

Order 239-09/10  
Second Reading Waived  
Public Hearing & Passage: 5/17/10 9-0

NICHOLAS M. MAVODONES (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
DANIEL S. SKOLNIK (3)  
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JOHN R. COYNE (5)  
JOHN M. ANTON (A/L)  
JILL C. DUSON (A/L)  
DORY RICHARDS WAXMAN (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 5 (ANIMALS AND FOWL)  
ARTICLE II. DOGS  
SECTION 5-15.1**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*1. That Chapter 5, Article II (Dogs), Section 5-15.1 of  
the Portland City Code is hereby amended to read as follows:*

**Sec. 5-15.1. Definitions.**

The following words when used in this article shall  
have the meaning given herein:

*At large* shall mean and include any of the following:

- (a) On the public street or publicly owned property unless controlled by a leash of not more than eight (8) feet in length, except as provided below;
- (b) In a motor vehicle parked and not restrained from projecting its head from the vehicle;
- (c) Within the following city-owned parks unless on a leash or other tether of not more than twenty-five (25) feet in length: Bayside Park; Baxter Pines; Deering Oaks; Dougherty Field; Eastern Promenade, except as provided in subsection (e)(5) below; Longfellow Park; Payson Park; Quaker Park; Stroudwater Park; Western Promenade; unless such park is posted with signs stating that "Maximum Eight-Foot Canine Leash is Required" by the parks authority to accommodate mass gatherings or public events;
- (d) Except as provided in subsection (e)(5) below for the wooded portion of Evergreen Cemetery, and

subsection (h) below for the Western Cemetery, within all city-owned cemeteries unless on a leash or other tether of not more than twenty-five (25) feet in length; provided, however, dogs shall be allowed on the roadways and walkways of the cemeteries only and not on the cemetery lots;

(e) Within the following city-owned property unless (1) on a leash or other tether of not more than twenty-five (25) feet in length; or (2) the owner is physically present within fifty (50) feet of the dog and at all times has a leash and has the dog under voice control. Voice control shall mean that the dog returns immediately to and remains by the side of the owner in response to the owner's verbal command. At no time shall one owner have more than three (3) dogs under voice control:

1. Baxter Woods;
2. Capisic Pond Park;
3. The portion of Evergreen Cemetery to the north and west of Northern Avenue, in the wooded area only;
4. East End Beach, from the day after Labor Day through the day before Memorial Day;
5. Eastern Promenade park within (1) the area bounded by the following: Cutter Street to the lower sidewalk to the exit side of the Fort Allen roadway and back to Cutter Street; and (2) the mid-slope nature path. Said areas of Eastern Promenade park to be open to dogs under voice control from Memorial Day through Labor Day from 5:00 a.m. to 9:00 a.m. and 5:00 p.m. to 10:00 p.m. of each day, and from Labor Day through Memorial Day from 5:00 a.m. to 10:00 p.m. of each day;
6. Hall School Woods;

7. At North Street/Washington Avenue across from East End Community School;
  8. Letson Purchase;
  9. Ocean Avenue Dog Park;
  10. Woods located behind Portland Arts and Technical High School;
  11. Pine Grove Park;
  12. Riverton Park;
  13. University Park;
  14. Valley Street Park; and
  15. Any city owned island park areas and open space; unless such property is posted by the parks authority with signs stating that "Maximum Eight-Foot Canine Leash is Required" to accommodate mass gatherings or public events;
- (f) On the East End Beach beginning on Memorial Day through Labor Day of each year between the hours of 9:00 am and 5:00 pm, whether leashed or not;
- (g) Within any playfields, school yards and playgrounds whether leashed or not;
- (h) Within the Western or Eastern Cemeteries whether leashed or not;
- (i) All areas referred to in subsections (c), (d), (e), (f) and (g) above are more particularly defined on maps on file in the office of the Department of Public Services.

**BE IT FURTHER ORDAINED** that these amendments are enacted as an Emergency, pursuant to Article II, Section 8 of the Portland City Charter, so that they can go into effect prior to Memorial Day.