

**DRAFT**

ARTICLE II. DOGS AND PETS ~~CATS~~\*

**Sec. 4-31. Dogs upon a public way; seizure, impoundment or restraint; condition of release.**

(a) No owner or keeper of a dog shall permit such animal to be upon a public way as defined in section 1-2 unless such animal is controlled by a leash, ~~(as defined in Sec. 4-33(b))~~ **(as defined in Sec. 4-33(b))** at heel beside a competent person and obedient to that persons commands, on or within a vehicle being driven or parked on the streets or within the property limits of its owner or keeper. Nothing in this section shall be held to require the leashing of any dog while on private premises. ~~If any person violates the provisions hereof, he shall be deemed guilty of a misdemeanor.~~

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Deleted: A leash shall not be more than eight (8) feet long.

(b) Any Police Officer or Animal Control Officer within the city shall seize, impound or restrain any dog kept in violation of this section and any dog running at large and deliver such dog to a licensed veterinarian or Humane Society Shelter, to be kept there and disposed in accordance with section 4-27.

(c) No dog shall be released by the veterinarian or Humane Society Shelter unless such owner or keeper has paid the current impoundment fee to the Augusta Police Bureau. (Code 1970, § 4-16; Ord. No. 532, 12-19-88)

**Sec. 4-32. Dogs controlled by a leash required.**

(a) The owner, keeper or any other individual who has responsibility of a dog shall keep such animal controlled by a leash when such animal is on the property of a school, City Park, Community Center, or playground, the Rail Trail, Greenway Trail, Augusta Nature Center Trails and other designated trails. (Ord. No. 162, 10-6-08)

**Sec. 4-33 Definitions:**

- (a) Dog Park : Area physically defined and designated by city as an off leash area where dogs may move about with out a leash attached. The area will be designated by signage stating as such.
- (b) Leash: A leash is a physical tether designed to be used as a lead that is attached to the dog's collar not more than eight (8) feet in length and includes the use of retractable leads that shall be extended no more than 8 feet while in city parks, schools grounds, designated trails and others areas where the 8 foot designation is in effect . A leash is not an electronic collar device or any other electronic device that can be used to control behaviors.
- (c). Dog Waste: Feces (Also called stool.) The solid waste that is left after food is digested.
- (d). Playground; A public area contained within a city park that is managed by the city that has play structures such as; swings, slides, climbing structures and swimming pools
- (e). Park: Any area under the City's ownership and or care, custody and control that has been designated and used as a public gathering place by the public where a playground may or may not exist.

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- (f). Athletic Fields/facilities: Areas and facilities that are under the City or School Department's ownership and or care, custody and control that are designated and used for the conduct of athletic or other city and or school affiliated and sanctioned events
- (g). Service Animals: As defined under the Maine Human Rights Act and the Federal American with Disabilities Act.

~~Sec. 4-34 - 4-49. Reserved.~~ Dog Park at Mill Park

(a) Rules:

1. You enter the park at your own risk.
2. The park will be open from dawn to dusk.
3. You are legally responsible for your dog's behavior, and you alone are responsible for your dog's well-being.
4. All dogs must be leashed until they are inside the fenced, off-leash area.
5. Inside the fenced play area, watch your dog and have leash with you at all times.
6. No children 4 years old and under are allowed inside the dog park.
7. Children 5- 12 years old must be with a supervising adult.
8. Bare feet are prohibited.
- 9 It's advisable for people of all ages to wear shoes, rather than sandals , in a dog park.
10. Dogs must be properly inoculated; licensed, wearing a collar with ID and rabies tags, and free of viral infections.
11. No aggressive dogs are allowed in the park.
12. Female dogs in heat or puppies under 4 months of age are not allowed in the park.
13. No more than two dogs per person may enter the group play areas.
14. Remove choke or pinch collars and head halters before entering the fenced area. If such a collar or halter catches on a fence or another dog's tooth, it can cause panic and serious injury.
15. Dog Waste: Dog owners are required to pick up their dog's waste promptly inside and outside of the off-leash area.
16. Fill in all holes that your dog digs.
17. Humans shall not eat, smoke, or run inside the dog park.
18. Do not give treats to anyone else's dog.
19. Leave your dog's favorite toy and all rawhide chews at home.
20. If your dog seems timid, stressed, overly aroused, or aggressive, please take him or her out of the off-leash area.
21. Any dog park user may ask someone who is not abiding by the rules to leave.
22. In case of a dog bite, call the police at 626-2370; in an emergency, call 911.  
Any dog bite to a human being must be reported immediately to the Augusta Police Department.
23. Failure to abide by the Dog Park rules may be grounds for ejection from the Dog Park and City Parks

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(b). Ejection from Dog Park: Dogs as a result of their behaviors and verified complaints, dogs who pose a threat to the welfare and well being of other dogs and or people may be permanently banned from the dog park. The Director of Community Services in cooperation with the City's Animal Control Officer and in consultation with the Chief of Police will be responsible for making the ban determination and shall issue a no trespass order to the **owner of the dog through** the office of the Chief of Police.

Sec. 4-35 Dogs/Pets Prohibited

(a). Dogs and other pets are prohibited from School and City Park Athletic Fields/Facilities including during athletic events and other special events utilizing said facilities/areas.

