

2011 -- H 6019

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LC02302  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS

Introduced By: Representatives Jackson, and Ruggiero

Date Introduced: March 31, 2011

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 4-13-1 and 4-13-4 of the General Laws in Chapter 4-13 entitled  
2 "Dogs" are hereby amended to read as follows:

3 **4-13-1. Regulatory ordinances -- Enforcement and penalties.** -- (a) City or town  
4 councils may make any ordinances concerning dogs in their cities or towns as they deem  
5 expedient, to be enforced by the destruction or disposition of the animal, or by pecuniary  
6 penalties not exceeding ten dollars (\$10.00) for the first offense, not exceeding fifteen dollars  
7 (\$15.00) for the second offense within a year, not exceeding twenty-five dollars (\$25.00) for the  
8 third and any subsequent offense within a year to be recovered by action of debt, or by complaint  
9 and warrant, to use as that city council or town council may prescribe.

10 (b) (1) Barrington town council is authorized to enact an ordinance:

11 (i) Permitting the animal control officer in the town to issue citations to the owners of  
12 dogs for violation of any animal control ordinance which may be paid by mail and;

13 (ii) To prescribe pecuniary penalties as follows:

14 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a  
15 calendar year;

16 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
17 calendar year;

18 (C) A fine of not more seventy-five dollars (\$75.00) for the third and each subsequent  
19 offense within a calendar year.

1 (2) (i) Bristol town council is authorized to enact an ordinance permitting the dog officer  
2 in that town to issue citations to the owners of dogs for the violation of any dog ordinance which  
3 may be paid by mail, and to prescribe pecuniary penalties as follows:

4 (A) A fine not exceeding twenty-five dollars (\$25.00) for the first offense within a  
5 calendar year;

6 (B) A fine not exceeding fifty dollars (\$50.00) for the second offense within a calendar  
7 year;

8 (C) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent  
9 offense within a calendar year.

10 (ii) The Bristol town council may by ordinance prescribe the number of licensed dogs  
11 and their breeds which may be kept at any single-family residence other than a breeding kennel  
12 licensed under section 4-13-10, and may enforce those ordinances by pecuniary penalties not  
13 exceeding two hundred fifty dollars (\$250).

14 (3) Coventry town council is authorized to enact ordinances permitting the dog officer in  
15 the town to issue citations to the owners of dogs for the violation of any dog ordinance which  
16 may be paid by mail.

17 (4) (i) Cumberland town council may prescribe pecuniary penalties as follows:

18 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar  
19 year;

20 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar  
21 year;

22 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense  
23 within a calendar year.

24 (ii) The town council of the town of Cumberland is authorized to enact an ordinance  
25 permitting the animal control officer or any police officer in that town to issue citations to the  
26 owners of dogs for the violation of any dog ordinance which may be paid by mail.

27 (iii) The town council of the town of Cumberland is authorized to enact an ordinance  
28 establishing the expense of the impoundment of dogs as determined by the town council and  
29 providing for the payment to the town of the impoundment expense by the dog owner prior to  
30 removal of the dog from the pound.

31 (5) Gloucester town council is authorized to enact an ordinance to prescribe pecuniary  
32 penalties as follows:

33 (i) A fine not more than twenty dollars (\$20.00) for the first offense within a calendar  
34 year;

1 (ii) A fine not more than thirty dollars (\$30.00) for the second offense within a calendar  
2 year;

3 (iii) A fine not more than thirty-five dollars (\$35.00) for the third offense and each  
4 subsequent offense within a calendar year.

5 (6) Jamestown town council may prescribe pecuniary penalties as follows:

6 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense within a  
7 calendar year;

8 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense within a calendar  
9 year;

10 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent  
11 offense within a calendar year.

12 (7) (i) Middletown may prescribe pecuniary penalties as follows for the violation of  
13 animal control ordinances on any beach within the town of Middletown:

14 (A) A fine not exceeding one hundred dollars (\$100) for the first (1<sup>st</sup>) offense within the  
15 calendar year;

16 (B) A fine not exceeding one hundred fifty dollars (\$150) for the second (2<sup>nd</sup>) offense  
17 within a calendar year;

18 (C) A fine not exceeding two hundred dollars (\$200) for the third (3<sup>rd</sup>) and each  
19 subsequent offense within a calendar year.

