

TITLE 6

ANIMALS

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CHAPTER 6.04

ANIMALS GENERALLY

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6.04.010 **PIGEONS – HOUSES OR COOPS REQUIRED**

It is unlawful to keep any pigeons within the corporate limits of the town unless same are securely housed or cooped so as to prevent them from going at large. (Ord. No. 134 § 1, 1950)

6.04.020 **PIGEON HOUSES AND COOPS REGULATED**

It is unlawful to keep or maintain within one hundred (100) feet of the dwelling house of any person or persons within the town any coop, house, shed or other structure for purpose of housing, keeping or caring for pigeons. (Ord. No. 134 § 2, 1950)

6.04.030 **VIOLATION – PENALTY**

Any person, persons, firm, company, association or corporation violating the provisions of Section 6.04.010 and Section 6.04.020 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars (\$5.00), or more than fifty dollars (\$50.00), or by imprisonment in the Town jail for a period of not more than fifty (50) days, or by both such fine and imprisonment. (Ord. No. 134 § 3, 1950)

6.04.040 **BEEHIVES REGULATED**

- A. No person shall establish, keep or maintain any hive or box where bees are kept, or keep any bees on the premises within three hundred (300) feet of any dwelling within the limits of the town except the dwelling of the owner.
- B. Any beehive established, kept or maintained prior to the enactment of the ordinance codified in this section shall not be affected by this section, except that no person benefiting by this exception shall maintain more than two beehives at any one time and, further, that such person may not transfer his rights hereunder.

(Ord. No. 198 § 1, 1978)

6.04.050 **VIOLATION – PENALTY**

Any person or all persons found guilty of violating any of the provisions of Section 6.04.040 thereof shall be punished by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment for a period not to exceed three months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as hereinabove described. (Ord. No. 198 § 2, 1978)

CHAPTER 6.08

DOGS AND CATS

SECTION:

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6.08.010 **DEFINITIONS**

As used in the ordinance codified in this chapter, unless the context otherwise indicates:

“**Cat**” means a member of the feline family.

“**Dog**” means a member of the canis familiaris family.

“**Owner**” means any person keeping, owning or harboring a dog or cat.

(Ord. No. 258 § 6-3-1, 1997: Ord. 1No. 89 § 6-3-1, 1976)

6.08.020 **LICENSE REQUIRED**

All dogs or cats kept, harbored or maintained in the town must be licensed and registered if over six months of age. Dog or cat licenses shall be issued by the Town upon receipt of a license fee of fifteen dollars (\$15.00) for each male and spayed female and thirty-five dollars (\$35.00) for each unsprayed female annually. The owner shall state at time application is made for such license, his name and address, the name, breed, color and sex of each dog or cat owned or kept by the owner. The provisions of this section shall not apply to dogs or cats brought into the town for the purpose of any show or to Seeing Eye dogs to assist blind persons. License shall be issued for a period of one year and shall run from the first day of January in each calendar year to the thirty-first day of December. (Ord. No. 258 § 6-3-2, 1997: Ord. No. 189 § 6-3-2, 1976)

6.08.030 **CERTIFICATE AND TAG**

Upon receipt of the license fee, there shall be issued to the owner, a license certificate and tag for each dog or cat so licensed. The tag shall have thereon the year for which it was issued and number corresponding with the number on the certificate. Every owner must provide each

dog or cat with a collar or a harness to which the license tag must be affixed and the tag must be constantly worn. In case a tag is lost or destroyed a duplicate will be issued at cost. Tags are not transferable from one animal to another. It is unlawful for a person to counterfeit a tag, certificate of vaccination or license certificate, or to take a tag legally placed upon an animal, or place a tag upon an animal unless the tag was specifically issued for the particular animal. (Ord. No. 258 § 6-3-3, 1997: Ord. No. 189 § 6-3-3, 1976)

6.08.040 **DELINQUENT LICENSE**

If the license is not obtained by the owner during the month of January of each year or within thirty (30) days of the first possession of any dog or cat or of its becoming six months old or within thirty (30) days from the arrival of the animal in the town, the license payment shall be deemed delinquent and a penalty of twice the fee shall be added to the license fee. (Ord. No. 258 § 6-3-4, 1997: Ord. No. 189 § 6-3-4, 1976)

6.08.050 **DOGS AND CATS MUST BE VACCINATED**

Every owner of a dog or cat within the corporate limits of the town must have it vaccinated against rabies at least once every three years, and upon making an application for a license shall furnish a certificate of vaccination from a licensed veterinarian showing that it has been vaccinated against rabies, prior to the making of such application. The Town will permit any licensed veterinarian to issue licenses and tags for dogs or cats that have been vaccinated. (Ord. No. 258 § 6-3-5, 1997: Ord. No. 189 § 6-3-5, 1976)

6.08.060 **RESTRICTIONS**

No licensed or unlicensed dog or cat shall be allowed to run at large within the town. No dog or cat of dangerous, vicious or fierce propensities and no female in heat, whether licensed or unlicensed, shall be allowed to run at large or upon the premises of one other than the owner. Any dog or cat found running at large in violation of this chapter shall be taken up and impounded. Provided however, that if any dangerous, vicious or fierce dog or cat cannot, in the discretion of the policeman or humane officer, be safely taken up and impounded, the officer may take any action he or she deems necessary and further provided, that any policeman or the humane officer may, at his or her discretion, for any humane reason, immediately take any action he or she deems necessary to end the misery of the animal. (Ord. No. 258 § 6-3-6, 1997: Ord. No. 189 § 6-3-6, 1976)

