

Chapter 10

DOG LEASH LAW

Section 1. PROHIBITION AGAINST UNLEASHED DOGS

No person keeping, owning or having possession, charge, custody or control of any dog shall cause, permit, suffer or allow the dog to stray, run, be or go in any manner at large in or upon any public street, way, sidewalk, school yard or grounds, park, or private property of others without the express consent of the owner of such private property, except such dog that may be under control by means of a chain or leash, not longer than six feet in length.

Section 2. AUTHORITY AND DUTIES OF DOG OFFICER

Any dog found to be at large in violation of this bylaw shall be caught and confined by the dog officer, who shall notify forthwith the licensed owner or keeper of said dog. The owner or keeper of said dog shall have ten days from receipt of notice thereof to reclaim said dog from the dog officer. Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog, the assumption of responsibility thereof, and the payment of any fee or charges due for such confinement as provided by this bylaw.

Section 3. FEES FOR DOGS CONFINED

The owner or keeper of any dog so confined by the dog officer, under the provisions of this bylaw, shall be responsible for a fee of ten dollars (\$10.00)¹ per day for each day of confinement, for the costs of such care and maintenance of such dog. Any fees so collected shall be turned over to the town.

1 Art 7 of the 1990 Fall Town Meeting changed confinement fee in Section 3 from \$2 to \$10 and changed the language of Section 5 to the language shown.

Section 4. DISPOSAL OF UNCLAIMED DOGS

Any dog under confinement of the dog officer that shall not have been claimed by the owner or keeper at the end of the said ten day period shall be transferred or sold to the care and control of the Massachusetts Society for the Prevention of Cruelty to Animals or some other similar organization or person offering to pay all charges for confinement. In no case shall a dog be sold or delivered or given to any person or organization intending to use said dog for vivisection purposes.

Section 5. RABIES VACCINATIONS

No person or organization shall own or keep in this town any dog, after six (6) months of age, which does not have a current vaccination against rabies.

Section 6. NOISY OR BITING DOGS – CONFINEMENT OF UNSPAYED FEMALE DOGS

No person or organization shall own or keep in this town any dog that bites, or by barking, howling, or in any other manner disturbs the peace or quiet of any neighborhood or endangers the safety of any person. No person or organization shall own or keep any unspayed female dog in season when not confined in an adequate enclosure, as determined by the dog officer, on the property or housed in a veterinarian hospital or registered kennel. It shall be the duty of the dog officer to apprehend any such dog and to impound such dog in a suitable place, or to order the owner thereof to restrain such dog. Any dog so impounded may be reclaimed or disposed of as provided in Section [3](#) or [4](#).

Section 7. LICENSE FEES AND PROCEDURE^{3,4}

The annual fee for a dog license shall be twenty dollars (\$20.00) for a female or male dog unless a certificate of a registered veterinarian who performed the operation certified that such dog has been spayed or neutered, in which case the fee shall be fifteen (\$15.00). A certified copy of such certificate on file in the office of any town clerk within the commonwealth may be accepted as evidence that such operation has been performed. If the town clerk is satisfied that a certificate of the veterinarian who spayed or neutered the dog cannot be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a registered veterinarian doing business in this commonwealth stating that he has examined said dog and that it appears, in his opinion, to have been spayed or neutered or a receipt of a bill from the veterinarian who performed the operation that spayed or neutered said dog. No fee shall be charged for a license for a dog specially trained and currently utilized to lead or serve a person with special needs. April 15th is established as the deadline date for procurement of a dog license. After that date, a penalty charge of ten dollars (\$10.00) will be added to the license fee.

No kennel license shall be issued in the town and no person or household shall keep more than three (3) dogs over the age of three (3) months. This provision shall not apply to the dog officer, who may keep dogs in accordance with his duties.

3 Art 30 of the 2000 Spring Town Meeting increased the fees to \$15 for a female or male dog and \$10 for a spayed or neutered dog.

4 Art 12 of the 2006 Spring Town Meeting increased the fees to \$20 for a female or male dog and \$15 for a spayed or neutered dog.

Section 8. EXCEPTION

The provisions of this bylaw shall not apply to any person or organization who owns, keeps or maintains any dog as a part of a canine corps for the commonwealth or any of its political subdivisions while actually engaged in the performance of official duties.

Section 9. AUTHORITY TO PROSECUTE VIOLATIONS

The dog officer or, if none, the police department of the town shall prosecute any violations of this bylaw.

Section 10. PENALTIES⁵

A violation of this bylaw shall be punished by a fine of forty dollars \$40.00 for the first offense, fifty dollars \$50.00 for the second offense, and sixty dollar \$60.00 for the third or subsequent offense during any one calendar year.

⁵ Art 21 of the 2007 Fall Town Meeting Changing the Penalties.

The Winchester Code of Bylaws is current through Fall Town Meeting of 11-1-21, Article 7, passed November 1, 2021.

Disclaimer: The Town Clerk's Office has the official version of the Winchester Code of Bylaws. Users should contact the Town Clerk's Office for articles passed during meetings subsequent to the meeting cited above.

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