

TITLE 7

ANIMALS

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Chapters:

- 7.01 Regulation of Dogs and Cats**
- 7.04 Keeping of Farm Animals**
- 7.06 Stray Farm Animals**

Chapter 7.01

REGULATION OF DOGS AND CATS

Sections:

- 7.01.010 Definitions
- 7.01.020 Restraint
- 7.01.030 Dog and Cat curbing regulations
- 7.01.040 Vicious dogs to be confined
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7.01.010 Definitions.

- (1) Own shall mean to keep, harbor or have custody, charge or control of a cat or dog. For the purposes of this ordinance, an "owner" of a cat or dog shall include any person who owns the animal. Veterinarians and operators of kennels, pet shops and stables temporarily keeping cats or dogs owned by or held for sale to other persons shall not be deemed, for purposes of this chapter, to own or be owners of such animals, but rather "keepers" of such animals.
- (2) Person shall mean any individual, corporation, partnership or other association organization, excluding police, federal or state armed forces and other such governmental agencies. (Ord. 1993-6, S1, October 7, 1993)

7.01.020 Restraint.

- (1) It is unlawful for any owner or keeper of any dog, cat or other animal to allow the dog, cat or other animal to leave the owner's property to run at large within the town at any time. (Ord. 2001-4, S1(A), March 15, 2001)
- (2) All owners shall confine within a building or secure enclosure every vicious dog or any dog, cat or other animal when in heat or rutting; and it is unlawful for any owner to remove their dog, cat or other animal from a building or enclosure at any time so as to permit contact with another animal except for planning breeding purposes. (Ord. 2001-4, S1(B), March 15, 2001) (Ord. 1993-6, S2, October 7, 1993)

7.01.030 Dog and Cat curbing regulations.

- (1) No person shall knowingly allow, except as provided in subsection 7.01.030 (2) of this section, his dog or cat to defecate on a public street or byway or

any municipally owned or public land or building, or private property, without permission of the landowner. (Ord. 1993-6, S3(a), October 7, 1993)

- (2) An owner of a guide dog may permit said dog to relieve itself on ground situated outside of pedestrian or vehicular traffic ways. The definition of a guide dog as used in this subsection shall be an animal serving a blind person in an auxiliary ocular (eye) capacity. (Ord. 1993-6, S3(b), October 7, 1993)
- (3) If a dog or cat shall relieve itself as contemplated in subsection 7.01.030 (1) the owner of said dog or cat shall remove any solid evidence of such relief to a waste container, or shall otherwise dispose of such evidence of relief in a manner inoffensive to reasonable public sensibilities. (Ord. 1993-6, S3(c), October 7, 1993)
- (4) No person shall knowingly allow his dog or cat to disperse wasted material placed for public or private collection on any public street or byway or any municipally owned or public land or building or private property. (Ord. 1993-6, S3(d), October 7, 1993)

7.01.040 Vicious dogs to be confined.

- (1) For purposes of this section, a vicious, fierce or dangerous dog means any dog which has:
 - A. attacked a person without having been provoked by that person;
 - B. attacked, at some place other than its owner's property, another animal; or,
 - C. chased or approached a person at some place other than its owner's property, in a menacing fashion or apparent attitude of attack. (Ord. 1993-6, S4(a)(1)(2)(3), October 7, 1993)
- (2) It shall be unlawful for an owner or keeper of a vicious, fierce, or dangerous dog to cause, suffer, or allow it to go unconfined and unrestrained on his premises, or to run at large. (Ord. 1993-6, S4(b), October 7, 1993)
- (3) It shall be unlawful for an owner or keeper of a vicious, fierce or dangerous dog to walk any such dog or otherwise cause, suffer, or allow its presence upon a public street or byway, right of way, or any municipally owned or public land or building, or private property without permission of the owner thereof. (1993-6, S4(c), October 7, 1993)
- (4) It shall be the duty of any person having authority to impound a dog forthwith to impound any such dog found unconfined or running at large in violation of this section. (Ord. 1993-6, S4(d), October 7, 1993)

7.01.050 Annoying dogs. It shall be unlawful for any person to own or keep any dog which by frequent or habitual howling, yelping, barking or otherwise shall cause serious annoyance or disturbance to persons in the neighborhood. It shall be the duty of any person having authority to impound a dog, forthwith to impound such dogs. (Ord. 1993-6, S5, October 7, 1993)

