

TITLE 4

Animals and Animal Husbandry

CHAPTER 4-19

Animal Care

SECTION 4-19-18

§ 4-19-18 Penalties for violations.

(a) Violations of the provisions of § 4-19-16 or the written agreement executed pursuant to § 4-19-16 by an adopting party are punishable by a fine of fifty dollars (\$50.00) for the first offense, one hundred fifty dollars (\$150) for the second offense and four hundred dollars (\$400) for the third and subsequent offenses. Each and every incidence of non-compliance by an adopting party which continues unremedied for thirty (30) days after written notice of a violation under this section constitutes a subsequent offense and the attendant penalties will apply. Second and subsequent offenses may constitute grounds for seizure and forfeiture of the dog or cat, which seizure will be conducted by a dog officer or a police officer for the city or town in which the adopting party resides, and the seized animal will be returned to the licensed releasing agency from which it was adopted, which licensed releasing agency will be free to adopt out or euthanize the seized dog or cat. The adopting party loses all ownership rights in the seized dog or cat, forfeits all rights to any fee or deposit paid for the dog or cat, and shall have no claim against the licensed releasing agency or any other person for any expenses incurred by the adopting party for the dog or cat's maintenance. The provisions of §§ 4-19-16 – 4-19-18 will be enforced against an adopting party by a dog officer or a police officer for the city or town in which the adopting party resides. Licensed releasing agencies must notify the animal control officer or police officer in the city or town in which the adopting party resides, in writing, within fourteen (14) days of any violation of the provisions of § 4-19-16.

(b) Violations of § 4-19-16 or 4-19-17 by a licensed releasing agency are punishable by a fine of one hundred dollars (\$100) for the first offense, two hundred fifty dollars (\$250) for the second offense and five hundred dollars (\$500) for the third and subsequent offenses. The third and subsequent offenses may result in the temporary or permanent revocation of the licensed releasing agency's license to operate. Compliance by the releasing agency with §§ 4-19-16 – 4-19-18 will be monitored as to the licensed releasing agencies by the state veterinarian. The provisions of §§ 4-19-16 – 4-19-18 will be enforced against a licensed releasing agency by the division of law enforcement of the department of environmental management.

(c) All fines collected under subsection (a) will be remitted to the town or city clerk of the municipality where the adopting party of the dog or cat resides. These fines shall be used by the municipality only for programs for the spaying or neutering of dogs or cats. All fines collected under subsection (b) will be remitted to the general treasurer and placed in a separate fund within the general fund to be called the "Animal Health Fund" which shall be administered by the general treasurer in the same manner as the general fund. All funds deposited in the "Animal Health Fund" shall be made available to the department of environmental management division of agriculture to defray any costs or expenses incurred by the state veterinarian in the enforcement of §§ 4-19-16, 4-19-17 and 4-19-18.

History of Section.

(P.L. 1993, ch. 24, § 2; P.L. 1995, ch. 260, § 1; P.L. 2005, ch. 125, § 1; P.L. 2005, ch. 203, § 1; P.L. 2013, ch. 312, § 1; P.L. 2013, ch. 417, § 1.)