

# TOWN OF LANCASTER, MASSACHUSETTS

## ANIMAL CONTROL BYLAW

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### SECTION 5. Owner Responsibility

It shall be the duty of every owner of an animal, or anyone having an animal in their possession or custody, to exercise reasonable care and to take all necessary steps and precautions to prevent any animal from being a nuisance and to protect people, property, and animals from injuries or damage which might result from their animal's behavior, regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity. In the event that the owner or keeper of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure that all provisions of this bylaw are complied with.

#### **(a) While ON Property:**

It shall be the duty of every owner of any animal, or anyone having any animal in his possession or custody, to ensure that the animal is kept under restraint and that reasonable care and precautions are taken to prevent the animal from leaving, while unattended, the real property limits of its owner, possessor, or custodian, or the real property limits of another person with the knowledge and express permission of the owner of such property. Suggested methods to restrain an animal include the following: it is securely and humanely enclosed within a house, building, fence, pen, or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition – and such enclosure be securely locked at any time the animal is left unattended; it is securely and humanely restrained by chain, cable and trolley or other tether of sufficient strength to prevent escape; or it is on a leash and under control of a competent person, or is off leash and is obedient to that person's commands and that person is present with the animal any time it is not on a leash.

#### **(b) While OFF Property or At Large:**

It shall be the duty of every owner of any animal or anyone having an animal in their possession to keep the animal under restraint and control at all times while the animal is off the real property limits of the owners, possessors or custodian. For the purpose of this section, an animal is deemed under control when; it is securely confined within a vehicle, parked or in motion; it is properly confined within a secure enclosure with permission of the owner of the property where the enclosure is located; it is securely restrained by a leash or other device held by a competent person. The animal owner, possessor, or custodian is required to immediately remove any solid waste left by their animal(s) on public or private property beyond their real property limits.

#### **(c) Abandonment or Abuse of Animals:**

It shall be unlawful for anyone to knowingly abandon or abuse any domesticated animal. Each person who does abandon or abuse knowingly, or willingly permits this abandonment or abuse or aids in the abandonment or abuse of any domesticated animal shall be reported to the proper authority.

#### **(d) Penalties for Violation and Repeat Offenders:**

Any person violating the terms of this section or rules and regulations promulgated pursuant thereto shall be subject to fines as described in the schedule of fees set by the Animal Control Commission.