SENATE DOCKET, NO. 2182 FILED ON: 2/13/2012

SENATE . . . . . No. 2144

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act expanding the provisions of chapter 40U for the enforcement of dog law violations in the City of Boston.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anthony W. Petruccelli	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 2182 FILED ON: 2/13/2012

SENATE . . . . . No. 2144

By Mr. Petruccelli, a petition (accompanied by bill, Senate, No. 2144) of Anthony W. Petruccelli (with approval of the mayor and city council) for legislation to expand the provisions of chapter 40U for the enforcement of dog law violations in the City of Boston. [Local Approval Received.] Municipalities and Regional Government.

The Commonwealth of Massachusetts

An Act expanding the provisions of chapter 40U for the enforcement of dog law violations in the City of Boston.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to hold violators financially accountable for unlawful behavior, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, and in addition to the types of municipal fines covered by the adoption of the provisions of chapter 40U of the General Laws, the City of Boston is hereby authorized to apply the procedures under chapter 40U for enforcing the payment of municipal fines for violations of dog laws as defined herein.

SECTION 2. For purposes of this act, the following words shall have the following meanings unless the context clearly requires otherwise:

"Dog law", any provision of the Boston Municipal Code or General Laws relating to the regulation of dogs, a violation which is punishable by a municipal fine, including, but not limited to, chapters 16-1.9 through 16.1.9F and 16.1.10A of the City of Boston Municipal Code.

"Dog Officer", the Dog Officer of the City of Boston as identified in chapter 14-5 and chapter 16-1.9C of the City of Boston Municipal Code or his designee.

"Hearing officer", a person appointed by the Mayor of Boston or his designee to conduct hearings of alleged code violations pursuant to this chapter.

14 SECTION 3. The City of Boston may maintain or adopt procedures for the payment of
15 municipal fines for violations of dog laws separate from those procedures described in chapter
16 40U of the General Laws.

17 SECTION 4. The City of Boston may implement a system for the administrative
18 disposition of noncriminal violations pursuant to section 21D of chapter 40.

19 SECTION 5. The Dog Officer and Boston Police Department of the City of Boston shall
20 have the authority to promulgate rules and regulations necessary to implement and enforce this
21 act. Any ordinance adopted under the authority of this act, together with any related regulation,
22 operating procedures or practices, may include such additional terms and provisions consistent
23 with the purposes of this act.

24 SECTION 6. The provisions of this act shall take effect upon its passage.

25 SECTION 7. If any of the above sections are determined to not be constitutional under
26 the law, the remainder of the provisions shall remain valid.