20 (ii) Middletown may prescribe pecuniary penalties as follows for the violation of animal  
21 control ordinances anywhere else within the town:

22 (A) A fine not exceeding ~~twenty dollars (\$20.00)~~ fifty dollars (\$50.00) for the first  
23 offense within a calendar year;

24 (B) A fine not exceeding ~~thirty dollars (\$30.00)~~ one hundred dollars (\$100) for the  
25 second offense within a calendar year;

26 (C) A fine not exceeding ~~fifty dollars (\$50.00)~~ one hundred fifty dollars (\$150) for the  
27 third and each subsequent offense within a calendar year.

28 ~~(ii)~~ (iii) The Middletown town council is authorized to enact an ordinance permitting the  
29 dog officer in that town to issue citations to the owners of dogs for the violation of any dog  
30 ordinance which may be paid by mail.

31 (8) Narragansett town council is authorized to enact an ordinance:

32 (i) Permitting the animal control officer in the town to issue citations to the owners of  
33 dogs for the violation of any animal control ordinance which may be paid by mail; and

34 (ii) Establishing the expense of the impoundment of dogs as determined by the town

1 council and providing for the payment to the town of the impoundment expense by the dog owner  
2 prior to removal of the dog from the pound; and

3 (iii) Prescribing pecuniary penalties as follows:

4 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a  
5 calendar year;

6 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
7 calendar year;

8 (C) A fine of not more than seventy-five dollars (\$75.00) for the third and each  
9 subsequent offense within a calendar year.

10 (9) Newport city council is authorized to enact an ordinance:

11 (i) Permitting the animal control officer, and his or her agents, in that city to issue  
12 citations to the owners of dogs for violation of any animal control ordinance which may be paid  
13 by mail;

14 (ii) To prescribe pecuniary penalties as follows:

15 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a  
16 calendar year;

17 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
18 calendar year;

19 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent  
20 offense within a calendar year.

21 (10) North Providence town council is authorized to enact an ordinance permitting the  
22 animal control officer in that town to issue citations to the owners of dogs for the violation of any  
23 dog ordinance which may be paid by mail.

24 (11) (i) Portsmouth may prescribe pecuniary penalties as follows:

25 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar  
26 year;

27 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar  
28 year;

29 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense  
30 within a calendar year.

31 (ii) The Portsmouth town council is authorized to enact an ordinance permitting the dog  
32 officer in that town to issue citations to the owners of dogs for the violation of any dog ordinance  
33 which may be paid by mail.

34 (iii) The Portsmouth town council may, by ordinance, prescribe the number of licensed

1 dogs which may be kept at any single family residence other than a breeding kennel licensed  
2 under section 4-13-10 and may enforce those ordinances by pecuniary penalties not exceeding  
3 twenty-five dollars (\$25.00).

4 (12) Richmond town council may prescribe pecuniary penalties as follows:

5 (i) A fine not exceeding ten dollars (\$10.00) for the first offense within one year;

6 (ii) A fine not exceeding twenty-five dollars (\$25.00) for the second offense within one  
7 year of the first offense;

8 (iii) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense  
9 within one year of the first offense.

10 (13) (i) Scituate town council may prescribe pecuniary penalties as follows:

11 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar  
12 year;

13 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar  
14 year;

15 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense  
16 within a calendar year.

17 (ii) Scituate town council is authorized to enact ordinances permitting the dog officer in  
18 the town to issue citations to the owners of dogs for the violation of any dog ordinance which  
19 may be paid by mail.

20 (14) (i) Smithfield town council may prescribe pecuniary penalties as follows:

21 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar  
22 year;

23 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar  
24 year;

25 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense  
26 within a calendar year.

27 (ii) The Smithfield town council is authorized to enact an ordinance permitting the  
28 animal control warden in the town to issue citations which may be paid by mail to the owners of  
29 dogs for the violation of any dog ordinance in that town.

