



TOWN OF BALDWIN, MAINE
OFFICE OF THE SELECTMEN
534 PEQUAWKET TRAIL, WEST BALDWIN, ME 04091



**Policy on Licensure of Kennels That Do Not Meet State
Kennel Criteria Under Title 7, Part 9, Chapter 717, Section 3907 Para. 17**

Background: The Land Use Ordinance of the Town of Baldwin requires in Article 2.2 Definition: Kennel: 2.a. that an owner with six or more dogs, or other pets, to obtain a license from the town that is subject to the rules adopted by the Maine Department of Agriculture. Maine Title 7, Part 9, Chapter 721, Section 3923-C Para. 1 requires a license for any person having five or more dogs for the purposes set forth in Title 7, Part 9, Chapter 717, Section 3907 Para. 17, which states:

“Kennel. "Kennel" means 5 or more dogs kept in a single location under one ownership for breeding, hunting, show, training, field trials, sledding, competition or exhibition purposes. The sale or exchange of one litter of puppies within a 12-month period alone does not constitute the operation of a kennel.”

It is possible that a Baldwin animal owner’s situation does not fall within the definition of a “kennel” as defined by the State of Maine in Title 7, Part 9, Chapter 717, Section 3907 Para. 17 because there are dog types defined in Title 7, Part 9, Chapter 717, Section 3907 which are not listed in Para 17 including companion animals (aka pets) (11-A) and service dogs or assistance animals (14 and 24-A).

There are at least two areas where there is a disconnect between Maine statutes and Baldwin ordinances.

1. Baldwin is more lenient – six or more animals constitute a “kennel,” versus the State where five or more constitute a “kennel.”
2. Baldwin is more restrictive – six dogs or wolf hybrids or other pets constitute a “kennel,” versus the State where only dogs are covered as per the definition above.

Issues:

1. The State requires Baldwin to issue kennel licenses in instances where owners meet the State criteria for a kennel as spelled out above but do not meet the Town criteria for a kennel.
2. When the Town “issues” kennel licenses, it issues State kennel license applications. Baldwin does not have an established town only license.
3. Baldwin’s Land Use Ordinance requires the Town to issue kennel licenses in instances that don’t meet the State criteria for a kennel. The State has indicated they will not accept applications for kennel licenses that do not meet their criteria of a kennel. Therefore, Baldwin owners with six or more dogs or pets that do not meet the criteria established by the State do not require a State license for their kennel, even though the Town defines their situation as a “kennel.” They do however require a Baldwin Conditional Use Permit for their “kennel.”



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Policy:

1. It is the policy of the Baldwin Select Board that animal owners are only required to obtain a kennel license if they meet the kennel criteria as defined by the State. Owners with companion animals, pets, or service animals are not covered by the State requirements and therefore are not required by the Town or the State to be issued a kennel license.
2. An owner that requires a State kennel license but does not meet the Town requirement for a kennel does not need a Conditional Use Permit.

Sincerely
 Baldwin Board of Selectmen

Date 18 Oct 22

Dwight Warren
 Dwight Warren- Selectman

Robert B Flint
 Robert Flint - Selectman

James Dolloff
 Jim Dolloff- Selectman