

2024 -- H 7245

LC004085

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

Introduced By: Representatives Ackerman, Voas, Phillips, and Marszalkowski

Date Introduced: January 19, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-13-1 of the General Laws in Chapter 4-13 entitled "Dogs" is hereby
2 amended to read as follows:

3 **4-13-1. Regulatory ordinances — Enforcement and penalties.**

4 (a) City or town councils may make any ordinances concerning dogs in their cities or towns
5 as they deem expedient, to be enforced by the destruction or disposition of the animal, or by
6 pecuniary penalties not exceeding ten dollars (\$10.00) for the first offense, not exceeding fifteen
7 dollars (\$15.00) for the second offense within a year, not exceeding twenty-five dollars (\$25.00)
8 for the third and any subsequent offense within a year to be recovered by action of debt, or by
9 complaint and warrant, to use as that city council or town council may prescribe.

10 (b)(1) Barrington town council is authorized to enact an ordinance:

11 (i) Permitting the animal control officer in the town to issue citations to the owners of dogs
12 for violation of any animal control ordinance which may be paid by mail; and

13 (ii) To prescribe pecuniary penalties as follows:

14 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
15 calendar year;

16 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
17 year;

18 (C) A fine of not more than seventy-five dollars (\$75.00) for the third and each subsequent
19 offense within a calendar year.

1 (2)(i) Bristol town council is authorized to enact an ordinance permitting the dog officer in
2 that town to issue citations to the owners of dogs for the violation of any dog ordinance which may
3 be paid by mail, and to prescribe pecuniary penalties as follows:

4 (A) A fine not exceeding twenty-five dollars (\$25.00) for the first offense within a calendar
5 year;

6 (B) A fine not exceeding fifty dollars (\$50.00) for the second offense within a calendar
7 year;

8 (C) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
9 offense within a calendar year.

10 (ii) The Bristol town council may by ordinance prescribe the number of licensed dogs and
11 their breeds which may be kept at any single-family residence other than a breeding kennel licensed
12 under § 4-13-10, and may enforce those ordinances by pecuniary penalties not exceeding two
13 hundred fifty dollars (\$250).

14 (3) Coventry town council is authorized to enact ordinances permitting the dog officer in
15 the town to issue citations to the owners of dogs for the violation of any dog ordinance which may
16 be paid by mail.

17 (4)(i) Cumberland town council may prescribe pecuniary penalties as follows:

18 (A) A fine not exceeding ~~twenty dollars (\$20.00)~~ fifty dollars (\$50.00) for the first offense
19 within a calendar year;

20 (B) A fine not exceeding ~~thirty dollars (\$30.00)~~ seventy-five dollars (\$75.00) for the second
21 offense within a calendar year;

22 (C) A fine not exceeding ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100) for the third and
23 each subsequent offense within a calendar year.

24 (ii) The town council of the town of Cumberland is authorized to enact an ordinance
25 permitting the animal control officer or any police officer in that town to issue citations to the
26 owners of dogs for the violation of any dog ordinance which may be paid by mail.

27 (iii) The town council of the town of Cumberland is authorized to enact an ordinance
28 establishing the expense of the impoundment of dogs as determined by the town council and
29 providing for the payment to the town of the impoundment expense by the dog owner prior to
30 removal of the dog from the pound.

31 (5) Gloucester town council is authorized to enact an ordinance to prescribe pecuniary
32 penalties as follows:

33 (i) A fine not more than twenty dollars (\$20.00) for the first offense within a calendar year;

34 (ii) A fine not more than thirty dollars (\$30.00) for the second offense within a calendar

1 year;

2 (iii) A fine not more than thirty-five dollars (\$35.00) for the third offense and each
3 subsequent offense within a calendar year.

4 (6) Jamestown town council may prescribe pecuniary penalties as follows:

5 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense within a calendar
6 year;

7 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense within a calendar
8 year;

9 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
10 offense within a calendar year.