30 (15) Tiverton town council may prescribe pecuniary penalties as follows:

31 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense;

32 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;

33 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent  
34 offense.

1 (16) Warwick city council may prescribe pecuniary penalties as follows:

2 (i) A fine not exceeding fifty dollars (\$50.00) for the first offense within a calendar year;

3 (ii) A fine not exceeding one hundred dollars (\$100) for the second offense within a  
4 calendar year;

5 (iii) A fine not exceeding two hundred dollars (\$200) for the third and each subsequent  
6 offense within a calendar year; and

7 (iv) A fine not exceeding three hundred dollars (\$300) for the fourth and each  
8 subsequent offense within a calendar year.

9 (17) Westerly town council is authorized to enact an ordinance:

10 (i) Permitting the animal control officer in the town to issue citations to the owners of  
11 dogs for the violation of any animal control ordinance which may be paid by mail; and

12 (ii) Establishing the expense of the impoundment of dogs as determined by the town  
13 council and providing for the payment to the town of the impoundment expense by the dog owner  
14 prior to removal of the dog from the pound; and

15 (iii) Prescribe pecuniary penalties as follows:

16 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a  
17 calendar year;

18 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
19 calendar year;

20 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent  
21 offense within a calendar year.

22 (18) West Greenwich town council is authorized to enact an ordinance:

23 (i) Permitting the animal control officer in the town to issue citations to the owners of  
24 dogs for the violation of any animal control ordinance which may be paid by mail; and

25 (ii) Establishing the expense of the impoundment of dogs as determined by the town  
26 council and providing for the payment to the town of the impoundment expense by the dog owner  
27 prior to removal of the dog from the pound; and

28 (iii) Prescribe pecuniary penalties as follows:

29 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a  
30 calendar year;

31 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
32 calendar year;

33 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent  
34 offense within a calendar year.

1 (19) The town council of the town of Exeter is authorized to enact any ordinance  
2 prescribing fines and penalties, in addition to those otherwise allowed by law, as follows:

- 3 (i) Providing a fine of up to twenty-five dollars (\$25.00) for the first offense;
- 4 (ii) Providing a fine of up to one hundred dollars (\$100) for the second offense; and
- 5 (iii) Providing a fine of up to two hundred dollars (\$200) for the third and for any  
6 subsequent offenses within a one year period. In addition, the town may require proof of owners  
7 liability insurance for a twelve (12) month period insuring against injury and damages caused by  
8 the dog. That insurance shall be in the amount of one hundred thousand dollars (\$100,000) and  
9 shall name the town as a named insured for the purposes of notice.

10 (20) West Warwick town council may prescribe pecuniary penalties as follows:

- 11 (i) A fine not exceeding fifteen dollars (\$15.00) for the first offense;
- 12 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;
- 13 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent  
14 offense.

15 (21) Woonsocket city council is authorized to enact an ordinance:

- 16 (i) Permitting the animal control office of the city to issue citations to the owners of dogs  
17 for the violation of any animal control ordinance which may be paid by mail;
- 18 (ii) Establishing the expense of the impoundment of dogs as determined by the city  
19 council and providing for the payment to the city for the impoundment expense by the dog owner  
20 prior to removal of the dog from the pound; and

21 (iii) Prescribing pecuniary penalties as follows:

- 22 (A) A fine of not more than fifty dollars (\$50.00) for the first offense within a calendar  
23 year;
- 24 (B) A fine of not more than one hundred dollars (\$100) for the second offense within a  
25 calendar year;
- 26 (C) A fine of not more than one hundred fifty dollars (\$150) for the third and each  
27 subsequent offense within a calendar year.

