

NEW CLERK'S WORKSHOP
APRIL 20, 2020
ANIMAL LICENSING PRESENTATION

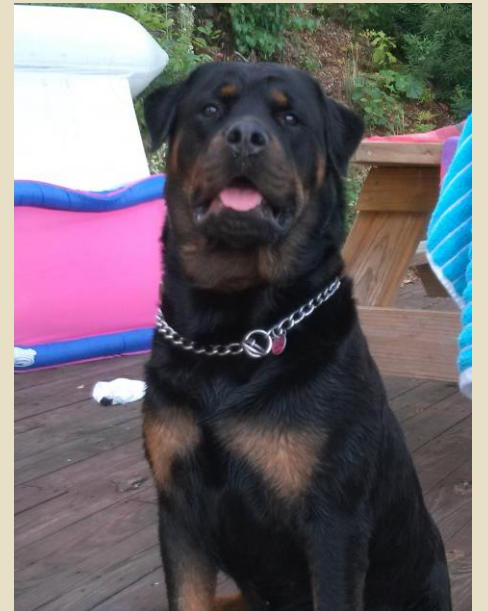


Atticus Relaxing

Why do we license animals?

- Ownership and Liability for the animal
- Concerns of Rabies control

Dozer



CHAPTER 466 – DOGS & CATS

- Outlines the process and responsibilities of all parties involved in licensing of animals
- Sets record keeping requirements
- Sets fees & penalties when necessary; determines disposition of fees to appropriate agencies
- Determines the conditions for dogs being “a nuisance, a menace, or vicious to person”
- Gives the local authority to choice to license cats

Cody



Responsibilities - Veterinarians

- RSA 436:102, Duties of Veterinarian
 - “At the time of vaccinating any dog, cat, or ferret, to complete a certificate of rabies vaccination in triplicate...”
 - “Distribution of copies shall be: the original to the owner, one copy retained by the issuing veterinarian and, within **40 days of the vaccination** one copy to the town or city clerk where the dog, cat, or ferret is kept.”
 - Issue a metal or durable plastic tag with the serial number of the rabies vaccination – **this must be worn any time the dog is “out-of-doors”, off the owner’ premises and not under the control of the owner**

Responsibilities – Owner or Keeper

- RSA 466:1-a: “...the owner or keeper of the dog shall furnish to the clerk verification against rabies in accordance with the provisions of RSA 436.”
- Group Licensing: the owner or keeper is responsible for providing rabies vaccination verification for all dogs under there care
- Keep animals under control to ensure they are not “a nuisance, a menace, or vicious to person”



Responsibilities - Clerk

- RSA 466:1-b, Rabies Certificate: “Upon receipt of a copy of a rabies certificate from a veterinarian pursuant to RSA 436:102, the clerk of the town or city shall send written notice to the owner or keeper of any unlicensed dog relative to the licensing requirements provided for in RSA 466:1”
 - Retention Schedule – RSA 33-A
 - LXVIII. Licenses-dog: current year plus one year
 - LXIX. Licenses-dog, rabies certificates: disposal once recorded
- Issue licenses and tags
- Collect and distribute all fees
- Keep record of all licenses issued by them and a list of those owners who have failed to renew their license for use in preparing the warrant of unlicensed dogs

Responsibilities – Clerk (cont.)

- Communicate with owners and keepers to ensure they are aware of the need to register yearly
 - Some clerks send postcards, reminder letters, advertise in the newspaper/newsletters or any other means necessary to distribute information to the majority of residents. This is not a requirement but may help when the civil forfeiture process starts by minimizing the number of animals being issued a penalty.
- Prepare lists for law enforcement agencies for use in official business (RSA 466:1-d)
- Retain all exemption and service/hearing/guide dog information
- Any other duties that you may have to organize or streamline licensing in your office.



Tater

Licensing - Dogs

- RSA 466:1, Procuring License; Tag: “Every owner or keeper of a dog **4 months old or over** shall annually, cause it to be registered, numbered, described, and licensed for one year in the office of the clerk of the city or town in which the dog is kept, and **shall cause it to wear around its neck a collar to which shall be attached a metal tag** with the following information thereon: the name of the city or town, year of issue of license and its registered number”
- RSA 466:8 Exemption From. – dogs having served with “forces of the United States and has received an honorable discharge”, guide dog for a blind, hearing ear dog or service dog as defined in RSA 167-D:1, IV are exempt from fees but they still need to be licensed – MORE DETAILS TO COME!

