

CHAPTER 123

DOGS

[**HISTORY:** Adopted by the Board of Selectmen of the Town of Hillsborough as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Parks — See Ch. 170.

ARTICLE I

Running at Large; Nuisances

[Adopted 8-19-1974]

§ 123-1 Disposal of dogs found running at large.

Any dogs found running at large, without having attached to the same either the license or the owner's name and address, shall be disposed of.

§ 123-2 Dogs causing nuisances.

A. No dog, whether licensed or unlicensed, shall run at large or in any other way make a nuisance of itself within the limits of the Town of Hillsborough.

B. The term "nuisance" as herein used shall be considered to be as defined in the New Hampshire Revised Statutes Annotated, Chapter 466, Section 31, Paragraph II.

C. Any dog who is found to be running at large or to be causing a nuisance in violation of this chapter may, at the discretion of the Police Chief of the Town of Hillsborough, be impounded or otherwise restrained at the expense of the owner.

§ 123-3 Penalties for offenses.

[Amended 3-21-1989]

Any person who shall be found guilty of violating any provision of this article shall be guilty of a violation and may be fined up to \$500.

§ 123-4 Repealer.

This article supersedes an ordinance adopted March 1, 1970, and said ordinance is repealed as of the effective date of this article.

§ 123-5 When effective.

This article shall be effective upon publication in the Hillsborough Messenger.

ARTICLE II
Disposal of Waste
[Adopted 6-24-2008]

§ 123-6 Prohibited behavior.

It shall be unlawful for any person owning, possessing or controlling a dog on any sidewalk, street or public area or on any private property neither owned nor occupied by said person to:

- A. Fail to carry any article or means to remove any feces left by such dog; or
- B. Fail to remove and dispose of any feces left by such dog in a manner consistent with New Hampshire Revised Statutes Annotated 163-B.

§ 123-7 Enforcement.

This article shall be enforced only if the failure to appear without a means of removal or the failure to remove and dispose of said dog feces occurs in the presence of a law enforcement officer.

§ 123-8 Public duty.

This article allows any individual (private or of legal standing) witnessing an act not in compliance of such article, to testify (willingly) to the police or courts regarding such violation.

§ 123-9 Enforcement.

This article shall not apply to any person mentally or physically disabled accompanied by a service dog and who because of such disability is unable to comply with the requirements of this article. This article does not apply to law enforcement or public safety K-9 while performing official duty.

§ 123-10 Penalties for offenses.

Consistent with the provisions provided under RSA 466:31-a, the first violation of this ordinance shall result in a fine of \$25. The second violation shall result in a fine of \$100. A third violation shall result in an appearance in District Court.