6.08.070 **PROCLAMATION MAY BE ISSUED**

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia or other disease, the Town Council, if they deem it necessary, shall issue a proclamation ordering every person owning or keeping a dog or cat to confine it securely on his premises unless such animal shall have a muzzle of sufficient strength to prevent it from biting any person or thing. Any unmuzzled dog or cat running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies or any infectious disease and all unlicensed dogs or cats at large during the period of such proclamation may be immediately destroyed upon being apprehended. (Ord. No. 258 § 6-3-7, 1997: Ord. No. 189 § 6-3-7, 1976)

6.08.080 **MAXIMUM NUMBER OF DOGS AND CATS THAT MAY BE OWNED**

No owner shall be permitted to keep, own or harbor more than three dogs or cats, in the aggregate, over six month of age. (Ord. No. 258 § 6-3-8, 1997: Ord. 2No. 01 § 1, 1978)

6.08.090 **PROCEDURE AS TO ANIMALS THAT HAVE BITTEN A PERSON**

Whenever any dog or cat bites a person, the person so bitten or scratched and the owner of the dog or cat shall immediately notify the Town Humane Officer who shall cause the examination of the animal at the owner's expense, to be made by a duly licensed veterinarian, and shall order the animal held on the owner's premises or shall have it impounded, at the owner's expense, as long as necessary for a complete examination. If it is determined that the animal is infected with rabies or other dangerous, contagious and infectious disease, it shall be the duty of the Town Humane Officer to have the animal destroyed in as humane a manner as is reasonably possible. If at the end of the quarantine or impoundment, a veterinarian is convinced that the animal is free from such diseases, it shall be released. If the animal dies during the period of quarantine or impoundment, its head shall be sent to the State Department of Health for examination. (Ord. No. 258 § 6-3-9, 1997: Ord. No. 189 § 6-3-8, 1976)

6.08.100 **PERMISSION IF QUARANTINED DOG OR CAT IS TO BE MOVED**

It is unlawful for any person knowing or suspecting that a dog or cat has rabies to allow such animal to be taken off his premises or beyond the limits of the town without the written permission of the Town Humane Officer. Every owner or other person upon ascertaining a dog or cat is rabid shall immediately notify the Town Humane Officer and such animal shall be immediately impounded. (Ord. No. 258 § 6-3-10, 1997: Ord. No. 189 § 6-3-9, 1976)

6.08.110 **IMPOUNDMENT**

It shall be the duty of any public officer or other officer designated by the Council to apprehend any dog or cat running at large contrary to the provisions of this chapter and to impound such animal. Upon the impounding of a licensed dog or cat the owner shall be immediately notify in person or by mail and the owner may reclaim such animal upon payment of all costs and charges incurred in impounding and maintaining such animal. Impoundment costs shall include an assessment of full cost of impoundment plus fifty (50) percent for the first time an animal is impounded, full cost plus one hundred (100) percent for the second time the same animal is impounded, full cost plus five hundred (500) percent for the third time such animal is impounded and one thousand dollars (\$1,000.00) for each subsequent time the animal is impounded. Any dog or cat unclaimed within three days from the date of giving notice may be adopted or destroyed. An unlicensed dog or cat or any dog or cat which appears to be suffering from rabies, hydrophobia, mange or other infectious or dangerous disease, will be turned over to the county animal shelter for action. (Ord. No. 258 § 6-3-11, 1997: Ord. 1No. 89 § 6-3-10, 1976)

6.08.120

IMPEDING POUNDMASTER

It is unlawful for any person to intervene with, impede, prevent or attempt to intervene with, impede, prevent, obstruct or intimidate the Town Humane Officer or any of his deputies, in the discharge of their duties in taking up or attempting to take up and impound under the provisions of this chapter, or to rescue or attempt to rescue any animal so taken up by the poundmaster or his deputies or to release any animal so impounded. (Ord. No. 258 § 6-3-12, 1997: Ord. No. 189 § 6-3-1, 1976)

6.08.130

DISTURBANCES UNLAWFUL

It is unlawful for any person to keep or harbor within the town any dog which barks, howls, or makes other noises by day or night and disturbs the peace and quiet of any person or family. (Ord. No. 258 § 6-3-13, 1997: Ord. No. 189 § 6-3-12, 1976)

6.08.140

CRUELTY TO DOGS OR CATS

It is unlawful for any person to torture or ill-treat any animal whether belonging to himself or to any person. It is unlawful for any person to poison any dogs or cats, to distribute poison in any manner whatsoever, with the intent or the purpose of poisoning any dog or cat, or to willfully injure or disfigure any dog or cat, within this town, except that any officer or agent of the United States or of this state or of the town, who exposes poison to be taken by predatory animals shall be exempt from the provisions of this section. (Ord. No. 258 § 6-3-14, 1997: Ord. No. 189 § 6-3-13, 1976)

6.08.150

PENALTY

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment not to exceed ninety (90) days or both fine and imprisonment. (Ord. No. 258 § 6-3-15, 1997: Ord. No. 189 § 6-3-14, 1976)

6.08.160

COUNTY ENFORCEMENT

- A. The Town and County will cooperate with each other in the licensing and vaccinations of dogs and rabies control and in the enforcement of the Town's animal control ordinance.
 - B. A copy of the agreement between the Town and County is herewith attached to the ordinance codified in this section, and incorporated by reference in this section.
- (Ord. No. 206 § 1, 1978)