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OFFICE OF
HEALTH DEPARTMENT

PETS BANNED FROM PUBLIC PONDS, LANDINGS, BEACHES and TIDAL FLATS

In accordance with Chapter 111, Section 31 of the General Laws, the Brewster Board of Health as of this date adopts the following regulation in conjunction with the Animal Waste Regulation:

I. Purpose. The Brewster Board of Health finds that numerous residents and visitors to the Town of Brewster walk their dogs on or near public ponds, landings, beaches and tidal flats in increasing numbers during the seasonal months; and the Board of Health further finds that the failure to clean up after said dogs and to properly dispose of their waste presents a threat to the public health.

II. Definitions.

1. Beach-the area above the mean high water line of any Town-owned salt or fresh water body and the surrounding town-owned land, including parking areas.
2. Landing-structure providing a place where boats can land people or goods.
3. Pets-any of various animals adopted by humans so as to live and breed in a tame condition.
4. Pond-any open body of water, either naturally occurring or man-made by impoundment, which is never without standing water due to natural causes, except during periods of extended drought.
5. Service animals-animals that have been trained to perform tasks that assist people with disabilities.
6. Tidal flat-a nearly flat coastal area, alternately covered and exposed by the tides, and consisting of unconsolidated sediments.

III. Pets Banned from Public Ponds, Landings, Beaches and Tidal Flats.

Effective upon publication, all dogs, horses and pets (except service animals) are prohibited from public ponds, landings, beaches and tidal flats in the Town of Brewster 24 hours per day from May 1 to October 1 of the current year and each year hereafter. This prohibition includes all parking areas for and access areas to the aforementioned ponds, landings, beaches and tidal flats.

Transferring an animal on a leash from a vehicle to a watercraft is allowed at landings.

IV. Violations and Penalties. Violations of any provision of this regulation shall be penalized by a non-criminal penalty in accordance with the provisions of

Massachusetts General Laws, Chapter 40, Section 21D. The non-criminal penalty for a violation of this regulation is \$50 for the first offense, \$100 for the second offense, \$200 for any subsequent offense

- V. Enforcement.** This regulation may be enforced by any municipal officer of the Town of Brewster having police powers, including but not limited to officers and agents of the Board of Health, Conservation Commission, Police Department, Fire Department and the Animal Control Officer.

August 15, 1972

Amended: June 3, 2008

Effective: Upon publication

Amended: February 21, 2012

Effective: Upon publication

Joanne Hughes, Chairman

Lem Skidmore, Vice Chairman

Keith Johnson

Mary Chaffee

Jose Fernandez

Town Clerk