

**City Councillor  
Joseph A. DelGrosso  
City Council Chamber  
Calendar  
May 4, 2015**

**4:30 P.M.            Appointments Sub-Committee Meeting**

**5:00 P.M.            Ways and Means Sub-Committee Meeting**

**6:00 P.M.            Salute to the Flag**

**Roll Call of Members**

**Approval of the Journal of the meeting held on  
April 27, 2015.**

**12-022                Joint meeting of the utility companies to discuss double  
poles.**

**Unfinished Business**

**15-095                Motion for reconsideration filed by Councillor Arrigo on a  
motion relative to an ordinance amendment concerning the  
expenditure of grants.**

**Committee Reports**

**Report of the Appointments Sub-Committee**

**Report of the Ways and Means Sub-Committee**

**Communications**

**Comm. from the Mayor relative to the appointment of Meola  
Construction Corp., 157-165 Clark Ave., Chelsea, MA, as a Licensed Drain  
Layer.**

**Comm. from the Mayor requesting a residency waiver for Roland  
Baldassari, 110 Saville St., Saugus, MA for the position of Call-Taker at the  
Police Department.**

**Comm. from the Mayor requesting a residency waiver for Janis Van  
Heukelom, 74 Wallace St., Malden, MA for the position of Jr. Library  
Assistant.**

**Motions**

**15-102                Motion presented by Councillor Powers: That the Mayor request  
the DCR to replace the missing lamp posts in the area of Lancaster Ave. and  
the Lynnway.**

**15-103 Motion presented by Councillor Powers: That the Mayor request the Suffolk County Work Crew to clean the area around Mills Avenue jug handle.**

**15-104 Motion presented by Councillor Patch: That the following ordinance amendment be ordered to a public hearing:**

*Be it Ordained by the City of Revere as follows:*

Section 1. Title 6 Animal Control of the Revised Ordinances of the City of Revere is hereby amended by deleting Chapter 6.04 Generally it its entirety and inserting in place thereof the following new Chapters and Sections:

**Chapter 6.01 REGULATION OF DOGS**

- 6.01.010 Authority and Purpose.
- 6.01.020 Restraint of Dogs (leash law).
- 6.01.030 Impoundment.
- 6.01.040 Removal and Proper Disposal of Dog Feces.
- 6.01.050 Prohibited Behavior.
- 6.01.060 Confinement or Muzzling.
- 6.01.070 Penalties and Enforcement.
- 6.01.080 Non-Waiver of Statutory Remedies.
- 6.01.090 License Period.
- 6.01.100 License Required; rabies vaccination.
- 6.01.110 License Fees.
- 6.01.120 Charge for lost tags.
- 6.01.130 Kennel licenses; fees.
- 6.01.140 Kennel Inspections.
- 6.01.150 Collection and Disposition of Fees.
- 6.01.160 Penalty and Enforcement.

**Chapter 6.02 REGULATION OF NONDOMESTICATED ANIMALS**

- 6.02.010 Nondomesticated—Defined.
- 6.02.020 Nondomesticated—Keeping and transporting.
- 6.02.030 Nondomesticated animals displayed for public entertainment or amusement.

**Chapter 6.01 REGULATION OF DOGS**

**6.01.010 Authority and Purpose**

This Article is adopted pursuant to the authority of M.G.L. c.140, §§136A to 137A, inclusive, and any other relevant statutes and regulations promulgated pursuant thereto. The purpose of this Chapter is to establish regulations for the keeping of dogs in the City of Revere. The definitions of all words and terms used herein shall be as set forth in M.G.L. c.140, §§136A to 137A.

**6.01.020 Restraint of Dogs (leash law)**

The owner, keeper, or person otherwise in control of a dog shall not suffer or allow it to run at large in any of the streets or public places in the City, or upon the premises of any person other than the owner or keeper, unless the owner or occupant of such premises grants permission. Under no circumstances shall a dog, even on a leash, be on private property of another, unless specific permission has been granted. No dog shall be permitted in any public street or place within the City unless it is effectively restrained by a chain or leash not exceeding eight (8) feet in length.

