dog, nor shall a license fee or portion thereof paid by mistake be paid or recovered after it has been paid over to the city under this section.

(i) The city clerk, commissioner of inspectional services, or their designee, or any police officer or animal control officer, may at any time inspect or cause to be inspected any kennel licensed under this section and if, in his or her judgment, the kennel is not being maintained in a sanitary or humane manner, or if records are not properly kept as required by this ordinance or other applicable law, or is in violation of any provision of this ordinance, the city clerk shall by order revoke or suspend, and in the case of suspension may reinstate, such license.

(j) The city clerk, chief of police and commissioner of inspectional services shall have the authority to make operational regulations appropriate for the implementation and enforcement of this ordinance.

## **§ 12. Dangerous & Nuisance Dogs, Hearings, Appeals**

(a) In addition to any member of the public, the chief of police, any animal control officer, the commissioner of inspectional services or any inspector under his or her supervision, or any other city officer or employee as may be designated by the city manager may initiate the complaint and hearing procedures of section 157(d) of chapter 140 of the General Laws relative to declaring dogs nuisance dogs or dangerous dogs.

(b) Pending any appeal filed in the district court by an owner or keeper, the hearing officer may, with the representation of the law department, file a petition in the court to request an order of impoundment at a facility the city uses to shelter animals for a dog complained of as being a dangerous dog and may likewise take any and all appropriate actions to defend the order and advance the interests of this ordinance in court.

## **§ 12A. Responsible Pit Bull Ownership – 9514 (Repealed Dec. 11, 2012 – 9824)**

### § 13. Duties of Dog Owners

(a) It shall be unlawful for any person to:

- (1) keep or harbor any dog without the license required by law; or violate any requirement imposed as a condition to the issuance of a license by law; or
- (2) permit any dog he or she owns or keeps to run or roam at large off the premises of the owner or keeper without either being secured by a leash which does not exceed six feet in length or secured in an enclosed animal transportation cage;
- (3) fail to cause any dog to be vaccinated as required by law;
- (4) maintain a kennel in violation of the zoning ordinance or in any multi family dwelling or on the premises thereof;
- (5) use any license for a dog other than for the dog for which it was issued; or
- (6) withhold or falsify any information on an application for a dog or kennel license;
- (7) allow any dog, except a registered service dog, to be in any city park, public cemetery or playground, excepting only such city park as may be designated by the parks and recreation commission as being open to on-leash dog use.
- (8) allow any dog, except a registered service dog, to be in or on any place open to the public within that area of the city surrounded by and including both sides of Irving, Linden and Harvard Streets to the west, Madison Street to the south, Route I-290 to the east and Concord Street to the north, unless the dog is licensed at an address within said area; except that nothing herein shall prohibit any dog from participating in, being transported to or from, or being exercised or board in connection with, any dog show, act or event for which an entertainment license has been issued by the city under G.L. c. 140, or for which a permit has been issued pursuant to division of public health regulations for the keeping or exhibition of animals, which is conducted by any corporation organized primarily for the promotion of dogs, so long as any such dog is secured in a cage or by a leash which does not exceed six feet in length while on any street open to the public, and so long as, at no time shall any such dog be taken into the Worcester Common or any city park, playground or schoolyard, excepting only such city parks designated as being open to on-leash dog use in accordance with subsection (7) herein.
- (9) permit any dog he or she owns or keeps to deposit any excreta on any property, whether public or privately owned, which is open to the public, without immediately removing such excreta for disposition in a sanitary manner;
- (10) permit dog excreta to accumulate on his/her property;
- (11) cause or permit any dog, whether leashed or unleashed, to hang from or otherwise damage any tree, whether public or private;
- (12) subject any animal to abuse, inhumane care, or unsafe or unsanitary conditions;  
or
- (13) chain or tether a dog to a stationary object including, but not limited to, a structure, dog house, pole or tree for longer than 24 consecutive hours.

(b) The owner or keeper of a domestic animal shall properly dispose of the animal within seventy-two hours of its death.

## **§ 14. Enforcement**

(a) The city manager, acting through the chief of police, police officers, animal control officers, or any officer or employee of the city under the jurisdiction of the city manager, shall have authority to enforce the provisions of this chapter and shall have all the powers and duties afforded by chapter 140 of the General Laws as it relates to the regulation of dogs, dog kennels and dog, cat and ferret owners, including, but not limited to: the filing of an action of forfeiture and relinquishment of ownership under section 139A of chapter 140, and may exercise such powers and duties to the fullest extent possible to secure compliance with this ordinance and said General Laws.

(b) This ordinance may be enforced by civil process, criminal process, or by non-criminal disposition as provided in General Laws, chapter 40, §21D. Each day on which a violation exists shall be deemed to be a separate offense and any person in violation of this chapter shall be punished by a fine of fifty dollars for each offense. Any person who is punished under this chapter for three or more violations in any two year period shall immediately forfeit any license issued under sections ten through sixteen of this chapter and shall be ineligible to hold any dog or kennel license for one year from the date of the third conviction or imposition of a civil penalty.