Licensing – Dogs (cont.)

- RSA 436:100 Rabies Vaccination Required; Exemption.
 - I: every dog, cat and ferret 3 months of age and older shall be vaccinated against rabies
 - II: When an illness or veterinarian medical condition prevents vaccination an exemption must be filed **every year** with the signature of the **State of NH Veterinarian**; clerk should retain the original and furnish a copy for the owner or keeper - the animal “shall be maintained in strict rabies isolation, under conditions that are at the discretion of the local rabies control authority”
- Exempted animals cannot be allowed outdoors off leash and when it is outdoors it must be muzzled
- Exemptions are valid for no more than 1 year from the date of the signature of the exemption; if an additional exemption is not obtained the owner must provide proof of rabies vaccination

Certificate Of Exemption From Rabies Vaccination

Date of Exam: _____
(This certificate is valid until _____ (not to exceed one year from date of issuance)

Certificate of Exemption From Rabies Vaccination

Date of Exam: _____

Note that this certificate is valid for one year from date of exam. A copy of this certificate must be provided to the owner of the animal listed above and kept as proof of exemption. For dogs, this certificate must be presented with an application for a dog license.

Owner Name: _____ Tel. No.: _____
First Last

Address: _____
Street City State Zip

Animal Name: _____ Species: _____ Breed: _____ Sex: M F

Age: _____ Weight: _____ Colors: _____ Neutered: Yes No

The animal described above has been examined by me and determined according to RSA Chapter 436:100 to be exempt from the New Hampshire State law requiring rabies vaccination because to do so would endanger the health or life of the animal. Describe nature and duration of health risk: _____

Veterinarian's Signature: _____ License #: _____

Printed Name: _____

Address: _____
Street City State Zip

ACVIM Diplomate Signature: _____ Printed name: _____

State Veterinarian Signature: _____ Printed name: _____

By signing below, I acknowledge that I am the owner of the animal described above. I have been informed that this animal is exempt from rabies vaccination for a period of up to one year, and also that I have been informed of the following important information:

- This animal must be re-examined by the expiration date listed above. At that time the animal must either be vaccinated against rabies or, if exemption status still applies, a new certificate must be issued.
- This animal is not currently vaccinated against rabies, and as a result is at increased risk of becoming infected if exposed to a rabid animal.
- Under State law, unvaccinated dogs, cats or domesticated ferrets must be maintained in strict rabies isolation under conditions that are at the discretion of the local rabies control authority, until such time as the medical condition has been resolved and the animal can be immunized against rabies. Exempted animals shall not be allowed outdoors without being on a leash and shall be under the direct physical control of an adult owner at all times. In addition, when the animal is outdoors, it shall be muzzled in a manner approved by the local rabies control authority
- Exemption from rabies vaccination does not exempt the animal from other NH state laws related to rabies. If this animal potentially exposes a person to rabies (by bite or other means), it must be confined for 10 days in a facility approved by the local rabies control authority where the exposure occurred. If this animal is potentially exposed to rabies (e.g., due to a bite from an unknown animal), the local rabies control authority may require it to be quarantined for six months.

Owner's Signature: _____ Date signed: _____

Current year should be signed
by Stephen Crawford



Fees – Altered & Puppies

- **Puppy rate**: for dogs that are at least 4 months old but less than 7 months old which are not spayed or neutered = **\$6.50** (\$4.50 licensing fee, \$2.00 animal population control fee)
- **Altered (spayed or neutered)**: shall provide satisfactory proof of spay or neuter to the clerk; for dogs over 7 months old = **\$6.50** (\$4.50 licensing fee, \$2.00 animal population control fee)

Fees – Unaltered & Group

- **Unaltered**: For any unneutered male or unspayed female dog 7 months old or older = \$9.00 (licensing fee \$7.00, \$2.00 animal population control fee)
- **Group License**: 5 or more dogs and is not a commercial kennel = \$20.00 (\$18.00 licensing fee, \$2.00 animal population control fee)
 - The owner or keeper obtaining a group license may also receive individual tags for each dog under the license if they request them
 - All rabies certificates should be recorded for all dogs

