

## TOWN OF RYE SELECTMEN ORDINANCE NO. 35

### TOWN FOREST LEASH ORDINANCE

1. Applicability. This ordinance applies to the Rye Town Forest. This ordinance does not apply to service dogs as defined by RSA 167-D:1 or any dog employed by or acting on the behalf of law enforcement.
2. Authority. This ordinance is enacted pursuant to (1) RSA 41:11-a: Board of Selectmen's authority to manage town property; and (2) RSA 31:39, I. (b): Authority of towns to make bylaws for the prevention of going at large of horses and other domestic animals in any public place in the town.
3. Definitions.
  - a. Dog. Male or female dog, neutered or spayed, including puppies.
  - b. Owner/Custodian: Any person, group, association or organizations maintaining, keeping, caring for, harboring or owning a dog.
  - c. Leash. A strap or cord for restraining and guiding a dog or other animal no longer than 6 feet in length, to include a retractable leash.
4. Control of Dogs. All dogs accompanying an owner/custodian in the following parts of the Town Forest (see attached aerial photo/map) shall be secured by a leash and under the control of its owner or other custodian and which is held by a person reasonably capable of physically restraining the dog.

Zone A: from the kiosk at the entrance to the Town Forest off the Parsons Field access road (A1 on the attached aerial photo/map, 43° 0.77' N, 70° 46.08' W) to the junction of the Orange and Blue Trails (A2 on the attached aerial photo/ map, 43° 0.62' N, 70° 45.95' W).

Zone B: from a point (B1 on the attached aerial photo/map, 43° 0.51' N, 70° 45.64' W) on the trail near the Rye Cemetery parking circle that runs to and along the Green Trail to the property boundary between the Lebosquet property and the Connell Easement (B3 on the attached aerial photo/ map, 43° 0.66' N, 70° 45.48' W) and also Zone B from a point on the trail that begins in the Rye Recreation parking lot (B2 on the attached aerial photo/map, 43° 0.43' N, 70° 45.60' W) to the intersection of the Green Trail (B4 on the attached aerial photo/map, 43° 0.51' N, 70° 45.65' W).

5. Enforcement.

- a. The animal control officer or any police officer shall have the authority to enforce this ordinance. The Board of Selectmen may empower the animal control officer to serve notice of forfeiture (citation) relating to animal control and may also empower the animal control officer to investigate all reports of violations involving animals in violation of this ordinance.
- b. Any duly authorized officer may seize, impound, or restrain any dog in violation of this section and deliver such dog to a person or shelter authorized to board dogs. Such dogs shall be handled as strays or abandoned dogs pursuant to applicable laws.
- c. In addition to impounding a dog found in violation of this ordinance, any duly authorized officer may issue, in the name of the owner or custodian of such dog, a notice of violation for a nuisance dog pursuant to RSA 466:31, II (a).
- d. A person found guilty of violating this ordinance shall be subject to a fine of not more than \$100 for each dog not on a leash, not to exceed \$1000 for each violation.

6. Severability. Should any section or provision of this regulation be held to be invalid or unconstitutional such holding shall not affect, impair or invalidate any other section or provision of this regulation, and to such end all sections and provisions of this regulation are declared to be severable.

