

TITLE 4

Animals and Animal Husbandry

CHAPTER 4-13

Dogs

SECTION 4-13-1

§ 4-13-1 Regulatory ordinances – Enforcement and penalties.

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

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

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

(ii) To prescribe pecuniary penalties as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) A fine not exceeding one hundred dollars (\$100) for the first (1st) offense within the calendar year;

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

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

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

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

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

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

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

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

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

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

(iii) Prescribing pecuniary penalties as follows:

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

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

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

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

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

(ii) To prescribe pecuniary penalties as follows:

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

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

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

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

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

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

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

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

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

(iii) The Portsmouth town council may, by ordinance, prescribe the number of licensed dogs which may be kept at any single family residence other than a breeding kennel licensed under § 4-13-10 and may enforce those ordinances by pecuniary penalties not exceeding twenty-five dollars (\$25.00).

(12) The Richmond town council is authorized to enact ordinances:

(i) Establishing the following penalties for animal control offenses:

(A) A fine of not more than fifty dollars (\$50.00) for the first offense within one year;

(B) A fine of not more than seventy-five dollars (\$75.00) for the second offense within one year of the first offense;

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

(ii) Permitting the animal control officer or any police officer to issue citations for violation of any animal control ordinance punishable by a fine of five hundred dollars (\$500) or less, and to provide for payment of those fines by mail.

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

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

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

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

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

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

- (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar year;
 - (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar year;
 - (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense within a calendar year.
- (ii) The Smithfield town council is authorized to enact an ordinance permitting the animal control warden in the town to issue citations which may be paid by mail to the owners of dogs for the violation of any dog ordinance in that town.
- (15) Tiverton town council may prescribe pecuniary penalties as follows:
- (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense;
 - (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;
 - (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent offense.
- (16) Warwick city council may prescribe pecuniary penalties as follows:
- (i) A fine not exceeding fifty dollars (\$50.00) for the first offense within a calendar year;
 - (ii) A fine not exceeding one hundred dollars (\$100) for the second offense within a calendar year;
 - (iii) A fine not exceeding two hundred dollars (\$200) for the third and each subsequent offense within a calendar year; and
 - (iv) A fine not exceeding three hundred dollars (\$300) for the fourth and each subsequent offense within a calendar year.
- (17) Westerly town council is authorized to enact an ordinance:
- (i) Permitting the animal control officer in the town to issue citations to the owners of dogs for the violation of any animal control ordinance which may be paid by mail; and
 - (ii) Establishing the expense of the impoundment of dogs as determined by the town council and providing for the payment to the town of the impoundment expense by the dog owner prior to removal of the dog from the pound; and
 - (iii) Prescribe pecuniary penalties as follows:
 - (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a calendar year;
 - (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar year;
 - (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent offense within a calendar year.
- (18) West Greenwich town council is authorized to enact an ordinance:
- (i) Permitting the animal control officer in the town to issue citations to the owners of dogs for the violation of any animal control ordinance which may be paid by mail; and
 - (ii) Establishing the expense of the impoundment of dogs as determined by the town council and providing for the payment to the town of the impoundment expense by the dog owner prior to removal of the dog from the pound; and
 - (iii) Prescribe pecuniary penalties as follows:
 - (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a calendar year;
 - (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar year;
 - (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent offense within a calendar year.

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

(i) Providing a fine of up to twenty-five dollars (\$25.00) for the first offense;

(ii) Providing a fine of up to one hundred dollars (\$100) for the second offense; and

(iii) Providing a fine of up to two hundred dollars (\$200) for the third and for any subsequent offenses within a one year period. In addition, the town may require proof of owners liability insurance for a twelve (12) month period insuring against injury and damages caused by the dog. That insurance shall be in the amount of one hundred thousand dollars (\$100,000) and shall name the town as a named insured for the purposes of notice.

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

(i) A fine not exceeding fifteen dollars (\$15.00) for the first offense;

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

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

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

(i) Permitting the animal control office of the city to issue citations to the owners of dogs for the violation of any animal control ordinance which may be paid by mail;

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

(iii) Prescribing pecuniary penalties as follows:

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

(B) A fine of not more than one hundred dollars (\$100) for the second offense within a calendar year;

(C) A fine of not more than one hundred fifty dollars (\$150) for the third and each subsequent offense within a calendar year.

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

(i) For a pit bull properly licensed according to the city ordinance;

(A) A fine not exceeding two hundred fifty dollars (\$250) for the first offense;

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

(C) A fine not exceeding one thousand dollars (\$1,000) on a third offense.

(ii) For a pit bull that is not licensed pursuant to the exceptions in the city ordinance:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History of Section.

(G.L. 1896, ch. 111, § 1; G.L. 1909, ch. 135, § 1; G.L. 1923, ch. 136, § 1; G.L. 1938, ch. 639, § 1; G.L. 1956, § 4-13-1; P.L. 1970, ch. 96, § 1; P.L. 1970, ch. 196, § 1; P.L. 1976, ch. 86, § 1; P.L. 1977, ch. 43, § 1; P.L. 1978, ch. 74, § 1; P.L. 1979, ch. 65, § 1; P.L. 1980, ch. 120, § 1; P.L. 1983, ch. 94, § 1; P.L. 1983, ch. 275, § 1; P.L. 1983, ch. 286, § 1; P.L. 1984, ch. 17, § 1; P.L. 1984, ch. 27, § 1; P.L. 1984, ch. 99, § 1; P.L. 1984, ch. 370, § 1; P.L. 1985, ch. 91, § 1; P.L. 1985, ch. 111, § 1; P.L. 1985, ch. 133, § 1; P.L. 1985, ch. 210, § 1; P.L. 1987, ch. 157, § 1; P.L. 1987, ch. 304, § 1; P.L. 1988, ch. 118, § 1; P.L. 1988, ch. 480, § 1; P.L. 1993, ch. 338, § 1; P.L. 1994, ch. 36, § 1; P.L. 1994, ch. 119, § 1; P.L. 1994, ch. 276, § 1; P.L. 1994, ch. 278, § 1; P.L. 1996, ch. 35, § 1; P.L. 1998, ch. 201, § 1; P.L. 1999, ch. 58, § 1; P.L. 1999, ch. 401, § 1; P.L. 2002, ch. 72, § 1; P.L. 2002, ch. 101, § 1; P.L. 2002, ch. 260, § 1; P.L. 2002, ch. 372, § 1; P.L. 2004, ch. 29, § 1; P.L. 2004, ch. 78, § 1; P.L. 2004, ch. 120, § 1; P.L. 2004, ch. 217, § 1; P.L. 2006, ch. 500, § 1; P.L. 2008, ch. 279, § 1; P.L. 2008, ch. 470, § 1; P.L. 2009, ch. 122, § 1; P.L. 2009, ch. 176, § 1; P.L. 2010, ch. 197, § 1; P.L. 2010, ch. 225, § 1; P.L. 2011, ch. 30, § 1; P.L. 2011, ch. 35, § 1; P.L. 2011, ch. 141, § 1; P.L. 2011, ch. 142, § 1.)