Fees – Senior Owners

- For the 1st dog to an owner 65 years of age or older = \$2.00
- Each additional dog is the same as the altered or unaltered rate



Other Fees

- **RSA 466:7, Additional Charge Where Payment of License Fee is Delayed:**
\$1.00 per month or any part of a month that licensing fees are not paid before June 1
- **RSA 466:3 Transfer** : If someone moved from another city or town and proves they had a license issued by another city or town in NH. The clerk shall issue a new tag and may charge up to \$1.50 to cover the cost of the tag for a new license.
- **RSA 466:39 City or Town Bylaws:** the local governing body may add \$1.00 to the sum due for each dog and may impose additional penalties not to exceed \$50 for failure to license or restrain

Where do the fees go?

- Animal Population Control Fees & State License Fees— remitted to the Department of Agriculture annually for May 1st through April 30th. (this year will be May 1, 2019 through April 30, 2020)
 - \$2.00 per license issued for all Altered, Unaltered, Puppy and Group License (*Senior Licenses do not pay*) for Animal Population Control.
 - \$.50 per license issued for all types for the State License Fee
- Payment is due to the Dept. of Agriculture by June 1st each year – you will receive a bill from them
- Clerks being paid on fees retain \$1.00 per license issued

Fee Exemption for Service Dogs

- RSA 466:8: no fee for “a dog which has served with the armed forces of the United States and has received an honorable discharge therefrom” or “a service animal dog as defined in RSA 167-D:1, IV”
 - RSA 167-D:1, IV: "Service animal" means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition.
- RSA 466:8, III. The owner of a dog that is a service animal may elect for the registration and licensing of such dog to be permanent and not subject to annual renewal so long as such dog has met the requirements of this section.
 - IV. For the purpose of this section, the town clerk of each town or municipality **shall determine the process by which permanently registered dogs that are service animals will be tracked for town purposes and ensure that town service animal owners are not required to participate, in any way, with an annual renewal of such dog's registration or licensing.** In cases of change of town of residency, the service animal owner shall re-register the dog at no cost. If the owner has elected to obtain a tag through the governor's commission on disability as set forth in paragraph V, the owner shall let the governor's commission on disability know of any change in town of residency.
 - V. Certificates and tags stamped "G C D--Permanent Registration" with a registration number shall be issued by the governor's commission on disability to those who wish to affix such a tag on their service animal's collar after registering the dog under paragraph II. Tags and certificates may be obtained directly from the governor's commission on disability which will verify with the town clerk that such dog has met the requirements under paragraph II and is duly registered and licensed by the town of residency. Tags issued by the governor's commission on disability shall not be used to verify the legitimacy or authenticity of a service animal for any purpose.

Civil Forfeitures

- Begins with RSA 466:11 – “Clerks of towns and cities shall furnish yearly to the local governing body a list of those owners who have failed to renew their license for use in preparing the warrant of unlicensed dogs.”
- The fee is authorized by RSA 466:13 and is set at \$25 unless it is not paid within 15 days and the case is disposed of in district court as a violation with a fine not to exceed \$50
- Time line for standard renewals:
 - Between June 1 and June 20 the town or city clerk supplies a list of owners failing to license or renew to the Governing Body (Council, Alderman, Selectman)
 - Within 20 days of June 20 the Governing Body shall issue a warrant to a local official authorized to issue a civil forfeiture for each unlicensed dog
 - Local law enforcement officer to whom the warrant names in RSA 466:14 is issued shall return the warrant, on or before August 31, to the local Governing Body issuing it and shall state in the return the number of owners who received and paid the civil forfeiture, the number of dogs in the city or town which have been seized and held under the provisions of RSA 466:14, and the number of owners who have received summons to a district or municipal court for failure to pay the civil forfeiture or license

Civil Forfeitures (cont.)

