

PUBLIC NOTICE

PUBLIC HEARING AUBURN, NEW HAMPSHIRE

The Auburn Board of Selectmen will hold a public hearing on Monday, August 30, 2021 beginning at 7:00 P.M. at the Auburn Town Hall for the purpose of receiving public comment concerning the adoption of a proposed Dog Regulation on Town Property in the Town of Auburn pursuant to the provisions in NH RSA 41:11 - a.

The Board of Selectmen do so at the recommendation of the Auburn Parks and Recreation Commission for the inclusion of all Town parks and ballfield properties.

Copies of the proposed ordinances are available for public review and inspection at the Auburn Town Hall, in addition to the Auburn Post Office and on the Town of Auburn web site (www.townofauburnnh.com).

**BOARD OF SELECTMEN
AUBURN, NH
August 6, 2021**

TOWN OF AUBURN

DOG REGULATION ON TOWN PROPERTIES ORDINANCE

SECTION 1: AUTHORITY: Pursuant to the authority granted under the New Hampshire Revised Statutes Annotated (RSA) Chapters 35-B: 3, V; RSA 41:11-a, and other applicable statute under New Hampshire law, the following ordinance is enacted.

SECTION 2: PURPOSE: With discretion of authority, this ordinance for the regulations of dogs or other domestic animals in specific Town properties will be enforced to protect the general health, safety and welfare for the residents of the Town of Auburn and the general public. The ordinance is to utilize a system for the administrative enforcement of violations and collection of penalties, to be utilized prior to the service of a formal summons or complaint. This system will be administered by the police department. The system will include opportunities for persons who do not wish to contest issued violations to pay such penalties by mail. The system may also provide for a schedule of enhanced penalties the longer such penalties remain unpaid; provided however, that the penalty for any separate parking offense shall in no case exceed the maximum penalty for a violation in accordance with State Statute.

SECTION 3: DEFINITION: It shall be unlawful for any person, firm or corporation to have a dog or domestic animal, except for a service animal as provided in NH RSA 167-D, in the playgrounds, athletic fields or cemeteries in the Town of Auburn.

SECTION 4: INCLUSIVE: This chapter and section expressly includes, but is not limited to, the following public areas within the bounds of the Town of Auburn:

- a) Athletic Field adjacent to Safety Complex
- b) Wayne Eddows Recreational Fields
- c) Circle of Fun Playground
- d) Bicentennial Park
- e) Appletree Park
- f) Auburn Village Cemetery
- g) Longmeadow Cemetery

SECTION 5: ENFORCEMENT: The Chief of Police of the Town of Auburn or his or her duly appointed agents are hereby authorized to provide written notice of violation containing a description of the offense and any applicable schedule of penalties.

If the administrative enforcement is unsuccessful at resolving the alleged violations, a summons may be issued as in the case of other violations of the New Hampshire Revised Statutes Annotated, to include the use of the procedure for plea by mail set forth in Chapter 502-A:19b of the State Statutes.

TOWN OF AUBURN

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SECTION 6: RESPONSIBILITY: All violations of restrictions and charges shall be deemed the responsibility of the registered owner of said dog or domestic animal. Said registered owner shall be conclusively presumed to be in control of the dog or domestic animal at the time of the violation, and no evidence of actual control or culpability need be proven as an element of the offense.

SECTION 7: PENALTIES: All of the prohibited conduct outlined herein shall be defined as a violation under New Hampshire RSA 625:9 V, and a person found to be guilty of said violation shall be subject to the penalties of NH RSA 651:2 IV (a), or as otherwise outlined in Statute, except that optional procedures set forth in Section 8: Procedures for Payment may be used in lieu of court proceedings for any such violations.

SECTION 8: PROCEDURES FOR PAYMENT:

- a) The owner may, within seven (7) days of the time when a notice of violation was issued, pay to the Town of Auburn by mail or personal appearance at the Auburn Police Department the applicable fine amount pursuant to fine schedule in Section 8 c.
- b) Failure by the owner to make a payment within fourteen (14) days may result in the issuance of a summons to the owner to appear in the District Court to answer to the charges of violating the ordinance as provided in RSA 231:132-a.
- c) Administrative Enforcement of Parking Violations – Schedule of Penalties

Violation	Fine	Fine after 7 Days
First Offense	\$50.00	\$
Each Addition Offense occurring within a 12-month period	\$100.00	\$

SECTION 9: EXCEPTIONS: Restrictions described in this chapter shall not apply when directed by a police officer for official or emergency purposes, or to emergency vehicles while on official business. The Chief of Police or his or her designee is authorized and empowered to make and enforce temporary parking regulations to cover emergencies, special conditions and special events.

Effective Date:

The Dog Regulation on Town Properties Ordinance was adopted on _____, 2021 and took effect on September 15, 2021.

TOWN OF AUBURN
DOG REGULATION ON TOWN PROPERTIES ORDINANCE

Adopted by the Board of Selectmen the ____ day of _____ 2021.

Keith N. Leclair

Todd R. Bedard

Michael J. Rolfe
AUBURN BOARD OF SELECTMEN

Adopted by the Parks and Recreation Commission the ____ day of _____ 2021.



Margie McEvoy



Todd R. Bedard



David Oliveira



Jennifer Strabone

AUBURN PARKS AND RECREATION COMMISSION



Zachary Eaton



Patrick Kelly



Mary Royer

Received and recorded this ____ day of _____, 2021.

Kathleen A. Sylvia, Town Clerk