

**Chapter 59**  
**ANIMAL CONTROL<sup>1</sup>**

**§ 59-1. Running at large.****§ 59-2. Bathing and playground areas.****§ 59-3. Nuisances by dogs.****§ 59-4. Effect on Seeing Eye dogs.****§ 59-5. Violations and penalties; interpretation.**

**[HISTORY: Adopted by the Annual Town Meeting of the Town of Peterborough 3-15-1977 as Art. 21. Amended July 7, 2015.]**

**§ 59-1. Running at large.**

No person shall permit his or her dog to run at large at any time within the Town of Peterborough. A dog is "at large," within the meaning of this chapter, if it is not controlled by a leash or is not at heel beside a competent person or is not obedient to that person's command or is not within a vehicle or is not on the property of its owner or keeper. This chapter shall not apply to dogs in use with their owners or keepers during lawful hunting.

**§ 59-2. Bathing and playground areas.**

It shall be unlawful for any animal or reptile to be on land owned and/or used by the Town of Peterborough or any of its departments for bathing or playground purposes. The bathing and playground areas are defined and described as the public beach and playground at Adams Park. Exceptions may be granted by an appropriate town official.

**§ 59-3. Nuisances by dogs.**

No dog shall be permitted, whether or not leashed or restrained, to be a nuisance, a menace or vicious to persons or property or to other animals. A dog is adjudged to be a nuisance if it:

- A. Barks continuously for sustained periods of time.
- B. Barks during the night so as to disturb the peace and quiet of a neighborhood or area.
- C. Turns over garbage cans or waste containers or otherwise causes waste or garbage to be scattered on property other than its owner's.
- D. Runs after or chases bicycles, motor vehicles, motorcycles or other vehicles being driven, pulled or pushed on the streets, highways or public ways.
- E. Barks, growls, snaps at, bites, runs after or chases any person or persons.
- F. Runs in a pack with other dogs.
- G. Runs after, chases or preys on game animals, domestic animals, fowl or human beings.
- H. Digs, scratches or leaves excrement on any property other than its owner's.
- I. Whose Owner violates section 59-4 of this chapter.
- J. While in heat is unconfined. ("Confinement" shall mean within an enclosed building not accessible to any other dog.)

**§ 59-4. Removal of dog feces from public property and the property of another.**

- A. Any owner or person having custody of a dog, when on public property or on the property of another and not owned by that person, must have in his or her possession a mechanical or other device for the immediate collection and removal of the dog's excrement.
- B. "Mechanical or other device" shall include a "pooper scooper," plastic bag or other appropriate containment device.
- C. Proper disposal. Any owner or dog walker who has removed excrement pursuant to this section shall properly discard it in a lawful and sanitary manner in a trash receptacle or separated from its containment device and flushed into a septic system.

**§ 59-5. Effect on Seeing-eye dogs.**

This chapter shall not apply to "Seeing-eye" dogs, so called.

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<sup>1</sup> Editor's Note: The Police Department is the current enforcement agency for this chapter.

**§59-6. Dog Ordinances shall be given with licenses.**

A copy of the Peterborough Dog Ordinances shall be given with each dog license issued by the town.

**§ 59-7. Violations and penalties.**

- A. It shall be the duty of the designated dog or animal control officer, health officer or any law enforcement officer to issue a complaint against the owner of a dog for a violation of any provision of this chapter.
- B. For the first violation of this chapter, the owner or person in control of the dog shall be warned; for the second and other violations, a complaint shall be filed in the Peterborough District Court. The penalty for violation of this chapter shall be ten dollars (\$10.), except for §59-4 where the penalties associated with non-compliance are dictated per NH RSA 466:31-A: \$25.00 for the first offense, \$100.00 for the second offense, and court appearance for a third offense. The owner/keeper of the dog shall be presumed to be responsible for its conduct in the absence of proof to the contrary.
- C. This chapter shall in no way supersede the New Hampshire Revised Statutes Annotated or any other laws or ordinances relating to dogs, other animals or reptiles. In the event of conflict, the more stringent restriction shall prevail.