- Helpful tips
 - Send the first notice via regular mail – most people will respond. Those that don't can be sent certified.
 - The cost of service cannot exceed \$7.00 (RSA 466:14) and is added to the amount due; certified mailing costs \$6.85 so the remainder can be justified as paper, printing, envelope, stuffing machine lease, etc.
 - Try every other means you can before the end of May to get people in – newspaper story, signs at local veterinary offices, rabies clinic with offered registrations, work with the local shelter to get information out with newly adopted pets, etc.
 - Remember: PEOPLE GET ANGRY WHEN THEY HAVE TO PAY FOR SOMETHING THEY DIDN'T KNOW ABOUT – DO EVERYTHING YOU CAN TO GET THE WORD OUT

Court Summons

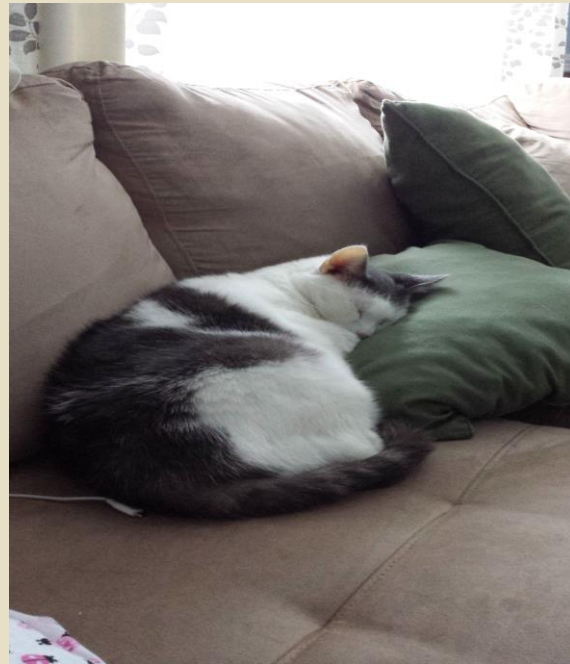
- RSA 466:38 Penalties – How Recoverable: All fines and penalties provided in this chapter relating to dogs may be recovered on complaint before a district court or municipal court in the town or county where the offense is committed.

If someone receives a summons and comes into the clerk's office to license the dog prior to their court date, they can pay the civil forfeiture, late fees or any other fees as well as license the dog. You can either contact the legal office to let them know they have paid all fines. The legal office makes the decision to cancel the court date or to have the owner appear in court and bring the license to show they have complied.



What about CATS?

- Cats may be registered at the option of the city or town (RSA 466:13-a) – the process is the same
- At this time there are no known cities or towns in NH that have opted to license cats



Sleepy Sueki

Naughty dogs...



Menace, Nuisance or Vicious Dogs

- Defined by RSA 466:31
- Penalty is a “civil forfeiture” and is payable to the town or city clerk **unless** the owner or keeper of the dog has had more than one violation in a 12-month period, in which instance the matter would be handled with district or municipal court (466:31-a)
- RSA 466:31, II-a: If the skin of a person has been punctured by a dog and the incident was reported, including the identity of the dog and its owner, to the animal officer, if any, **or to the town clerk**, such officer or clerk shall, **within 24 hours, notify the injured person, or, in the case of a minor, the minor's parent or guardian, whether, according to town records, the dog has been appropriately immunized against rabies.**

Wolf Hybrids

- Provisions of RSA 466 apply – they need to be licensed
- They cannot be sold within the State of NH (RSA 466-A:3, I) **but** they can be imported “provided the wolf hybrid is spayed or neutered and has proper documentation of the spaying or neutering”.
- **RSA466-A:5 Confinement.** – Each wolf hybrid shall be under the physical control of the owner or confined in an enclosure or structure sufficient to prohibit escape. Adequate facilities and shelter, clean of waste and debris and free of infestation, shall be provided for keeping such animal.
- These animals are not house pets. If someone comes into your office to register them it is advised to contact your local animal control or police department to ensure they are aware the animal is in your community.
- Violations of RSA 466-A carry a \$1,000 fine for each violation

Dear Dog Owner:

Per RSA 466:1, your dog(s) registration is due by April 30, 2019. Licenses will be issued at the City Clerk's Office during regular business hours. Please be sure to bring your current rabies vaccination certificate, as well as proof of spayed or neutering if applicable. For the comfort and safety of all, we ask that you leave your dog at home when you come into City Hall to conduct business. Although we enjoy seeing your four legged family members we would like to encourage you to be conscious of others. As always, certified service animals are welcome.

