

Division 2. Impoundment

Sec. 8-71 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Animal Control Officer shall mean the person employed or contracted by the Town as its enforcement officer and shall include any police officer of the Town.

Restraint shall mean an animal is under restraint within the meaning of this Article if it is (a) on a leash; (b) kept in an enclosure; (c) kept within a vehicle; (d) kept within the property limits of its owner or keeper; when walking with a person and not on a leash or lead but under the verbal command of heel; or (f) kept within the property limits of another person with that property owner's permission. Hunting dogs including hounds, bird dogs and retrievers in the process of training, or when in legal pursuit of wild game in season, are considered under restraint for purposes of this Article.

Sec. 8-101 Authority to impound unlicensed or uncollared dogs.

REPEALED and REPLACED with

Every owner or keeper of a dog shall cause the dog to wear a collar around its neck distinctly marked with its owner's or keeper's name and with its registered number. Any person may cause any dog not so collared to be impounded in the public pound of the town or city where the dog is found; and if the dog is not claimed by its owner or keeper within a period of five (5) days after the impoundment, the dog may be adopted out or destroyed. The five (5) days shall not include any day or part of a day that the public pound is not open for a specified period of time, not to be less than one-half (1/2) the normal hours of business, for the purpose of reclaiming any impounded dog by its rightful owner. All periods of time shall be listed in a prominent location at the entrance to all public pounds. The owner or keeper of any dog so impounded shall not take the dog out of the pound until he or she has first paid to the pound keeper the expense of keeping the dog, that expense not to exceed fifteen dollars (\$15.00) per day and to be determined by the city or town council in which impoundment occurs.

Sec. 8-102 Redemption; fees and fines

REPEALED and REPLACED with

Any animal impounded under this chapter may be reclaimed as herein provided upon payment by the owner to the animal control officer of the required fee which fees shall be set from time to time by the Town Council and a schedule of said fees shall remain on file in the office of the Town Clerk.

Sec. 8-103 Classification and disposition of unclaimed dogs.

REPEALED and REPLACED with

- a. The owner shall confine within a building or secure enclosure, every known fierce, dangerous or vicious dog or other animal, and not take such dog or other animal out of such building or secure enclosure unless such dog or other animal is securely muzzled. Secure enclosures may include fences capable of confining such dog or other animal but shall not include so- called electronic fences or invisible fences.
- b. Every female dog or other animal in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel or under control of a competent agent, in such a manner that such female for or other animals cannot come in contact with another dog or animal, except for intentional breeding purposes.
- c. Any animal described in the forgoing subsections of this section found at large or not confined as prescribed herein, may be impounded by the animal control officer. The owner/s of said animal may be fined or cited to appear in district court to answer charges of violation of this section. If the animal impounded, and if the owner is know, the animal control officer shall make reasonable effort to notify the owner.

Sec. 8-103.1 Determination of Vicious Dog

The Town shall follow the provisions of RIGL 4-13.1-11 with respect to determination of a Vicious Dog.

Sec. 8-154 Not spayed female dogs; period of confinement

REPEALED

Sec. 8-155

The following sentence is REPEALED and REPLACE

If five business days after being notified the owner or keeper does not reclaim the dog and pay the fees and expenses, the animal control officer is empowered and authorized to euthanize or adopt out the dog and charge the expense of euthanizing and disposal for the dog to the owner or keeper. The fee varies on size of animal.

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Sec. 8-157

REPEALED and REPLACED with

Penalty for violations (change name of section)

- (a) The Animal Control Officer of the Town is authorized to issue citations which may be paid by mail to the owners or keepers of dogs and animals subject to the provisions of this Article, for the violation of provision of this Chapter 8 Article III.
- (b) Citation paid by mail shall be made by check or money order payable to the Town of Foster and postmarked within ten (10) business days of the date of the citation, mailed via first class mail, postage prepaid to Town of Foster, 181 Howard Hill Road, Foster, Rhode Island 02825.
- (c) Fines for violation of any violation of this ordinance shall be – as set forth in RIGL §4-13-1(b)(13)(i) as follows:
 - (1) Twenty dollars (\$20.00) for the first offense within a calendar year
 - (2) Thirty dollars (\$30.00) for the second offense within a calendar year; and
 - (3) Fifty dollars (\$50.00) for the third and each subsequent offense within a calendar year.
- (d) All fines for violation of any provision of this article shall be added to the general fund of the Town.