**6.01.030 Impoundment**

Included within his/her authority to impound a dog, the Animal Control Officer has the authority to impound a dog found running at large in violation of Section 6.01.020. The Animal Control Officer, upon apprehending any dog, shall make a complete registry, entering the breed, color and sex of such dog, its license number, and the name and address of the owner, if known. If the owner of an impounded dog is known, such owner shall be given notice of the impounding. Such owner may

reclaim the dog upon payment of a \$100 administrative fee to the City of Revere Police Department, together with any unpaid license fees, late fees, and fines, as well as the reasonable costs incurred by the City for impounding and maintaining the dog.

#### **6.01.040 Removal and Proper Disposal of Dog Feces**

The owner, keeper or person otherwise in control of a dog shall immediately pick up and properly dispose of any feces left by such dog on any street, sidewalk, or other public area, or on any private property that is not owned or occupied by such person. Any person who takes a dog onto a street, sidewalk, or other public place shall carry a container, tool, implement or other device to be used for picking up and containing dog feces and the person shall dispose of said dog feces in a designated receptacle or otherwise properly.

#### **6.01.050 Prohibited Behavior**

The owner, keeper, or person otherwise in control of a dog shall not cause or permit a dog:

- A. To be unrestrained as required by Section 6.01.020;
- B. To be unlicensed when a license is required by law.
- C. To be without current license and rabies vaccination tags when off the owner's property.
- D. To bite, physically injure, assault or threaten any person, without legally-recognized justification or provocation.
- E. To bite or physically injure any domestic animal, without legally recognized justification or provocation.
- F. To chase any motorist, bicyclist, or pedestrian on any public way, street, or sidewalk or in any public place.
- G. To be off the property where the dog resides, if subject to a confinement order.
- H. To be off the property where the dog resides, unmuzzled, if subject to a muzzle order.
- I. To disturb the peace and quiet enjoyment of any residential neighborhood by continuous or repeated barking, yelping, howling, or whining, without legal justification.
- J. To be present on school or cemetery property.

#### **6.01.060 Confinement or Muzzling**

The Chief of Police or his designee may order a dog confined to the premises where it resides or to other premises or to be muzzled when off said premises if he finds, after a hearing that the dog has:

- A. Bitten, physically injured or assaulted any person, without legally recognized justification or provocation.
- B. Bitten or physically injured any domestic animal, without legally recognized justification or provocation.
- C. Chased any motorist, bicyclist or pedestrian on any public way, street, or sidewalk or in any public place on at least two occasions.

Said order may be in addition to or in lieu of any fine authorized by Section 6.01.070.

Nothing in this section shall preclude the Chief of Police from utilizing the procedure contained in M.G.L. c. 140, §57, as amended by Chapter 193 of the Legislative Acts of 2012, to determine that a dog is a nuisance dog or a dangerous dog and from employing one or another of the remedies specified in that statute.

#### **6.01.070 Penalties and Enforcement**

The owner, keeper and/or person otherwise in control of a dog shall be subject to a fine for each violation of this title as follows:

- A. For a violation of Section 6.01.050(d) or (e):
  1. First offense: \$100
  2. Second offense: \$200
  3. Third and subsequent offense: \$300
- B. For all other violations of Section 6.01.050:
  1. First offense: \$ 50
  2. Second offense: \$100
  3. Third and subsequent offense: \$150

C. For a violation of Section 6.01.040:

1. First offense in any calendar year: \$25.00
2. Second offense in any calendar year: \$50.00
3. Third and subsequent offense in any calendar year: \$75.00

In the case of a continuing offense, each day shall constitute a separate violation.

#### **6.01.080 Non-Waiver of Statutory Remedies**

The provisions of this title are intended to be in addition to and not in lieu of those contained in M.G.L. c.140, §§136A, et seq., as amended by Chapter 193 of Legislative Acts of 2012; nothing contained in this title shall deprive the City from employing the remedies provided in those sections, including but not limited to disposition of a dog found to be a dangerous dog or nuisance dog, as provided in §157 of c.140, as amended.

To the maximum extent possible, the provisions of this title shall be deemed to be consistent with and/or supplemental to those contained in M.G.L. c.140, as provided in §§173 and 173A, as amended.