The license fees are as follows:

Male/Female	\$9.00 or \$10.00
Spayed/Neutered	\$6.50 or \$7.50
1st Animal Owned by Senior Citizen	\$2.00 or \$3.00 (For the 1st dog only)

If we have not licensed your dog by June 1, 2019, we will be obligated to inform the Animal Control Officer of a violation of RSA 466:1. A civil forfeiture will be issued which carries with it a \$25.00 fine per dog. In addition, you will be responsible for a late fee of \$1.00 per month (per dog) for failure to license your dog(s).

Thank you for being a responsible pet owner.

IF YOU ARE NOT A RESIDENT OF PORTSMOUTH PLEASE CONTACT OUR OFFICE AT (603) 610-7207.

Dear Dog Owner:

As required by NH law, this office has been notified that your dog has received a rabies shot. Rabies is a rapidly increasing problem, so it's good to know your pet is protected. In checking our files, however, it appears your pet has not been licensed as required by state law. If the license was issued under another family name, please let us know so that we can update our records.

If your dog is not licensed for 2019, please do so at your earliest convenience. We already have verification of the rabies inoculation, so all you will need to bring to our office is a copy of the spaying or neutering certificate, if there is one.

The license fees are as follows:

Male/Female	\$9.00 or \$10.00
Spayed/Neutered	\$6.50 or \$7.50
Owner 65+	\$2.00 or \$3.00 (For 1st dog only)

If we have not licensed your dog by June 1, 2019 we will be obligated to inform the Animal Control Officer of a violation of RSA 466:1. A civil forfeiture will be issued which carries with it a \$25.00 fine.

We would appreciate your prompt attention to this matter.

IF YOU HAVE ALREADY LICENSED YOUR DOG PLEASE DISREGARD THIS NOTICE.

IF YOU ARE NOT A RESIDENT OF PORTSMOUTH PLEASE LET US KNOW.

Sample First Notice of Civil Forfeiture

Our records indicate that you own a dog which has not been licensed as required by RSA 466:1. Pursuant to RSA 466:13, you are hereby required to pay a civil forfeiture to the City Clerk within 15 days of the date and time notice is given. Any person who fails to pay the forfeiture within the allotted time will be issued a summons to Portsmouth District Court.

At the time the forfeiture is paid, you will also be required to obtain a license for the dog. Pursuant to RSA 466:1-a and 466:4, a current rabies vaccination and either a spaying or neutering certificate, if appropriate, will be required. Documentation regarding the above can be obtained through your veterinarian.

The City Clerk's hours are Monday 8:00 a.m. to 6:00 p.m.; Tuesday – Thursday 8:00 a.m. to 4:30 p.m.; Friday 8:00 a.m. to 1:00 p.m. Dog licenses run from May 1st to April 30th and expire on April 30th each year.

To be paid on or before: July 15, 2019

Sample Final Notice of Civil Forfeiture - To be sent Certified Mail

Our records indicate that you own a dog which has not been licensed as required by RSA 466:1. Pursuant to RSA 466:13, we mailed a Civil Forfeiture to this address dated July 1, 2019. By notification in this letter, you were required to, no later than July 15, 2019, register your dog and pay all fines and penalties associated. As of today, you have not fulfilled this obligation.

Pursuant to RSA 466:14, you are hereby notified that failure to pay the payment owed to the City of Portsmouth by August 5, 2019, will result in a summons to Portsmouth District Court.

The City Clerk's hours are Monday 8:00 a.m. to 6:00 p.m.; Tuesday – Thursday 8:00 a.m. to 4:30 p.m. and Friday, 8:00 a.m. to 1:00 p.m. Dog licenses run from May 1st to April 30th and expire on April 30th each year. To be paid on or before August 5, 2019.

PLEASE REMIT PAYMENT IN PERSON TO: CITY CLERK'S OFFICE, 1 JUNKINS AVENUE,
PORTSMOUTH, NEW HAMPSHIRE.

Questions?

