

**CITY OF DOVER ORDINANCE #2016-27**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**

That Chapter 18 - Animals, Section 18-4 - Running At-Large, of the Dover Code be amended to read as follows:

**Sec. 18-4. - Running at-large.**

- (a) *Unlawful.* It shall be unlawful for any person to permit any dog to run at-large.
- (b) *Duties of police and animal control officer.* It shall be the duty of every police officer and animal control officer to apprehend any dog found running at-large contrary to the provisions of this section and to impound it. If the dog is acting in a vicious capacity and attacks the officer or others, the officer may destroy the dog. Such person shall make a record of the breed, color and sex of the dog and the number of its license tag, if any. A compilation of the records of all dogs caught and impounded shall be maintained at the police headquarters station.
- (c) *Authority of citizens.* Any citizen of the city may take up any animal found running at-large and deliver it to an animal control officer or police officer, or other authorized person, to be impounded.
- (d) *Notice to owner.* It shall be the duty of the animal control officer or police officer or other person taking or impounding any animal to notify the owner, if known, within a reasonable time, either personally or by a written notice left at his usual place of abode or, if unknown, by five or more written or printed notices posted in public places within the city.
- (e) Any person convicted of a violation of this section shall pay a fine as provided for in Appendix F-Fees and Fines.

(Code 1981, § 4-4; Ord. of 8-28-1995; Ord. No. 2009-09, 6-22-2009)

**BE IT FURTHER ORDAINED:**

That Chapter 18 - Animals, Section 18-5 - Dog licenses required, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

**Sec. 18-5. - Dog licenses required.**

- (a) *Generally.* The owner or lawful possessor of any dog shall obtain a license for his dog pursuant to 16 Del. C. § 3042F, and any owner or possessor who shall fail to comply with the provision of the laws of the state shall pay a fine as provided for in Appendix F-Fees and Fines.
- (b) *Enforcement.* The provisions of this section may be enforced by any police officer or by any person designated to act as an animal control officer.

(Code 1981, § 4-4.1; Ord. of 8-28-1995; Ord. No. 2009-09, 6-22-2009)

**BE IT FURTHER ORDAINED:**

That Chapter 18 - Animals, Section 18-10 - Same - Seizure and Impoundment, of the Dover Code be

amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

**Sec. 18-10. - Same-Seizure and impoundment.**

- (a) *Person bitten.* When a person has been bitten by a vicious dog or animal, the person, or parent, guardian or person standing in loco parentis of the person, and the person owning the animal or in control or possession of the animal shall notify the city police department immediately and give the name and address of the person bitten and the owner of the animal, along with a description of the animal. All animals that bite a person shall be immediately confined for ten days in a city-approved animal shelter or veterinary facility, at the expense of the owner.
- (b) *Confinement.* If the owner of a dog or cat that has bitten a person can provide proof of a currently valid rabies vaccination, that dog or cat may be quarantined on the premises of the owner or custodian.
- (c) *Impoundment if not confined.* Any dangerous or vicious animal may be impounded by an animal control officer or police officer to protect the public safety. Said impoundment will be in a city-approved animal shelter or veterinary facility at the owner's expense. No dangerous or vicious animal will be returned to the owner unless said animal is confined by the owner within a building or secured enclosure and shall be securely muzzled or caged whenever off the premises of its owner. Every person harboring a vicious animal, vicious dog or a wild animal is charged with an affirmative duty to confine said animal in such a way that the public does not have access to such animal.

(Code 1981, § 4-9; Ord. of 8-28-1995)

State Law reference- Similar provisions, 16 Del C. §3073F.

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, Chapter 18 - Animals, Section 18-5 - Dog licenses required; for each violations be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

<p>Sec. 18-5. Dog licenses required; for each violation</p>	<p style="text-align: center;">First offense - Not less than \$50.00or more than \$500.00.                  Second and subsequent offenses occurring within 12 months of prior offense - not less than \$100 and not more than \$500. The minimum fine for a subsequent offense shall not be subject to suspension. Conviction for the failure to pay the license fee is a violation.</p>
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**ADOPTED:** DECEMBER 12, 2016

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**SYNOPSIS**

The amendments will align the Dover Code with the recently amended Delaware Code.  
 (SPONSORS: HUTCHISON AND HOSFELT)

Actions History

12/12/2016 - Final Reading - City Council

11/28/2016 - First Reading - City Council

11/15/2016 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration Committee