

Wilmington Animal Control Ordinance

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Section 1- Purpose of Ordinance

This ordinance has been adopted for the purpose of protecting the public health, safety, order and the residents' right to the quiet enjoyment of their property. The regulations set forth herein seek to achieve the aforementioned objectives by promoting the responsible care and supervision of dogs and wolf-hybrids withing the Town by their owners.

Section 2- Statutory Authority

This ordinance has been promulgated under the authority granted the Town's legislative body by 20 V.S.A. 3549, 24 V.S.A. 2291(10), (1 and 1), and 24 V.S.A. Chapter 59.

Section 3- Definitions

Dog: A male or female of the canine species (*Canis familiaris*)

Wolf-hybrid: An animal which is the progeny or descendent of a domestic dog (*Canis familiaris*)

At-Large: A dog or wolf-hybrid not on the premises of its owner and not restrained or under the direct control of its owner or the owner's agent. For avoidance of doubt, presence on a public trail maintained by the Wilmington Trail Committee without a leash, means the dog or wolf-hybrid is "at-large" and constitutes a violation of this ordinance unless the dog is on its owner's private property that the trail crosses

Issuing Officials: The Town officials authorized to issue complaints in the enforcement of this ordinance

Owner: Any persons, firm, association, or corporation owning, keeping or harboring a dog or wolf-hybrid.

Municipal Pound: Any facility operated by a municipal agency, or its authorized agent for the purse of impounding and caring for animals under hygienic conditions held under the authority of this ordinance or state law.

Public Trail Maintained by the Wilmington Trail Committee: means any public recreational trail or path that is constructed, marked, or maintained by or under the authority of the Wilmington Trail Committee, whether located on municipal land or across private property by easement or permission

Section 4- Requirements, Restrictions and Prohibitions

4-1: Licensing

Every owner of a dog or wolf-hybrid shall annually license said animal in accordance with provisions of 20 V.S.A Chapter 193. The owner of a dog or wolf-hybrid shall cause it to wear a collar and attach thereto a license tag issued by the Town Clerk. The fee for a license may include a surcharge up to \$10.00 above the license fee allowed by the state statute to offset animal control expenses incurred by the town.

4-2: Immunization

All dogs and wolf-hybrid owners shall have their animals inoculated against rabies in accordance with 20 V.S.A. 3581, 20 V.S.A 3581 (a) and any rules adopted by the Commissioner of Agriculture.

4-3: Running-at-large

Neither dogs nor wolf-hybrids shall lawfully run at large.

4-4: Vicious Animals

It shall be unlawful for a dog or wolf-hybrid to attack and/or bite a person or another animal.

4-5: Disturbances

It shall be unlawful for any dog or wolf-hybrid owner to allow their dog or wolf-hybrid to habitually bark or howl so that comfort or repose of any person(s) in the vicinity is disturbed.

4-6: Defecation

The owner or other individual in control of any dog or wolf-hybrid which defecates on private or public property, including parks, walkways, and yards, shall remove such material immediately and dispose of it in a sanitary manner.

4-7: Leash Required on Public Trails

Dogs and wolf-hybrids must be leashed at all times while on any public trail maintained by the Wilmington Trail Committee. This requirement does not apply when the dog or wolf-hybrid is on its owner's private property that the public trail crosses.

4-8: Multiple Offenses

For purposes of this ordinance, second, third and subsequent offenses are defined as those multiple and cumulative offenses committed by the dogs and/or wolf-hybrids of a single owner.

Section 5- Impoundment

5-1: Reasons for Impoundment

An enforcement officer may impound dogs and wolf-hybrids at a town designated impoundment facility for a violation of Section 4-1 through 5.

5-2: Impoundment Procedure

Within twenty-four (24) hours of the impoundment, the town official who impounds a dog or wolf-hybrid shall attempt to notify the owner that their animal has been impounded. If the owner is unknown or cannot be reached, the official shall post a notice in the Police Station and the Town Clerk's Office, for a period of seven days, describing the impounded animal, and stating when and where said animal was apprehended.

The owner may redeem dog or wolf-hybrid from the impoundment facility by;

- a. Paying all impoundment fees as well as other costs that the facility or the town may charge for boarding and caring for the animal.
- b. Inoculating their dog or wolf-hybrid against rabies if proof that said animal has been properly immunized cannot be provided. The town shall not release the animal until it has been inoculated. If necessary, the town shall have the animal inoculated and the owner shall pay fees and expenses for inoculation.
- c. Licensing their dog or wolf-hybrid only if said animal has not been properly licensed.

