

#23

ANIMAL BEACH USE AND WASTE REMOVAL ORDINANCE

A. Authority

In accordance with the authority granted by New Hampshire Revised Statutes Annotated Chapters 31:39 (b), 47:17 XI, and 466:39, the following ordinance is hereby adopted by the Board of Selectmen and is intended to supplement and be in addition to the provisions of RSA 466:30-a which was duly adopted by the Town of Rye pursuant to Referendum vote November 4, 1980 as required by RSA 466:30-b:

B. Beach Use

1. Dogs are not permitted on Town beaches before 6:00 p.m. or after 8:00 a.m. from the Saturday before Memorial Day to the first day of October each year.
2. Horses are not permitted on Town beaches at any time from the first day of June to the first day of October each year.

C. Waste Removal

The owner or person having custody of any dog that defecates on Town of Rye beaches shall immediately remove all such defecation and dispose of it on his own property or otherwise properly dispose of same.

D. Penalties

1. The owner or custodian of any dog or horse that fails to comply with any provision of this ordinance shall be subject to the following:
 - a. A fine of twenty five (\$25.00) dollars for the first offense and fifty (\$50.00) for each subsequent offense; and
 - b. In the case of a dog, if it is not under the control of it's owner or other custodian, the dog may be impounded in which event the owner shall also be responsible for the payment of all costs incurred by the Town in impounding the dog, including, but not limited to all boarding fees due the facility where the dog was impounded.

E. Conflicting Laws

In the event any provision of this ordinance is in conflict with any applicable State law or any other Town ordinance, the law or ordinance that provides the higher duty or greater penalty shall govern.

Adopted at Town Meeting March 12, 1994
Amended Art. 28,, 3/12 02 (Section B, 1)