

# Selectboard Rules of Procedure amendment – Town of Windham, VT

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## A. PURPOSE.

The Selectboard of Windham, VT is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Selectboard of Windham, VT must be open to the public at all times, except as provided in 1 V.S.A. § 313.

## B. APPLICATION.

This policy setting forth rules of procedure shall apply to the Selectboard of Windham, VT which is referred to below as "the body." These rules shall apply to all regular, special, and emergency meetings of the body.

## C. ORGANIZATION.

1. The body shall annually elect a chair and a vice-chair. The chair of the body or, in the chair's absence, the vice-chair shall preside over all meetings.
2. The chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
3. A majority of the members of the body shall constitute a quorum. If a quorum of the members of the body is not present at a meeting, no meeting shall take place.
4. No single member of the body shall have authority to represent or act on behalf of the body unless, by majority vote, the body has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
5. Motions made by members of the body do not require a second. The chair of the body may make motions and may vote on all questions before the body. A motion will only pass if it receives the votes of a majority of the total membership of the body.
6. There is no limit to the number of times a member of the body may speak to a question. A member may speak or make a motion only after being recognized by the chair. Motions to close or limit debate will be entertained.
7. Any member of the body may request a roll call vote. Pursuant to 1 V.S.A. § 312(a)(2), when one or more members attend a meeting electronically, a roll call vote is required for votes that are not unanimous.
8. Meetings may be recessed to a time and place certain.
9. These rules shall be made available at all meetings.
10. These rules may be amended by unanimous vote of the body, and must be readopted annually.

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### D. AGENDAS.

1. Each regular and special meeting of the body shall have an agenda, with time allotted for each item of business to be considered by the body. Those who wish to be added to the meeting agenda shall contact the Selectboard Chair or the Town Clerk to request inclusion on the agenda. The Chair shall determine the final content of the agenda.
2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted in or near the municipal office and at the following designated public places in the municipality: The Meeting House and Firehouse. As well, a meeting agenda shall be posted on the Town Website, [www.townofwindhamvt.com](http://www.townofwindhamvt.com). The agenda must also be made available to any person who requests such agenda prior to the meeting.
3. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made as the first act of business at the meeting. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by unanimous vote of the body.

### E. MEETINGS.

1. Regular meetings shall take place 5:30 pm on the first and third Mondays of the month at the Windham Town Office, beginning September 16, 2019.
2. Special meetings shall be publicly announced at least 24 hours in advance by giving notice to all members of the body unless previously waived; to an editor, publisher or news director, or radio station serving the area; and to any person who has requested notice of such meetings. In addition, notices shall be posted in the municipal clerk's office and at the following designated places in the municipality: The Meeting House and Firehouse. As well, a meeting agenda shall be posted on the Town Website, [www.townofwindhamvt.com](http://www.townofwindhamvt.com).
3. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body.
4. A member of the body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened, and is able to hear and be heard throughout the meeting. Whenever one or more members attend electronically, voting that is not unanimous must be done by roll call. If a quorum or more of the body attend a meeting (regular, special, or emergency) without being physically present at a designated meeting location, the agenda for the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff or designee of the body, shall be physically present at each designated meeting location.

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### F. PUBLIC PARTICIPATION.

1. All meetings of the body are meetings **in the public, not of the public**. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the body, so long as order is maintained according to these rules.
2. At the conclusion of discussion of each agenda item, but before any action is taken by the public body at each meeting, there may be time afforded for open public comment.
3. Comment by the public or members of the body must be addressed to the chair or to the body as a whole, and not to any individual member of the body or public.
4. Members of the public must be acknowledged by the chair before speaking.
5. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.
6. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.
7. Members of the body and members of the public shall obey the orders of the chair or other presiding member. The chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:
  - a. Call the meeting to order and remind the members of the applicable rules of procedure.
  - b. Declare a recess or table the issue.
  - c. Adjourn the meeting until a time and date certain.
  - d. Order the constable to remove disorderly person(s) from the meeting.