11 (7)(i) Middletown may prescribe pecuniary penalties as follows for the violation of animal
12 control ordinances on any beach within the town of Middletown:

13 (A) A fine not exceeding one hundred dollars (\$100) for the first (1st) offense within the
14 calendar year;

15 (B) A fine not exceeding one hundred fifty dollars (\$150) for the second (2nd) offense
16 within a calendar year;

17 (C) A fine not exceeding two hundred dollars (\$200) for the third (3rd) and each subsequent
18 offense within a calendar year.

19 (ii) Middletown may prescribe pecuniary penalties as follows for the violation of animal
20 control ordinances anywhere else within the town:

21 (A) A fine not exceeding fifty dollars (\$50.00) for the first offense within a calendar year;

22 (B) A fine not exceeding one hundred dollars (\$100) for the second offense within a
23 calendar year;

24 (C) A fine not exceeding one hundred fifty dollars (\$150) for the third and each subsequent
25 offense within a calendar year.

26 (iii) The Middletown town council is authorized to enact an ordinance permitting the dog
27 officer in that town to issue citations to the owners of dogs for the violation of any dog ordinance
28 which may be paid by mail.

29 (8) Narragansett town council is authorized to enact an ordinance:

30 (i) Permitting the animal control officer in the town to issue citations to the owners of dogs
31 for the violation of any animal control ordinance which may be paid by mail; and

32 (ii) Establishing the expense of the impoundment of dogs as determined by the town
33 council and providing for the payment to the town of the impoundment expense by the dog owner
34 prior to removal of the dog from the pound; and

1 (iii) Prescribing pecuniary penalties as follows:

2 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
3 calendar year;

4 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
5 year;

6 (C) A fine of not more than seventy-five dollars (\$75.00) for the third and each subsequent
7 offense within a calendar year.

8 (9) Newport city council is authorized to enact an ordinance:

9 (i) Permitting the animal control officer, and his or her agents, in that city to issue citations
10 to the owners of dogs for violation of any animal control ordinance which may be paid by mail;

11 (ii) To prescribe pecuniary penalties as follows:

12 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
13 calendar year;

14 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
15 year;

16 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
17 offense within a calendar year.

18 (10) North Providence town council is authorized to enact an ordinance permitting the
19 animal control officer in that town to issue citations to the owners of dogs for the violation of any
20 dog ordinance which may be paid by mail.

21 (11)(i) Portsmouth may prescribe pecuniary penalties as follows:

22 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
23 year;

24 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
25 year;

26 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
27 within a calendar year.

28 (ii) The Portsmouth town council is authorized to enact an ordinance permitting the dog
29 officer in that town to issue citations to the owners of dogs for the violation of any dog ordinance
30 which may be paid by mail.

31 (iii) The Portsmouth town council may, by ordinance, prescribe the number of licensed
32 dogs which may be kept at any single family residence other than a breeding kennel licensed under
33 § 4-13-10 and may enforce those ordinances by pecuniary penalties not exceeding twenty-five
34 dollars (\$25.00).

1 (12) The Richmond town council is authorized to enact ordinances:

2 (i) Establishing the following penalties for animal control offenses:

3 (A) A fine of not more than fifty dollars (\$50.00) for the first offense within one year;

4 (B) A fine of not more than seventy-five dollars (\$75.00) for the second offense within one
5 year of the first offense;

6 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
7 offense within one year of the first offense.

8 (ii) Permitting the animal control officer or any police officer to issue citations for violation
9 of any animal control ordinance punishable by a fine of five hundred dollars (\$500) or less, and to
10 provide for payment of those fines by mail.

11 (13)(i) Scituate town council may prescribe pecuniary penalties as follows:

12 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
13 year;

14 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
15 year;

16 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
17 within a calendar year.

18 (ii) Scituate town council is authorized to enact ordinances permitting the dog officer in
19 the town to issue citations to the owners of dogs for the violation of any dog ordinance which may
20 be paid by mail.

21 (14)(i) Smithfield town council may prescribe pecuniary penalties as follows:

22 (A) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar
23 year;

24 (B) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
25 year;

26 (C) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
27 within a calendar year.