#### **6.01.090 License Period**

Any person owning, harboring or having custody (keeper) or control of a dog shall license said dog annually for the period beginning January 1 of each year. Renewal of licenses must be obtained by March 15th of the following year. If a dog remains unlicensed after March 15, the owner shall pay the sum of \$15.00 in addition to the original license fee.

#### **6.01.100 License required; rabies vaccination.**

The owner or keeper of a dog six months old or over shall cause it to be registered, numbered, described and licensed with the City Clerk. Proof of rabies vaccination shall be shown at the time of issuing the license.

#### **6.01.110 License fees**

Fees for licenses shall, except as otherwise provided, be as follows:

- A. Ten dollars (\$10.00) for every spayed or neutered dog.
- B. Twenty-five dollars (\$25.00) for every intact (unspayed or unneutered) dog.
- C. Twenty-five dollars (\$25.00) for every spayed or neutered dog paid after March 15<sup>th</sup>.
- D. Forty dollars (\$40.00) for every intact (unspayed or unneutered) dog paid after March 15<sup>th</sup>.
- E. There shall be no licensing fee for “service dogs” as defined by the Americans with Disabilities Act or regulations promulgated thereunder.
- F. Proof of spaying or neutering shall be shown at the time of licensing.

#### **6.01.120 Charge for lost tags**

The charge for replacing lost dog tags shall be five dollars (\$5.00)

#### **6.01.130 Kennel licenses; fees**

The fee for each kennel license shall be as follows:

- A. Forty dollars (\$40.00) for kennels with 4 dogs or less;
- B. Eighty dollars (\$80.00) for kennels with 5 – 10 dogs;
- C. One hundred fifty dollars (\$150.00) for kennels with 11 dogs or more, but not more than 25 dogs;
- D. Two hundred fifty dollars (\$250.00) for kennels with 26 dogs or more.

#### **6.01.140 Kennel Inspections**

Regular kennel inspections shall be conducted no less than twice each year by the Animal Control Officer.

### **6.01.150 Collection and Disposition of Fees**

The City Clerk shall issue dog licenses, collect the appropriate fees and turn all moneys over to the Treasurer's Office on a regular basis.

### **6.01.160 Penalty and Enforcement**

The Police Chief and his designee, including the Animal Control Officer, and any Revere Police Officer shall have authority to enforce the provisions of this title. Any alleged violation of this ordinance may, in the sole discretion of the enforcing agent, be made the subject matter of noncriminal disposition proceedings commenced by such agent in accordance with M.G.L. c.40, §21D.

## **Chapter 6.02 REGULATION OF NONDOMESTICATED ANIMALS**

### **6.02.010 - Nondomesticated—Defined.**

For the purposes of this chapter, the words "nondomesticated animal" include any animal which by its very nature is considered ferocious, or which in its original or natural state could be considered wild, however tame it may presently be, or by its nature is an animal which is not ordinarily kept or considered as a household pet. The term shall exclude, for the purposes of this chapter, all dogs, house cats, canaries, parrots, parakeets and the like, tropical fish of the noncarnivorous family, hamsters, white mice and white rats. It is unlawful for any person to keep or have under their care, custody or control, either as owner or otherwise, any live chicken, rooster, duck, geese, poultry or fowl of any kind whatsoever. Any person violating the provisions of this section shall be fined one hundred dollars for the first offense and three hundred dollars for each offense thereafter.

### **6.02.020 - Nondomesticated—Keeping and transporting.**

A. No person shall keep on his property, or the property of others, any nondomesticated animal without first having obtained a license issued by the board of health of the city, which board shall have the right of inspection, at all reasonable times, of the premises where such nondomesticated animals are kept and shall establish from time to time reasonable regulations relative to the care, maintenance and control of such animals.

B. No person shall transport within the city any nondomesticated animal without first having obtained a license from the board of health of the city for such transport. The board of health shall establish from time to time reasonable regulations relative to the transportation of such nondomesticated animals.

### **6.02.030 - Nondomesticated animals displayed for public entertainment or amusement.**

A. No living animals shall be displayed for public entertainment or amusement on property owned by the city of Revere on city-owned property under lease, or on private property, excluding competitive arena sports and exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

B. No captive animal shall be forced to live out of its natural environment, separated from its own species and displayed to the public in any exploitive manner.