### ADOPTED:

Maurice S. Bell  
Maurice S. Bell  
Kord Scott  
Kord Scott  
Hal Wilkins  
Hal Wilkins

7.15.19  
Date  
7/15/19  
Date  
15 July 2019  
Date

## **TOWN OF PUTNEY, VERMONT**

### **PUTNEY ANIMAL NUISANCE CONTROL ORDINANCE**

#### **ARTICLE I** **GENERAL PROVISIONS**

##### **A. Title**

All rules and regulations contained herein, together with such additions and amendments as may be hereafter adopted, are hereby designated as the "Putney Animal Nuisance Control Ordinance" or "Ordinance".

##### **B. Authority**

This Ordinance is adopted pursuant to authority granted under 24 VSA Section 1971, 24 VSA Section 2291, subsections (10) and (14), 20 VSA Chapters 191 and 193, and the Charter of the Town of Putney, as amended.

##### **C. Purpose**

The purpose of this Ordinance is to protect the health, safety and welfare of the public, domestic pets, domestic animals and wolf-hybrids of the Town of Putney by regulating the keeping of domestic pets, domestic animals and wolf-hybrids and their running at large and by defining what constitutes a public nuisance. In order to accomplish the foregoing purpose, it is deemed necessary to establish procedures for enforcement and establish penalties for violations of this ordinance.

##### **D. Filing of Ordinance**

The Town Clerk of the Town of Putney shall file a certified copy of this Ordinance, as well as certified copies of any additions or amendments to this Ordinance as may be hereafter adopted, in the municipal records.

##### **E. Inconsistent Provisions**

In the case of any other applicable regulation, by-law, ordinance or statute which differs from the rules and regulations of this Ordinance, the more strict shall apply.

##### **F. Civil Ordinance**

This Ordinance is designated as a civil ordinance in conformance with 24 VSA Section 1971(b).

#### **ARTICLE II** **DEFINITIONS**

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:



“Animal Control Officer” shall mean the Putney Health Officer, Putney Deputy Health Officer, Putney First Constable, Putney Town Manager, Windham County Sheriff, any Deputy Windham County Sheriff or any individual appointed by the Selectboard.

“Dangerous animal” shall mean: (1) an animal, while running at large, which causes reasonable fear of bodily injury by attacking or threatening to attack a person, domestic pet, domestic animal, or wolf-hybrid; (2) an animal that is diseased and dangerous to the public health; or (3) a wolf-hybrid which is not being confined within a proper enclosure as required by Article IV, Section F or which when outside of its enclosure, is not either in a cage or on a leash.

“Domestic animal” shall mean those animals defined by 6 VSA 1151(2) as follows: rabbits, cattle, sheep, goats, equines, fallow deer, red deer, reindeer, American bison, swine, poultry, pheasant, Chukar partridge, Coturnix quail, psittacine birds, ferrets, camelids, ratites (ostriches, rheas and emus), reptiles and amphibians. The term does not include those species of amphibians native to Vermont. The term shall include cultured trout propagated by commercial trout farms.

“Domestic pet” shall mean any domestic dog, domestic cat, or European ferret (*Mustela putorius furo*) as defined in 20 VSA, Chapter 193, Section 3541.

“Humane disposal” shall mean (a) Humane euthanasia by a licensed veterinarian, or (b) sold or given away to a responsible person.

“Owner” shall mean any person who owns a domestic pet or wolf-hybrid and includes any person who has actual or constructive possession of the pet or wolf-hybrid. The term also includes those persons who provide feed or shelter to a domestic pet or wolf-hybrid. However, it is not the intent of the Town to require a person to be responsible under this ordinance for feral animals that take up residence in a building other than the person’s home, even if the person occasionally provides feed to the animal.

“Person” shall mean any individual, institution, public or private corporation, partnership or other legal entity.

“Public road” shall mean the area within 25’ of the center line of the traveled way on any state or town-owned highway.

“Run at large” shall mean to move about without restraint, control or limitation as to property lines or areas.

- a) A domestic pet or domestic animal on a public road within the Dog Control Area is considered restrained if it is on a leash.
- b) A domestic pet or domestic animal on a public road outside the Dog Control Area is considered restrained if it is either (1) on a leash or (2) in the presence of a person and obedient to that person’s commands and is not causing a danger or nuisance.

- c) A wolf-hybrid is considered restrained if, while outside of the enclosure required in Article IV, Section F, is:
1. in a cage; or
  2. on a leash,
- and not causing a danger or nuisance.