(b). During athletic events utilizing the Augusta Nature Center trails **the prohibition against pets** shall also include the Augusta Nature Center trails that are not under the City or School's jurisdiction.

(c). Service Animal exemption; Restrictions to access shall not be imposed on people with service animals; however, the handler is responsible for the immediate clean up of any waste from the service animal. Further, service animals shall be under the control of the handler at all times.

(d). Dogs and other pets may be permitted in these areas for special circumstance and as approved by the administration of either the school for school properties or city for city managed properties on a case by case basis.

(e). Pet Prohibited Sign wording. "PETS PROHIBITED"

For the safety of your pet and people using this area, pets are prohibited on all athletic fields and are not allowed at this facility during athletic events and other sanctioned and special events unless so authorized by either the Augusta School Board or Augusta City Council.

Sec 4-36 Dog Waste

All dog owners and keepers are required to immediately and properly dispose of their dog's solid waste deposited on any property public or private not owned or possessed by that person.

Secs. ~~4-33~~ 4-37--4-49. Reserved

ARTICLE VII PARKS AND RECREATION

Sec. 6.5-312. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director* means Director of Parks and Cemeteries, or Director of Recreation appointed pursuant to the Charter.

*Park* means the areas within the boundaries, as described in the records of the City

Assessors, of the following city-owned and utilized recreational properties and facilities:

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Name	Assessor's Map and Lot Numbers	
<u>Augusta Nature Center</u>	<u>45</u>	<u>12</u>
	<u>46</u>	<u>3</u>
	<u>46</u>	<u>3C</u>
	<u>46</u>	<u>46</u>
	<u>46</u>	<u>44A</u>
<u>Bond Brook Recreation Area Park</u>	<u>9</u>	<u>64 - 65</u>
	<u>10</u>	<u>6 - 7</u>
Civic Center Park – <u>Augusta Garden Club Park</u>	5A	8
	42	35
	38	47
	<u>10</u>	<u>17</u>
	<u>10</u>	<u>18A</u>
	<u>10</u>	<u>20</u>
<u>Cony Playfields – Cony High School and Capital Area Technical Center Grounds and Athletic Fields</u>	<u>10</u>	<u>21</u>
	<u>10</u>	<u>22</u>
	<u>10</u>	<u>22 A,B,C</u>
	<u>10</u>	<u>24</u>
	<u>10</u>	<u>25</u>
	<u>10</u>	<u>30</u>
Gilbert School Playground	30	38
<del>Calumet Playground</del> <u>Calumet Park</u>	29	52
<del>Mt. Vernon Playground</del> <u>Mt. Vernon Park</u>	29	1
<del>Buker Tennis Courts and Playfields</del> <u>Buker Community Center and athletic fields, Melendy Tennis Courts</u>	21	1
Youth Memorial Park	21	6A
<del>Lincoln St. Playground</del> <u>Lincoln School Playground</u>	27	268

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Cunningham <del>Playground</del> <u>Park</u>	28 <del>28</del> 28 <del>28</del> 28 <del>28</del> 28 <del>28</del> 28	19 20 20A 22 25 24 23 24
Capitol Park	32	59
<u>Edwards Mill Site Park aka Mill Park</u>	<u>35</u>	<u>55</u>
<del>Williams School Playground</del> <u>Williams Park</u>	39	75
	43	193
Hussey School Playground	43	147
Hodgkins School <del>Playfields</del> <u>Athletic Fields</u>	<del>42</del>	<del>164A</del>
	<del>46</del> <u>46</u> <u>46</u>	<del>3D</del> <u>8</u> <u>10</u>
McCall's <del>Playground</del> <u>Park</u>	41	169
<del>Hospital Street Tennis Courts</del> (Behind state police and used for parking)	<del>40</del>	<del>8A</del>
<del>Front Street Park</del> <u>Waterfront Park</u>	33 34	278 47
<del>Bus Depot</del> <u>Haymarket Square</u>	33	216
Frederick L. Savage Park	48	3B
<u>Eastside</u> Boat Landing <u>Park</u>	38	188
	38	188A-B
<del>Vocational Recreation Complex</del> <u>Alumni Field Athletic Complex</u>	10	17, 20, 21
City Center	38	178
Gage Street Park	33	<del>28, 29,</del> 38, 51, <u>52</u> 79 82
Mill Street Park	35	193 <del>195,</del> <u>198, 200 - 203</u>
<del>Mill St. Playground</del>	<del>35</del>	<del>201</del>

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Mt. Vernon Avenue <u>Park</u>	34	323 - <u>325</u>
Farrington School Playground	59	12
Bicentennial Nature Park	4	167
Capital Area Recreation Association Athletic Fields	10	32

*Vehicle* means any wheeled conveyance, whether powered by motor, animal-drawn or self-propelled. The term shall include, but not be limited to, any trailer in tow, automobile, truck, wagon, snowmobile, motorbike, and motorcycle, trail bike of any size, kind or description. Exception is made for baby carriages, bicycles and vehicles used in the maintenance and operation of city parks .

(Code 1970, § 16-38; Ord. No. 391, 4-1-96; Ord. No. 85, 6-18-01)

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