

NOTICE TO DOG (OWNER) OR (KEEPER) OF ORDER TO ABATE NUISANCE

To _____ of _____

You are hereby notified and required to abate the nuisance caused by your dog
_____ License No. _____ because of its violation of the following
section(s) of **RSA 466:31 II**.

Section(s) which apply are checked:

☐ A. If a dog is "at large," which means it is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian. This subparagraph shall not include a dog which is being used for hunting, herding, supervised competition, or exhibition or training for such activities if accompanied by the owner or custodian, meaning that the owner or custodian must be able to see or hear the dog, or have reasonable knowledge of where the dog is hunting or herding, or where training is being conducted or where trials are being held, provided that such dog does not have to be within sight at all time;

☐ B. It barks for sustained periods of time of more than ½ hour or it barks during the night hours so as to disturb the peace and quiet of neighborhood or area.

☐ C. It digs, scratches, or excretes, or causes waste or garbage to be scattered on property other than its owner's.

☐ D. If any female dog in season (heat) is permitted to run at large or be off the premises of the owner or keeper during this period except when being exercised on a leash by a responsible adult. At all other times such dog shall be confined within a building or enclosure in such a manner that she will not come in contact (except for intentional breeding purposes) with a male dog. A female dog in heat shall not be used for hunting.

☐ E. It growls, snaps at, runs after or chases any person or persons.

☐ F. It runs after, or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the streets, highways, or public ways.

☐ G. If whether alone or in pack with other dogs, it bites, attacks, or preys on game animals, domestic animals, fowl or human beings.

I certify this is a true copy

Chief of Police

RETURN OF SERVICE

A certified copy of this notice was delivered to the (owner) or (keeper) on _____, 20____, at _____
(a.m.) (p.m.).

Signature of Officer

NOTICE TO PERSON SUMMONED FOR DOG VIOLATION

New Hampshire State Law provides that :

I. Any person who violates any provision of RSA 466:30-a or 466:31 shall be guilty of a violation, provided that if such person chooses to pay the civil forfeiture specified in paragraph II, he shall be deemed to have waived his right to have the case heard in district or municipal court and he shall not be prosecuted or found guilty of a violation of RSA 466:30-a or 466:31. Any person who does not pay the civil forfeiture specified in paragraph II shall have the case disposed of in district or municipal court.

II. Any person who violates any of the provisions of RSA 466:31 shall be liable for a civil forfeiture, which shall be paid to the Clerk of the town or city wherein such dog is owned or kept within 96 hours of the date and time notice is given by any law enforcement officer to the owner or keeper of a dog in violation of 466:31. If the forfeiture is paid, said payment shall be in full satisfaction of the assessed penalty. The forfeiture shall be in the amount as specified for the following violations :

- (a) \$25 for the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d); \$50 for the second nuisance offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d).
- (b) \$50 for the first menace offense under RSA 466:31, II(e) or (f); \$100 for the second or subsequent menace offense committed within 12 months of the first menace offense under RSA 466:31, II(e) or (f).
- (c) \$100 for the first vicious offense under RSA 466:31, II(g).
- (d) \$200 for the second or subsequent vicious offense committed within 12 months of the first vicious offense under RSA 466:31, II(g).

III Any person who pays a civil forfeiture specified in paragraph II 2 times in any 12-month period according to the records of the town or city clerk, may not pay a civil forfeiture for subsequent violations of RSA 466:31 in that 12-month period, but shall have those cases disposed of in district or municipal court. In the case of a vicious dog, as described by RSA 466:31, II(g), where its behavior presents a threat to public safety, immediate district court or municipal court proceedings may be initiated in lieu of the civil forfeiture.

You have previously received a restraining order for your dog. Cause has been shown that your dog has violated that restraining order. The attached summons has been issued. If you wish to pay the civil violation defined in the law, you may do so at the Lee Town Clerks Office, Lee Town Hall on Monday, Wednesday or Friday.

If you do not pay the fine within the prescribed time, or you wish to have your case heard in Durham District Court, you should appear at the Court on the date and at the time specified on the summons. That date will be an arraignment date. If you enter a pleas of not guilty, the court will set a date for trial.