(Exception: Nothing in this Ordinance shall be construed to require: (1) the restraint of cats, (2) the restraint of any domestic pet or domestic animal while on private property by permission of the property owner or while in a vehicle, or (3) to restrict the use of dogs for lawful hunting.)

“Selectboard” shall mean the Town of Putney, Vermont, Board of Selectpeople.

“Town” shall mean the Town of Putney, Vermont.

“Town Clerk” shall mean the Town Clerk of Putney, Vermont.

“Dog control area” shall mean the following public roads on which dogs being walked must be restrained on a leash:

Route 5 from the Dummerston town line to Sand Hill Road  
Putney Landing Road  
Old Depot Road  
Christian Square  
Hi-Lo Biddy Road (from Route 5 to the bridge over Sacketts Brook)  
Water Street  
Sand Hill Road  
Westminster West Road (from Route 5 to West Hill Road)  
Signal Pine Road  
Fred Houghton Road  
Houghton Brook Road (from the Dummerston town line to Signal Pine Road)  
Kimball Hill  
Frost Road  
West Street  
Old Route 5 South  
Carol Brown Way  
Alice Holway Drive

“Wolf-hybrid” shall mean those animals defined by 20 VSA, Chapter 193, Section 3541, as follows: an animal which is the progeny or descendant of a domestic dog (*Canis familiaris*) and a wolf (*Canis lupus* or *Canis rufus*). “Wolf-hybrid” also means an animal which is advertised, registered, licensed or otherwise described or represented as a wolf-hybrid by its owner, or an animal which exhibits primary physical and behavioral wolf characteristics, or one which has the primary physical and behavioral wolf characteristics as described by the Commissioner of the Department of Fish and Wildlife (in Title 10, 3 Appendix, Chapter 1, Subchapter 3, #34) as follows:

“The following are some general characteristics common to wolves:

Wolves have large heads, long muzzles (distance from the eyes to the top of the nose), and proportionately larger canines than domestic dogs. Wolf eyes appear slanted when viewed head on and are most often yellow in color. Built for speed and agility, wolves are lanky with narrow chests, long legs and large feet. They often appear “bonier” than domestic dogs. Their front legs are quite close together and front feet toe out. The rear legs of a wolf tend to be cow-hocked or turned in. While a domestic dog will often carry its tail curved up over its back, a wolf carries its tail straight out or down (a dominant wolf will sometimes hold it straight up). Wolves and occasionally some northern breeds of dog, have an obvious gland located halfway down the top of the tail. The gland called a supra caudal functions as a scent carrier. The size of the supra caudal gland varies from that of a dime to 1 ½ inches in diameter. The hair covering the gland will usually contrast with the hair color of the tail and is often quite coarse. Wide tufts of hair often project outward and downward form a wolf’s ears, framing the face.

In the wild the wolf is a social animal, living in family groups or packs. There are social hierarchies with the pack and being a dominant member is an important survival tool. Dominant animals rule with aggressive behavior, and wolves within packs will constantly test one another. Wolves will watch for signs of weakness in pack members or prey and take advantage of the weakness through aggressive behavior.

Wolves, because of the hunting instinct, are genetically programmed to track and pounce (seemingly without provocation) upon small, erratically behaving, vocalizing individuals who may, to the wolf, seem to be distressed. Small children often appear to a wolf to be distressed prey. Running or yelling on the part of a child can trigger a predatory response in a wolf. This instinctive response is almost impossible to alter through socialization or training.

Wolves are hyperactive compared to dogs and extremely curious or inquisitive. They may be shy around people and are extremely difficult to restrain. In the wild, wolves may range up to 30 to 125 miles per day and from a standing position can jump vertically 6 to 8 feet.”

### **ARTICLE III** **APPLICABILITY OF ORDINANCE**

- A. No person owning a domestic pet, domestic animal or wolf-hybrid shall allow such animal to become or remain a public nuisance as herein defined, or to be kept in violation of this ordinance.
- B. Any domestic pet, domestic animal or wolf-hybrid allowed to become or remain a public nuisance as herein defined shall be in violation of the Ordinance and is subject to the provisions of this Ordinance.

- C. Nothing in this Ordinance shall be construed to restrict accepted agricultural practices.