28 (22) Pawtucket city council is authorized to prescribe pecuniary penalties directly related  
29 to its ordinance banning the owning or keeping of pit bulls in the city as follows:

- 30 (i) For a pit bull properly licensed according to the city ordinance;
  - 31 (A) A fine not exceeding two hundred fifty dollars (\$250) for the first offense;
  - 32 (B) A fine not exceeding five hundred dollars (\$500) on a second offense;
  - 33 (C) A fine not exceeding one thousand dollars (\$1,000) on a third offense.
- 34 (ii) For a pit bull that is not licensed pursuant to the exceptions in the city ordinance:

1 (A) A fine not exceeding five hundred dollars (\$500) on a first offense;

2 (B) A fine not exceeding one thousand dollars (\$1,000) on a second or subsequent  
3 offense.

4 (iii) Notwithstanding any other provision of this section, Pawtucket may through its  
5 Municipal Court impose a sentence of imprisonment not exceeding thirty (30) days in addition to  
6 the fines in subsection (ii)(A) or (B).

7 (23) (i) The Lincoln town council is authorized to prescribe pecuniary penalties as  
8 follows:

9 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a  
10 calendar year;

11 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
12 calendar year;

13 (C) A fine of not more than one hundred twenty-five dollars (\$125) for the third and  
14 each subsequent offense within a calendar year.

15 (ii) The Lincoln town council is authorized to enact an ordinance permitting the dog  
16 officer and police officers in that town to issue citations to the owners of dogs for the violation of  
17 any dog ordinance, which citation may be paid by mail.

18 (24) (i) The East Providence city council is authorized to enact an ordinance permitting  
19 the animal control officer or any police officer in that city to issue citations to persons in violation  
20 of any animal ordinances, which may be paid by mail, and to prescribe pecuniary penalties as  
21 follows:

22 (A) A fine of not more than thirty dollars (\$30.00) for the first offense within a calendar  
23 year;

24 (B) A fine of not more than sixty dollars (\$60.00) for the second offense within a  
25 calendar year;

26 (C) A fine of not more than one hundred twenty dollars (\$120) for the third offense  
27 within a calendar year; and

28 (D) A fine of not more than three hundred dollars (\$300) for the fourth offense and any  
29 subsequent offense within a calendar year.

30 (25) (i) The Warren town council is authorized to enact an ordinance permitting the  
31 animal control officer in the town to issue citations to the owners of animals for violation of any  
32 animal control ordinance which may be paid by mail, and to prescribe pecuniary penalties as  
33 follows:

34 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a



1 calendar year;

2 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a  
3 calendar year;

4 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent  
5 offense within a calendar year.

6 (26) (i) The Burrillville town council is authorized to enact an ordinance:

7 (A) Permitting the animal control officer in the town to issue citations to the owners of  
8 dogs for the violation of any animal control ordinance which may be paid by mail; and

9 (B) To prescribe penalties for violation of the provisions of revised general ordinances,  
10 Town of Burrillville, Rhode Island, 2004, as amended, Chapter 4, entitled "Animals"; and

11 (C) Establishing an expense not to exceed ten dollars (\$10.00) for the day during which  
12 impoundment occurs plus five dollars (\$5.00) every day the animal is detained and providing for  
13 the payment to the town of the impoundment expense by the dog owner prior to removal of the  
14 dog from the animal control facility.

15 **4-13-4. Dog licenses -- Fees -- Penalties.** -- (a) (1) Every owner or keeper of a dog shall  
16 annually in April obtain a license effective May 1 in the office of the city or town clerk of the city  
17 or town in which the owner or keeper resides.

18 (2) The fees for the license shall be five dollars (\$5.00).

19 (3) No city or town shall issue any license under this section unless the dog has been  
20 inoculated against rabies for the period of time which the license would be valid.

21 (4) All licenses issued under the provisions of this chapter shall be valid in every city or  
22 town during the then current year.

23 (5) Any person who becomes the owner or keeper of a dog shall obtain a license within  
24 thirty (30) days after he or she becomes the owner or keeper.

25 (6) (i) The Cumberland town clerk may issue a license renewable every two (2) years for  
26 a licensing fee of six dollars (\$6.00).

27 (ii) Gloucester town council may provide for an annual licensing fee of fourteen dollars  
28 (\$14.00) for all dogs except spayed or neutered females and males and for an annual licensing fee  
29 of seven dollars (\$7.00) for spayed or neutered female and male dogs.

