

ANIMAL POLICY – TOWN PROPERTY

TOWN OF ATKINSON, NEW HAMPSHIRE

AUGUST 11, 2014

Please note: This Town of Atkinson, New Hampshire Animal Policy will be reviewed on an annual basis and modified if necessary to maintain consistency with current business practices. In addition, they may change with or without prior notice to at any time. However, the Town of Atkinson will make a reasonable effort to seek input prior to any changes.

Animal Policy – Town Property

Purpose Statement:

The purpose of this policy is to regulate the presence of animals on Town Property and the related responsibilities of animal owners.

Applicability Statement:

For the purposes of this policy, “facility” refers to all Atkinson municipally owned Town property and facilities including:

- Parks and conservation areas
- Public buildings and other specialty buildings and rooms
- Town trails
- Recreation fields
- Fire Station and Police Station
- Town Cemetery

Facilities that are not included are:

- Library and schools
- Other properties owned by Atkinson
- This prohibition does not apply to Town rights-of-ways and roadways

Scope

This Policy shall apply to all employees, volunteers, residents and visitors to Town Facilities

Definitions:

- *Animal Control Officer:* The Atkinson Police Department, Animal Control Officer, his or her Deputy, or any other person or entity the Board of Selectmen authorizes to enforce the provisions of these Regulations.
- *At Large:* Not under control by a person by means of a leash held by the person or by voice or other command.
- *Animal:* Any non-human species including, but not limited to, dogs or cats.
- *Leash:* A cord, rope, chain, lead or similar tether which holds an animal in restraint.
- *Owner:* An Owner includes all of the following: (1) Any person having control or purporting to have control over an animal; (2) the person named in the licensing records of any dog as the owner; (3) the occupant of the premises where the animal is usually kept if such premises are other than the premises of the owner as shown on the licensing record, or any person in possession of, harboring or allowing any animal to remain about their premises for a period of three (3) consecutive days or more. The parent or guardian of an owner under eighteen (18) years of age shall be deemed the owner as defined herein. If an animal has more than one owner, all such persons are jointly and severally liable for the acts or omissions of an owner under these Regulations.
- *Restrained:* Under control of an owner.
- *Service Animal:* The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Animal Policy – Town Property

Policy Statement:

This Animal Policy has been established to provide for the health and safety of Atkinson employees, volunteers, residents and visitors; for the protection, efficient use, and enjoyment of the towns offices and property; for the responsible management and operation of the town; and to reduce the Town's liability.

This policy addresses animals on town property in and outside of Town buildings.

Policy

Inside Town Buildings:

No animals are allowed inside town buildings.

Exceptions to this policy:

- This prohibition does not apply to individuals accompanied by service animals. A service animal must be permitted to accompany the individual with a disability to all areas of a facility.
- This prohibition does not apply to certified police service dogs or animals in the temporary custody of Atkinson Animal Control

Outside of Town Buildings:

- Pets must be leashed and under control at all times and are not allowed to roam at large.
- Animals are not allowed on athletic field areas or in the Town Cemetery
- Leash, curb and clean up after your dog

On all Town Owned Property:

- It shall be prohibited for any person to permit an animal to be on Town Property unless such person has, in his or her immediate possession, an appropriate means of removing animal excreta.
- No person owning or having custody or control of any animal shall knowingly, or through failure to exercise due care or control, permit such dog to defecate or commit any other nuisance and allow such nuisance to remain thereafter on any Town Property. A person shall not be considered in violation of this Section if the person has necessary equipment, i.e., shovel, bag, etc., readily available and does take immediate and necessary action to accomplish the lawful and sanitary removal and disposal of such nuisance.

Rationale:

With consideration of Health and Safety issues:

- Animals may spur allergic reaction among employees, volunteers, residents and visitors
- Some employees, residents, contractors and visitors have a genuine fear of dogs, cats, etc., which needs to be respected
- Concerns should an employee, volunteer, resident or visitor be bitten or injured by an animal while in a Town facility
- Spreading of fleas and ticks which can carry disease
- Animals can cause a disruption in the workplace
- Animals can cause damage to a Town facility

All of these factors put the Town at a risk of potential liability

Animal Policy – Town Property

Last Update	Action Taken	By Whom
8/11/14	Policy Approved	BoS

William Baldwin, Chair Philip Consentino Harold Morse