**ARTICLE IV**  
**LICENSING, KEEPING AND IMMUNIZATION OF DOGS**  
**AND WOLF -HYBRIDS**

- A. Annually on or before April 1<sup>st</sup>, it shall be the duty of every person within the Town owning a dog or wolf-hybrid more than six months old to: (1) procure a license therefore in accordance with Chapter 193, Title 20 of the Vermont Statutes, (2) to cause the dog or wolf-hybrid to wear a collar, and (3) to attach to the collar a license tag.
- B. The Town may charge a fee for dog and wolf-hybrid licenses, as authorized by Chapter 193, Title 20 of the Vermont Statutes.
- C. The dog or wolf-hybrid shall be inoculated against rabies as required in Chapter 193, Title 20 of the Vermont Statutes.
- D. The owner or keeper of domestic pets and wolf-hybrids kept for breeding purposes may take out annually, on or before April 1, a special license for the domestic pets or wolf-hybrids, as authorized by 20 VSA, Section 3583.
- E. The owner or keeper of two or more domestic pets or wolf-hybrids four months of age or older kept for sale or for breeding purposes, except for his or her own use, shall apply to the Town Clerk for a kennel permit\*, as authorized by 20 VSA Section 3681.

\*Note: The owner may also need a Zoning Permit for a Kennel (defined in Article IX of the Town of Putney, Vermont, Zoning Regulations as follows: "An establishment in which more than six dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold.") under the Town of Putney, Vermont, Zoning Regulations.

- F. Except when in a cage or on a leash and not causing a danger or nuisance, a wolf-hybrid shall be confined within a proper enclosure consisting of:
1. A locked fence or structure of sufficient height and sufficient depth into the ground to prevent the entry of young children and to prevent the animal from escaping. Fencing shall at a minimum consist of an 8' high chain link fence with 2' overhang and a chain link, concrete apron or asphalt apron to prevent digging out and a catch pen to avoid escape and ease veterinary care.
  2. A humane shelter for the animal.

**ARTICLE V**  
**ANIMAL CONTROL OFFICER**

- A. Any animal Control Officer is hereby authorized and empowered to obtain search warrants to enter onto private lands, to seize and to impound domestic pets, domestic animals and wolf-hybrids, and to take all reasonable and necessary measures to abate violations as herein defined.
- B. It is the duty of an Animal Control Officer to investigate complaints of animal nuisances and to enforce the provisions of this Ordinance.
- C. The Selectboard shall designate the names of persons and their locations to receive domestic pets, domestic animals and wolf-hybrids for impoundment under the terms of this Ordinance.

**ARTICLE VI**  
**ANIMAL ADVISORY BOARD**

- A. There is hereby established a three person Animal Advisory Board. The members of the Animal Advisory Board shall be appointed by the Selectboard, with staggered, 3 year terms.
- B. The purpose of the Animal Advisory Board is to work on a voluntary basis with owners of domestic pets, domestic animals or wolf-hybrids on appropriate measures to be taken to avoid violations of this Ordinance.
- C. An Animal Control Officer or the Selectboard may seek advice from the Animal Advisory Board.

**ARTICLE VII**  
**VIOLATIONS**

A domestic pet, domestic animal or wolf-hybrid in the following situations is hereby declared to be a public nuisance in violation of Article III above:

- A. The dog or wolf-hybrid has not been inoculated against rabies as required in 20 VSA Chapter 193; or
- B. The dog or wolf-hybrid has not been licensed in accordance with 20 VSA Chapter 193; or
- C. The dog or wolf-hybrid is not wearing a collar with its current license tag attached to the collar in accordance with 20 VSA Chapter 193; or
- D. The domestic pet, domestic animal or wolf-hybrid is a dangerous animal as determined by an Animal Control Officer; or

- E. The domestic pet, domestic animal or wolf-hybrid is being kept or maintained contrary to the conditions of a lawful order issued by the Putney Selectboard under Article X of this ordinance; or
- F. The domestic pet (except domestic cat), domestic animal or wolf-hybrid is running at large; or
- G. The domestic pet, domestic animal or wolf-hybrid is causing damage to the property of anyone other than its owner, by:
  - 1. Turning over garbage containers; or
  - 2. Doing damage to gardens, flowers, shrubs, vegetables or lawns; or
  - 3. Injuring or worrying people, domestic pets, domestic animals or wolf-hybrids.
- H. The dog has defecated on private property other than that of its owner onto which the dog has not been invited or on public roads or public property (including parking areas, lawns, flower beds, parks and sidewalks) and the dog owner does not remove the resulting material immediately and dispose of it in a sanitary manner; or
- I. The domestic pet (except domestic cat) or wolf-hybrid, while running at large, is chasing and/or snapping at pedestrians, joggers, pets walked on a leash, bicyclists, vehicles, or riders on horseback or is jumping onto people; or
- J. The domestic pet, domestic animal, or wolf-hybrid is barking, whining, calling, or howling for a continuous period of 15 minutes or more,\*