Dogs or wolf-hybrids that are not redeemed by their owners after seven days of impoundment, may be humanely destroyed.

Rabies Suspect- any dog or wolf-hybrid which is considered a rabies suspect shall be managed in accordance with the rules of the Vermont Department of Health. The owner of an animal suspected of having rabies shall reimburse the town for all costs incurred in conjunction with the impoundment, evaluation, care and/or disposition of subject animal.

Section 6- Civil Designation

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Sections 1974 a and 1977 et seq.

Section 7- Penalties

7-1: Violation of Subsection 4-1 (Licensing)

A penalty of \$30.00 shall be imposed for the initial violation of Subsection 4-1 of this ordinance. The penalty for the second offense within a two-year period shall be \$50.00, and the penalty for three or more offenses within a two-year period shall be \$100.00. The waiver fee shall be established at \$15.00 for the first offense, \$25 for the second offense within a two-year period, and \$50.00 for all subsequent offenses within a two-year period.

7-2: Violation of Subsection 4-2 (Immunization)

A penalty of \$40.00 shall be imposed for the initial violation of Subsection 4-2 of this ordinance. The penalty for the second offense within a two-year period shall be \$100.00, and the penalty for three or more offenses within a two-year period shall be \$200.00. The waiver fee shall be established at \$20.00 for the first offense, \$50.00 for the second offense within a two-year period, and \$100.00 for all subsequent offenses within a two-year period.

7-3: Violation of Subsection 4-3 (Running at Large)

A penalty of \$30.00 shall be imposed for the initial violation of Subsection 4-3 of this ordinance. The penalty for the second offense within a two-year period shall be \$40.00, and the penalty for three or more offenses within a two-year period shall be \$60.00. The waiver fee shall be established at \$15.00 for the first offense, \$20.00 for the second offense within a two-year period, and \$30.00 for three or more offenses within a two-year period.

7-4: Violation of Subsection 4-4 (Vicious Animals)

A penalty of \$100.00 shall be imposed for the initial violation of Subsection 4-4 of this ordinance. The penalty for the second offense within a two-year period shall be \$200.00 and the penalty for three or more offenses within a two-year period shall be \$500.00. The waiver fee shall be established at \$50.00 for the first offense, \$100.00 for the second offense in a two-year period, and \$250.00 for all subsequent offenses within a two-year period. In addition, the Selectboard may issue an order in accordance with 20 V.S.A. 3546 to have a vicious animal muzzled, chained, confined or humanely destroyed.

7-5: Violation of Subsection 4-5 (Disturbances)

A penalty of \$30.00 shall be imposed for the initial violation of Subsection 4-5 of this ordinance. The penalty for the second offense within a two-year period shall be \$80.00, and the penalty for three or more offenses within a two-year period shall be \$200.00. The waiver fee shall be established at \$15.00 for the first offense, \$40.00 for the second offense within a two-year period, and \$100.00 for three or more offenses within a two-year period.

7-6: Violation of Subsection 4-6 (Defecation)

A penalty of \$30.00 shall be imposed for the initial violation of Subsection 4-6 of this ordinance. The penalty for the second offense within a two-year period shall be \$80.00, and the penalty for three or more offenses within a two-year period shall be \$200.00. The waiver fee shall be established at \$15.00 for the first offense, \$40.00 for the second offense within a two-year period, and \$100.00 for three or more offenses within a two-year period.

7-7 Impoundment Fees

Impoundment Fees shall be set by the Selectboard and may be changed by the Selectboard at a meeting warned for that purpose.

Section 8- Enforcement

Issuing officials authorized to enforce this ordinance shall be any Wilmington Police Officer and the Town's Dog Warden(s).

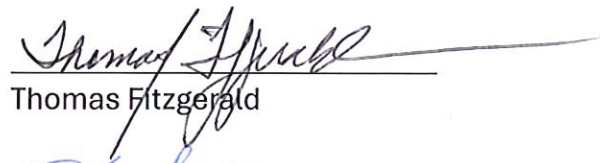
Section 9- Severability

If any provision within this ordinance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining provisions of this ordinance.

Section 13- Adoption/Effective Date

This ordinance is hereby adopted by the Town of Wilmington Selectboard on this 4th day of November, 2025 and shall, unless a petition is filed as provided by law, become effective upon sixty (60) days from this date.

Wilmington Selectboard


Thomas Fitzgerald


Vince Rice

Tony Tribuno


Charlie Foster


John Lebron