

ARTICLE II. DOGS*

Section. 4-16. Definitions.

As used in this Article, unless the context otherwise indicates:

“*Dog*” shall mean all animals of the canine species, both male and female.

“*Owner*” shall mean any person or persons, firm, association or corporation, owning, keeping or harboring a dog as herein defined.

“*Public nuisance*” Any dog shall be deemed to be a public nuisance if not found to be on the premises of the owner of such dog or upon the premises of another person with the knowledge and express permission of such other person. except:

- (1) If such dog is being used as a so-called "hunting dog", during open hunting season or at any time when necessary for field training, and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.
- (2) Unless such dog is under restraint as defined in section 4-17.
- (3) Unless such dog is a seeing-eye guide dog or hearing dog, according to the Massachusetts General Laws. (Bylaws Art. 46, 4-6-85)

For the purposes of this Section, the premises of the owner or of another person shall mean premises to which the owner or the other person has an exclusive right of possession and shall not include premises to which other persons have a right of possession in common with the owner or with the other person, such as a common open space in an Open Space Community Development or common areas in a Condominium. (Bylaws Art. 62, 5-3-94)

***Editor's note** -The Bylaw of April 6, 1985, Article 46, repealed -5-5 4 To16- 4-24 and replaced them with §§ 4-16 To 4-26. Former -5- 4 To 16- 4-24 were concerned with similar provisions and derived from General Bylaws of March 3, 1973, Article 18.

State law reference -Dogs generally, M.G.L. c. 140, §§136A-175.

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