30 (iii) Jamestown town council may provide by ordinance for an annual licensing fee not  
31 to exceed fifteen dollars (\$15.00) for neutered dogs, and not to exceed twenty-five dollars  
32 (\$25.00) for unneutered dogs.

33 (iv) Newport city council may, however, provide by ordinance for an annual licensing  
34 fee of not more than ten dollars (\$10.00) for all spayed and neutered dogs, and for an annual

1 licensing fee of not more than fifteen dollars (\$15.00) for unspayed females and unneutered  
2 males.

3 (v) North Smithfield town council may provide by ordinance for an annual licensing fee  
4 of five dollars (\$5.00) for all dogs.

5 (vi) (A) South Kingstown town council may provide for an annual licensing fee of  
6 twelve dollars (\$12.00) for all dogs except spayed or neutered females and male dogs and for an  
7 annual licensing fee of seven dollars (\$7.00) for spayed or neutered female and male dogs.

8 (B) The South Kingstown town council may assess an impound fee.

9 (vii) (A) Westerly town council may provide by ordinance for an annual license fee of  
10 ten dollars (\$10.00) for unspayed female dogs and unneutered male dogs;

11 (B) May provide for a fee of one dollar (\$1.00) for the replacement of lost dog tags;

12 (C) May provide that no fee be charged to license guide dogs used by persons with  
13 disabilities;

14 (D) May provide for the number of licenced dogs which may be kept at any single-  
15 family residence, other than a breeding kennel; and

16 (E) May provide for pecuniary penalties not exceeding twenty-five dollars (\$25.00) for  
17 violations.

18 (viii) Woonsocket city council may provide by ordinance for an annual licensing fee of  
19 five dollars (\$5.00) for all dogs.

20 (ix) (A) West Warwick town council may provide by ordinance for an annual license fee  
21 of seven dollars (\$7.00) for each neutered male or spayed female and fifteen dollars (\$15.00) for  
22 each unneutered male and unspayed female.

23 (B) May provide by ordinance for a payment of a two dollars (\$2.00) fee for duplicate or  
24 for replacement tags.

25 (x) (A) Pawtucket city council may provide by ordinance for an annual licensing fee not  
26 to exceed fifteen dollars (\$15.00) for spayed or neutered dogs, and not to exceed twenty-five  
27 dollars (\$25.00) for unspayed or unneutered dogs.

28 (B) May provide by ordinance for an annual licensing fee for dogs owned by residents  
29 age 65 or older not to exceed five dollars (\$5.00) for spayed or neutered dogs, and not to exceed  
30 ten dollars (\$10.00) for unspayed or unneutered dogs.

31 (xi) Scituate town council may provide by ordinance for an annual license fee not to  
32 exceed twenty (\$20.00) dollars for all dogs.

33 (xii) Burrillville town council may:

34 (A) Provide by ordinance for an annual licensing fee of not more than ten dollars

1 (\$10.00) for all dogs; and

2 (B) Provide for pecuniary penalties not exceeding twenty-five dollars (\$25.00) for  
3 violations.

4 (xiii) The Middletown town council may:

5 (A) Provide by ordinance for an annual licensing fee not to exceed twenty-five dollars  
6 (\$25.00) per dog.

7 (b) Every person, owning or keeping a dog not licensed and/or collared according to the  
8 provisions of this chapter, shall be fined ten dollars (\$10.00) to be applied to the support of the  
9 city or town, and that fine shall be in addition to all other lawful fees.

10 (c) Any city or town may waive the fee to be charged to license guide dogs used by  
11 persons with disabilities.

12 (d) In the city of Woonsocket, every person owning or keeping a dog not licensed and/or  
13 collared according to the provisions of this chapter shall be fined fifty dollars (\$50.00) for the  
14 first offense, one hundred dollars (\$100) for the second offense and one hundred fifty dollars  
15 (\$150) for the third and subsequent offenses.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS

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1           This act would allow the town of Middletown to increase its fines for violations of dog  
2 ordinances and would also allow the town to increase its licensing fee for dogs.

3           This act would take effect upon passage.

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