28 (ii) The Smithfield town council is authorized to enact an ordinance permitting the animal
29 control warden in the town to issue citations which may be paid by mail to the owners of dogs for
30 the violation of any dog ordinance in that town.

31 (15) Tiverton town council may prescribe pecuniary penalties as follows:

32 (i) A fine not exceeding twenty-five dollars (\$25.00) for the first offense;

33 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;

34 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent

1 offense.

2 (16) Warwick city council may prescribe pecuniary penalties as follows:

3 (i) A fine not exceeding fifty dollars (\$50.00) for the first offense within a calendar year;

4 (ii) A fine not exceeding one hundred dollars (\$100) for the second offense within a
5 calendar year;

6 (iii) A fine not exceeding two hundred dollars (\$200) for the third and each subsequent
7 offense within a calendar year; and

8 (iv) A fine not exceeding three hundred dollars (\$300) for the fourth and each subsequent
9 offense within a calendar year.

10 (17) Westerly town council is authorized to enact an ordinance:

11 (i) Permitting the animal control officer in the town to issue citations to the owners of dogs
12 for the violation of any animal control ordinance which may be paid by mail; and

13 (ii) Establishing the expense of the impoundment of dogs as determined by the town
14 council and providing for the payment to the town of the impoundment expense by the dog owner
15 prior to removal of the dog from the pound; and

16 (iii) Prescribe pecuniary penalties as follows:

17 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
18 calendar year;

19 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
20 year;

21 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
22 offense within a calendar year.

23 (18) West Greenwich town council is authorized to enact an ordinance:

24 (i) Permitting the animal control officer in the town to issue citations to the owners of dogs
25 for the violation of any animal control ordinance which may be paid by mail; and

26 (ii) Establishing the expense of the impoundment of dogs as determined by the town
27 council and providing for the payment to the town of the impoundment expense by the dog owner
28 prior to removal of the dog from the pound; and

29 (iii) Prescribe pecuniary penalties as follows:

30 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
31 calendar year;

32 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
33 year;

34 (C) A fine of not more than one hundred dollars (\$100) for the third and each subsequent

1 offense within a calendar year.

2 (19) The town council of the town of Exeter is authorized to enact any ordinance
3 prescribing fines and penalties, in addition to those otherwise allowed by law, as follows:

4 (i) Providing a fine of up to twenty-five dollars (\$25.00) for the first offense;

5 (ii) Providing a fine of up to one hundred dollars (\$100) for the second offense; and

6 (iii) Providing a fine of up to two hundred dollars (\$200) for the third and for any
7 subsequent offenses within a one-year period. In addition, the town may require proof of owners
8 liability insurance for a twelve-month (12) period insuring against injury and damages caused by
9 the dog. That insurance shall be in the amount of one hundred thousand dollars (\$100,000) and
10 shall name the town as a named insured for the purposes of notice.

11 (20) West Warwick town council may prescribe pecuniary penalties as follows:

12 (i) A fine not exceeding fifteen dollars (\$15.00) for the first offense;

13 (ii) A fine not exceeding fifty dollars (\$50.00) for the second offense;

14 (iii) A fine not exceeding one hundred dollars (\$100) for the third and each subsequent
15 offense.

16 (21) Woonsocket city council is authorized to enact an ordinance:

17 (i) Permitting the animal control office of the city to issue citations to the owners of dogs
18 for the violation of any animal control ordinance which may be paid by mail;

19 (ii) Establishing the expense of the impoundment of dogs as determined by the city council
20 and providing for the payment to the city for the impoundment expense by the dog owner prior to
21 removal of the dog from the pound; and

22 (iii) Prescribing pecuniary penalties as follows:

23 (A) A fine of not more than fifty dollars (\$50.00) for the first offense within a calendar
24 year;

25 (B) A fine of not more than one hundred dollars (\$100) for the second offense within a
26 calendar year;

27 (C) A fine of not more than one hundred fifty dollars (\$150) for the third and each
28 subsequent offense within a calendar year.

