

What procedures must a town follow when considering whether a licensed dog needs to be destroyed?

A town may only humanely destroy a licensed dog or wolf-hybrid when it has bitten a person off of its owner's premises and the person requires medical attention. Even then a town must adhere to state prescribed procedures before ordering the dog or wolf-hybrid to be destroyed.

The procedure that must be followed for a licensed dog or wolf-hybrid to be humanely destroyed is laid out in 20 V.S.A. § 3546. First, the victim must file a complaint with the selectboard. The complaint must include the time, date and place of the attack, name and address of the victim(s), and other facts to aid the selectboard in carrying out its investigation. Next, the selectboard must investigate the charges and hold a hearing on the matter. Before doing so, however, the selectboard must first provide the dog or wolf-hybrid's owner with the requisite notice. The notice must be written and apprise the owner of the "time, date and place of hearing and the facts of the complaint." 20 V.S.A. § 3546(b).

If the selectboard finds that the dog or wolf-hybrid bit the person without provocation, it may issue an order for that person's protection as the facts of the case require. Protection may take the form of ordering the dog or wolf-hybrid be muzzled, chained, confined, or humanely destroyed. 20 V.S.A. § 3546(c). Finally, the selectboard's order must be sent by certified mail, return receipt requested.

- Garrett Baxter, Associate, VLCT Municipal Assistance Center

(Editor's Note: Please see next month's Ask the League for procedures to follow in the case of an unlicensed dog.)

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