

Town of Canaan, NH

PROHIBITION OF DOGS ON BEACH/MUSEUM PROPERTY BYLAW 8-1

Pursuant to RSA 31:39 I (a)

I. PURPOSE:

- A) It is found and declared that the Town of Canaan must act to prevent and control the incidence of unhealthy conditions caused by coliform bacteria in the water and on the land at the Canaan Town Beach. As part of this effort, it is essential to prohibit the presence of dogs at the Canaan Town Beach.
- B) It is further declared that the mere presence of dogs at the Canaan Town Beach creates a threatening environment for members of the public who are fearful of dog attacks. It is again essential that dogs are prohibited from being on the Canaan Town Beach property.
- C) The provisions and prohibitions hereinafter contained and enacted are designed to promote the public health and safety of the Town and its inhabitants.

II. GENERAL PROHIBITIONS:

- A) It shall be unlawful for any person to bring a dog onto the Canaan Town Beach and Museum property, either on a leash or otherwise and regardless of whether the person owns the dog.
- B) It shall be unlawful for any person to allow their dog (licensed or unlicensed) to enter the Canaan Town Beach and Museum property. All dogs must be under the control of their owner(s) and that control requires that the dog may not enter the Canaan Town Beach and Museum property.
- C) It shall be unlawful for any person to stand within the road right of way with a dog (leashed or unleashed) that creates actual fear on the part of any person using the beach and museum property.

D) EXCEPTIONS:

- 1. These provisions shall not apply to persons with a registered service animal, but shall apply to a comfort or ESA animal.

III. SPECIFIC VIOLATIONS ENUMERATED:

The following acts, among others, are declared to be in violation of this Bylaw, but the enumeration shall not be deemed to be exclusive, namely:

- A) Calling or enticing or encouraging a dog to enter onto the property.
- B) Leading a dog onto the property by leash.
- C) Driving onto the property with a dog that is in the vehicle and then allowing the dog to exit the vehicle.
- D) Releasing a dog or failing to confine a dog that results in the dog entering the Canaan Town Beach and Museum property.
- E) Standing at the edge of the highway with a dog that has the effect of making members of the public fearful. This does not include walking a dog along the road (without stopping in front of the beach property) on a leash.

IV. PENALTIES:

Any person violating any of the provisions of this Bylaw or the rules and regulations made under the authority thereof, shall be guilty of a Violation as defined in RSA 625:9 V-a and upon conviction thereof, shall be liable to a fine of not more than \$50 for the first offense, \$75 for a second offense and \$100 for a third or subsequent offense (offenses occurring after the date of enactment of this Bylaw) for each offense pursuant to RSA 651:2 III-a and RSA 651:2 IV-a.

V. VALIDITY:


This Bylaw has been adopted pursuant to RSA 41:11-a and 41:11-b. If any section or part of a section or paragraph of this Bylaw is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections, or part of a section or paragraph of this Bylaw.

This Bylaw shall take effect at Midnight on SEPTEMBER 3, 2019

CANAAN BOARD OF SELECTMEN



Scott Borthwick, Chairman



David McAlister, Selectman



Al Posnanski, Selectman