\*Exception: This regulation shall not apply to domestic pets, domestic animals or wolf-hybrids in a Kennel (as defined in Article IX of the Town of Putney, Vermont, Zoning Regulations as follows: "An establishment in which more than six dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold.") which Kennel has received a zoning permit under the Town of Putney, Vermont, Zoning Regulations.
- K. The owner or keeper of two or more domestic pets or wolf-hybrids four months of age or older kept for sale or for breeding purposes, except for his or her own use, has not received a kennel permit, as required by Article IV, Section E; or
- L. The wolf-hybrid is not:
  - 1. Confined within a proper enclosure; or
  - 2. In a cage; or
  - 3. On a leash,as required by Article IV, Section F.

**ARTICLE VIII**  
**ENFORCEMENT AND PENALTIES**

**A. Violations of Ordinance**

Unless violation and penalty provisions specifically set forth elsewhere in this Ordinance provide otherwise, all violations of this Ordinance shall be handled according to the provisions of this Article.

**B. Response to Violations by Animal Control Officer**

When a domestic pet, domestic animal or wolf-hybrid is found to be in violation of this Ordinance, an Animal Control Officer may take one or more of the following actions:

- Serve the owner with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated, permanently cease and correct all violations. Any Person who continues any violation beyond the time limit specified in the written notice shall be issued a "Municipal Complaint" (ticket) pursuant to Subsection 6 of this Section.
- Refer the owner to the Animal Advisory Board for advice on appropriate measures to be taken to avoid violations of this Ordinance.
- Require that a domestic pet or domestic animal be restrained by a leash while off the premises of its owner, even outside the Dog Control Area.
- Issue a "Municipal Complaint" (ticket) per the provisions of 24 VSA 1974a and 1977 et. Seq.
- Confine or impound the domestic pet, domestic animal or wolf-hybrid.

**C. Fines**

1. Any person who violates any provision of this ordinance and is issued a "Municipal Complaint" (ticket) under Article VIII, shall be subject to a civil penalty of up to \$200 per day for each day that such violation continues. The Putney Health Officer, Putney Deputy Health Officer, Putney First Constable, Putney Town Manager, Windham County Sheriff, Deputy Windham County Sheriff or any individual appointed by the Selectboard shall be authorized to act as Issuing Municipal Officials to issue and pursue before the Traffic and Municipal Ordinance Bureau a municipal complaint.

**2. TABLE OF FINES**

	Full Penalty	Waiver
First Offense	\$50.00	\$25.00
Second Offense	\$100.00	\$50.00
Third or Subsequent Offense	\$150.00	\$75.00

3. Any person who violates the following provisions of this Ordinance shall be subject to the penalties and waiver penalties set forth above. Waiver penalties apply when an alleged violator pays the penalty without contesting the violation.



“Second” and Third and subsequent offenses” refer to those offenses committed within a two-year timeframe. The penalties provided for in this section shall be in addition to, not in lieu of, licensing and impoundment costs. Each day a violation continues shall constitute a separate violation.

**D. Liability for Loss by the Town Due to Violation**

Any Person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned by the Town, including reasonable legal expenses, by reason of such offense.

**E. Actions to Prevent, Restrain or Abate Violation**

Notwithstanding any of the foregoing provisions, the Town may institute any appropriate action authorized by law, including injunction or other proceeding, to prevent, restrain or abate any violation hereof, and in the case of emergency situations when, in the Town’s determination, violations of the provision of the Ordinance may cause damage to human life or public property, the Town shall have the power to take whatever action is necessary to correct such violations.

**F. Board of Health and Health Officer**

Nothing in this ordinance shall be construed to prevent the Local Board of Health or Health Officer from carrying out their duties as prescribed in 18 VSA Chapter 11.