29 (22) Pawtucket city council is authorized to prescribe pecuniary penalties directly related
30 to its ordinance banning the owning or keeping of pit bulls in the city as follows:

31 (i) For a pit bull properly licensed according to the city ordinance:

32 (A) A fine not exceeding two hundred fifty dollars (\$250) for the first offense;

33 (B) A fine not exceeding five hundred dollars (\$500) on a second offense;

34 (C) A fine not exceeding one thousand dollars (\$1,000) on a third offense.

1 (ii) For a pit bull that is not licensed pursuant to the exceptions in the city ordinance:

2 (A) A fine not exceeding five hundred dollars (\$500) on a first offense;

3 (B) A fine not exceeding one thousand dollars (\$1,000) on a second or subsequent offense.

4 (iii) Notwithstanding any other provision of this section, Pawtucket may through its
5 municipal court impose a sentence of imprisonment not exceeding thirty (30) days in addition to
6 the fines in subsection (b)(22)(ii)(A) or (B).

7 (23)(i) The Lincoln town council is authorized to prescribe pecuniary penalties as follows:

8 (A) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
9 calendar year;

10 (B) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
11 year;

12 (C) A fine of not more than one hundred twenty-five dollars (\$125) for the third and each
13 subsequent offense within a calendar year.

14 (ii) The Lincoln town council is authorized to enact an ordinance permitting the dog officer
15 and police officers in that town to issue citations to the owners of dogs for the violation of any dog
16 ordinance, which citation may be paid by mail.

17 (24) The East Providence city council is authorized to enact an ordinance permitting the
18 animal control officer or any police officer in that city to issue citations to persons in violation of
19 any animal ordinances, which may be paid by mail, and to prescribe pecuniary penalties as follows:

20 (i) A fine of not more than thirty dollars (\$30.00) for the first offense within a calendar
21 year;

22 (ii) A fine of not more than sixty dollars (\$60.00) for the second offense within a calendar
23 year;

24 (iii) A fine of not more than one hundred twenty dollars (\$120) for the third offense within
25 a calendar year; and

26 (iv) A fine of not more than three hundred dollars (\$300) for the fourth offense and any
27 subsequent offense within a calendar year.

28 (25) The Warren town council is authorized to enact an ordinance permitting the animal
29 control officer in the town to issue citations to the owners of animals for violation of any animal
30 control ordinance which may be paid by mail, and to prescribe pecuniary penalties as follows:

31 (i) A fine of not more than twenty-five dollars (\$25.00) for the first offense within a
32 calendar year;

33 (ii) A fine of not more than fifty dollars (\$50.00) for the second offense within a calendar
34 year;

1 (iii) A fine of not more than one hundred dollars (\$100) for the third and each subsequent
2 offense within a calendar year.

3 (26) The Burrillville town council is authorized to enact an ordinance:

4 (i) Permitting the animal control officer in the town to issue citations to the owners of dogs
5 for the violation of any animal control ordinance which may be paid by mail; and

6 (ii) To prescribe penalties for violation of the provisions of revised general ordinances,
7 Town of Burrillville, Rhode Island, 2004, as amended, Chapter 4, entitled "Animals"; and

8 (iii) Establishing an expense not to exceed ten dollars (\$10.00) for the day during which
9 impoundment occurs plus five dollars (\$5.00) every day the animal is detained and providing for
10 the payment to the town of the impoundment expense by the dog owner prior to removal of the dog
11 from the animal control facility.

12 (27) The Foster town council is authorized to enact ordinances permitting the dog officer
13 in the town to issue citations to the owners of dogs for the violation of any dog ordinance, which
14 may be paid by mail, and may prescribe pecuniary penalties as follows:

15 (i) A fine not exceeding twenty dollars (\$20.00) for the first offense within a calendar year;

16 (ii) A fine not exceeding thirty dollars (\$30.00) for the second offense within a calendar
17 year;

18 (iii) A fine not exceeding fifty dollars (\$50.00) for the third and each subsequent offense
19 within a calendar year.

20 SECTION 2. This act shall take effect upon passage.

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LC004085
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

- 1 This act would increase the fines for dog ordinance violations in the town of Cumberland.
- 2 This act would take effect upon passage.

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