7. Effective Date: This ordinance shall be effective upon publication by the town clerk.

8. Duration. This ordinance shall expire on April 1, 2019.

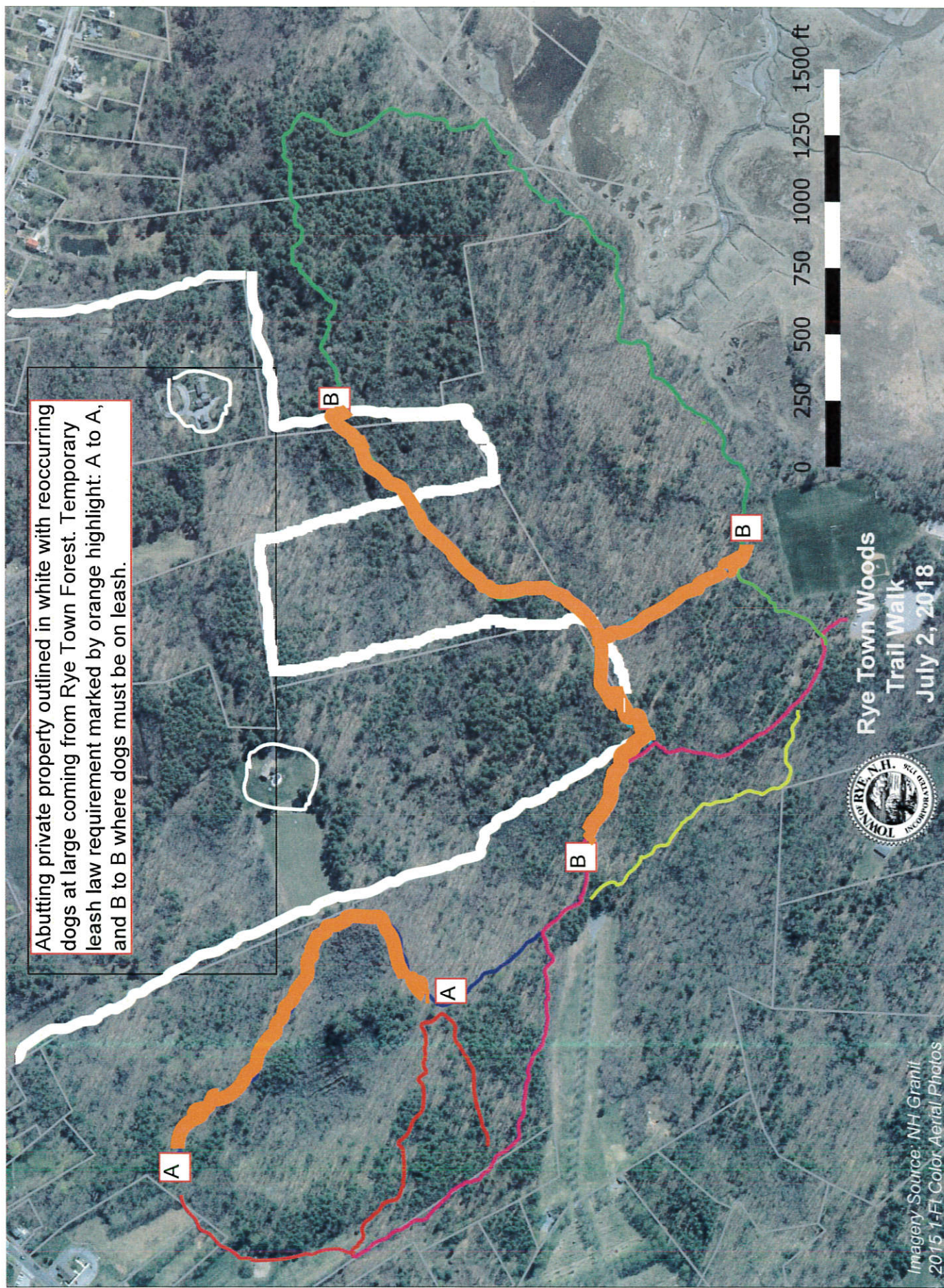
Attached: Aerial Photo/Map showing leash zones.

Approved by Board of Selectmen: September 24, 2018

Recorded by Town Clerk: September 25, 2018

Published by Town Clerk: September 25, 2018





Abutting private property outlined in white with reoccurring dogs at large coming from Rye Town Forest. Temporary leash law requirement marked by orange highlight: A to A, and B to B where dogs must be on leash.



Rye Town Woods  
Trail Walk  
July 2, 2018

Imagery Source: NH Granit  
2015 1-Ft Color Aerial Photos