**ARTICLE IX**  
**CONFINEMENT AND IMPOUNDMENT**

- A. Pursuant to 20 VSA Chapters 191 and 193, an Animal Control Officer is authorized to confine or impound any domestic pet, domestic animal or wolf-hybrid which is violating this Ordinance or which:
1. Is suspected of having been exposed to rabies; or
  2. Is believed to have been attacked by another animal which may be rabid; or
  3. Has been attacked by a wild animal; or
  4. Has an unknown rabies vaccination history.
- B. In the event that a domestic pet, domestic animal or wolf-hybrid is confined or impounded, the owner, if known, shall be notified within 24 hours. Notification may be accomplished by in-person communication, by telephone call, or by written statement sent to the last known address of the owner. If the owner’s address is not known, notification shall be posted in the Putney Town Clerk’s Office and 2 other places in Town for a one-week period.
- C. When an Animal Control Officer reasonably suspects that a confined or impounded domestic pet, domestic animal or wolf-hybrid:
1. Has been running at large in violation of Article VII, Section F; or
  2. Has been exposed to rabies; or
  3. Has been attacked by a rabid animal,

the Animal Control Officer may dispose of the animal in a humane manner, pursuant to Title 20, Section 3807.

- D. If the domestic pet, domestic animal or wolf-hybrid is unclaimed within 7 days of the notification of the owner or within 7 days of posting, the Animal Control Officer may dispose of the dog in a humane manner subject to Section XI below regarding impoundment for rabies control.
- E. If the unclaimed domestic pet, domestic animal or wolf-hybrid has been disposed of, the owner shall be liable for all costs incurred by the Town.
- F. No confined or impounded domestic pet, domestic animal or wolf-hybrid shall be released until all necessary licenses and vaccinations are obtained and until all fees associated with the impoundment are paid in full.

**ARTICLE X**  
**INVESTIGATION OF A DOMESTIC PET OR**  
**WOLF-HYBRID WHICH HAS BITTEN A PERSON**

When a domestic pet or wolf-hybrid has bitten a person while the domestic pet or wolf-hybrid is off the premises of its owner or keeper, and the person bitten requires medical attention for the attack, investigation by an Animal Control Officer shall be done in accordance with the following procedures, pursuant to 20 VSA, Section 3546, as follows:

- A. When a domestic pet or wolf-hybrid has bitten a person while the domestic pet or wolf-hybrid is off the premises of the owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the Putney Selectboard. The complaint shall contain the time, date and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the Selectboard in conducting its investigation required by Section B below.
- B. The Selectboard, within seven days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the domestic pet or wolf-hybrid which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date and place of the hearing and the facts of the complaint.
- C. If the domestic pet or wolf-hybrid is found to have bitten the victim without provocation, the Selectboard shall make such order for the protection of persons as the facts and circumstances of the case may require, including, without limitation, that the domestic pet or wolf-hybrid is disposed of in a humane way, muzzled, chained or confined. The order shall be sent by certified mail, return receipt requested. A person who, after receiving notice, fails to comply with the terms of the order shall be in violation of Article VII, Section E. of this

Ordinance. The Selectboard may seek injunctive relief as provided in 20 VSA 3550 (j).

- D. The procedures provided in Article X shall only apply if the domestic pet or wolf-hybrid is not a rabies suspect. If a member of the Selectboard or an Animal Control Officer determines that the animal is a rabies suspect, the provisions of Article XI of this Ordinance shall apply.

**ARTICLE XI**  
**MANAGEMENT OF BITING ANIMALS, RABIES SUSPECT**  
**ANIMALS AND RABIES EXPOSED ANIMALS**

- A. Domestic pets, domestic animals or wolf-hybrids which have bitten a person, or have been exposed to rabies or are suspected of being infected with rabies shall be managed by the Putney Health Officer or Deputy Putney health Officer in accordance with 20 VSA and Rules adopted by the Vermont Department of Health.
- B. All costs associated with the management of the biting animal, rabies suspect animal or rabies exposed animal shall be borne by the owner.

**ARTICLE XII**  
**SEVERABILITY/ LIABILITY/ AMENDMENTS**

- A. If any portion of this Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.
- B. These rules and this Ordinance may be amended at any time by the Putney Board of Selectpeople pursuant to applicable provisions of law.

**ARTICLE XIII**  
**ORDINANCE IN FORCE**

**A. Ordinance in Effect**

This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law, and hereby replaces in its entirety the Town of Putney, Vermont, Putney Animal Nuisance Control Ordinance adopted 4/13/1998.

**B. Date of Enactment**

Duly enacted and ordained by the Selectboard of the Town of Putney, Windham County, State of Vermont, on this 8th day of May, 2013, at a duly warned and held meeting of said Selectboard.

**C. Effective Date**

This Ordinance shall become effective sixty (60) days from the date hereof, that is on July 7, 2013.

**PUTNEY BOARD OF SELECTPEOPLE**

Joshua D. Laughlin  
R. Scott Henry  
Stephen W. Hed

ATTESTED BY: Anita M. Coomes, Town Clerk

Date: May 8, 2013



Claims Management Resources  
P.O. Box 60770  
Oklahoma City, OK 73146-0770  
(800) 321-4158

**\*\*\*\*\*NOTICE OF CLAIM\*\*\*\*\***

Date: 07-10-2019

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

To: TOWN OF WINDHAM  
TOWN CLERK  
5976 WINDHAM HILL RD  
WINDHAM, VT 05359

CERTIFIED MAIL# 92148901066154000139691526

RE: Damage to CONSOLIDATED Property

CONSOLIDATED Claim Num: VTPR190126  
Damage/Discovery Date: 06-12-2019  
Damage Location: BURBEE POND RD AND W WINDHAM RD, WINDHAM, VT  
Damage County: UNKN  
Damage Amount: UNDETERMINED

Dear Sir/Madam:

Please be advised that **CONSOLIDATED** Facilities sustained damage as a result of the negligent acts or omissions by employees or agents of TOWN OF WINDHAM .

Investigation has revealed that on or about 06-12-2019 employees or agents of TOWN OF WINDHAM, A TOWN OF WINDHAM VEHICLE HIT AERIAL CABLES CAUSING DAMAGE TO CONSOLIDATED FACILITIES in the area of BURBEE POND RD AND W WINDHAM RD, WINDHAM, VT.

**REQUEST FOR GOVERNMENTAL NOTICE FORM**

If your Governmental Entity requires the completion of its own form to complete proper notice, please forward a copy to the address listed above. Every good faith effort has been made to identify the proper office and address to perfect our notice. Please forward to your attorney, if misdirected, to contact us. Matters herein stated are alleged on information and belief this pleader believes to be true. If there is insurance to cover this matter, kindly advise as to the name of the insurance company, its address and the claim number assigned. If you have any questions, or need additional information, please contact me at 1-800-321-4158 ext 8232.

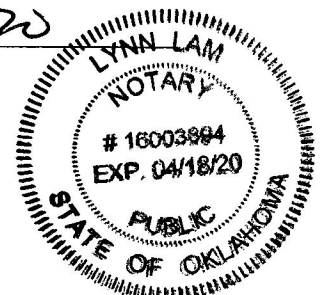
Sincerely,  
Chelsea Dongelewicz

CMR Claims DEPT

NOTARY

Commission Expires

4/18/20



**Vermont Department of Taxes**

**NOTICE of REVISED  
EDUCATION TAX RATES for FISCAL YEAR 2020**

**TOWN OF WINDHAM**

Prepared: **July 3, 2019**

**NON-HOMESTEAD TAX RATE**

**Non-Homestead Tax Rate to be Assessed: \$ 1.5229**

**HOMESTEAD TAX RATE**

**Homestead Tax Rate to be Assessed: \$ 2.1510**

The Homestead Education Tax Rate is based in part on the education spending per equalized pupil of all the pupils residing in your town. Many town districts are also members of union school districts. Each town and union school district will have a tax rate based on its spending per pupil. For towns with multiple school districts, the tax rate is a combination of those rates.

Town-specific information on education tax rate calculations will be available on the Department of Taxes website at:

*<http://www.tax.vermont.gov>*

By law, the legislative body in each municipality shall bill each property taxpayer at the homestead or non-homestead rate as determined by the Commissioner for their municipality.

32 V.S.A. Sec. 5402(b)(1)

If you have questions about your education tax rates, please call the Vermont Department of Taxes at (802) 828-5860.

**ORIGINAL:** Chair Selectboard / City Council

**COPY:** Town / City Treasurer