7.01.060 Care and treatment.

- (1) The owner of any cat or dog within the Town shall see that his animal:
 - A. is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit or lie in its own excrement;
 - B. is protected against abuse or mistreatment.
 - C. if diseased or injured, receives proper care, and if diseased, is segregated from other animals so as to prevent transmittal of the disease; and
 - D. it shall be unlawful for any person to beat, starve or otherwise mistreat any dog or cat. (Ord. 1993-6, S6(a), October 7, 1993)
- (2) Failure to comply with any requirement of subsection (1) of this section, shall be deemed mistreatment of the cat or dog. (Ord. 1993-6, S6(b), October 7, 1993)

7.01.070 Abandonment of cat or dog. It shall be unlawful for any person to abandon any cat or dog on any public or private property within the Town of Orleans. (Ord. 1993-6, S7, October 7, 1993)

7.01.080 Penalty. Judgment of up to Twenty-Five Hundred Dollars (\$2,500.00) may be entered for each violation of this ordinance, and if the violation results in the cat or dog causing serious bodily injury to any person, the Court shall upon request, order the animal forfeited and/or destroyed. (Ord. 1993-6, S8, October 7, 1993)

Chapter 7.04

KEEPING OF FARM ANIMALS

Sections:

- 7.04.010 Prohibited Animals**
- 7.04.020 Allowed Chickens**
- 7.04.030 Penalty for violation**

7.04.010 Prohibited Animals. It shall be unlawful to keep, harbor, and pasture cattle, sheep, swine, horses, chickens, ducks, or any other fowl, goats or any other farm animal within any part of the corporate limits of the Town of Orleans which is a residential or commercial area, platted into lots. (Ord. 2014-5, S1A, Oct. 16, 2014) (Ord. 2011-07-A, July 21, 2011) (Ord. 1980-1, S1, March 6, 1980) (Ord. 220, S1, September 4, 1957) (Ord. 210, S1, November 15, 1950)

7.04.020 Allowed Chickens. A person may own, keep, or harbor chickens upon his or her premises within the corporate limits of the Town of Orleans, subject to the following limitations:

- (1) Chickens are allowed in residential districts only;
- (2) No more than twelve (12) chickens are allowed on any property at a time;
- (3) No roosters are allowed;
- (4) No slaughtering of chickens is allowed on the premises;
- (5) Chickens are not allowed to roam free. The chickens must be confined in a secure and clean hen house or other enclosure suitable for the confinement of chickens;
- (6) No hen house or other enclosure may be located within forty (40) feet of a neighboring residence;
- (7) The person must comply with all other laws, regulations, rules and ordinances of the Town, including but not limited to the Orleans Zoning Ordinance. (Ord. 2014-5, S1B, Oct. 16, 2014)

7.04.030 Penalty for violation. Any person convicted of a violation of any section violation of this ordinance shall upon conviction be punished by a fine of not more than two thousand five hundred dollars (\$2,500.00). Each day any such violation is committed or permitted to continue may constitute a separate offense and shall be punishable as such hereunder. In addition, the Town, by appropriate action, may seek injunctive relief,

requesting the court to enjoin or order the abatement of any violation of this ordinance. (Ord. 2014-5, S1C, Oct. 16, 2014) (Ord. 2011-07-A, July 21, 2011) (Ord. 1980-1, S2, March 6, 1980) (Ord. 220, S2, September 4, 1957) (Ord. 210, S2, November 15, 1950)

Chapter 7.06

STRAY FARM ANIMALS

Sections:

- 7.06.010 Stray Farm Animals
- 7.06.020 Impoundment
- 7.06.030 Recovery of expenses

7.06.010 Stray Farm Animals. No horse, mule, cow, sheep, goat, hog, goose, duck, or chicken shall be permitted to run loose on the streets, alleys, commons, or unenclosed lots within the corporated limits of said Town of Orleans. (Ord. Unnumbered, July 5, 1960) (Ord. #1, S1, September 3, 1890)

7.06.020 Impoundment. It shall be the duty of the Marshall of said Town of Orleans to take up and impound all horses, mules, cattle, sheep, goats, swine, geese, ducks, or chickens so found running at large, and to notify the owner of such animals or fowls of the taking up immediately thereafter if she or he be known. If the owners of such animal or animals, fowl or fowls, be not known, then the Marshall shall give notice of such taking up by posting notices thereof in three (3) public places within the corporate limits of said Town of Orleans immediately after such taking up. (Ord. Unnumbered, July 5, 1960) (Ord. #1, pt. S2, September 3, 1890)

7.06.030 Recovery of expenses. For each horse, mule or cow thus taken up and impounded, such Marshall shall be entitled to recover of the owner of such animal the sum of One Dollar for taking up and fifty cents for each day such animal shall remain in this charge. For each sheep, hog or goat thus taken up and impounded such Marshall shall be entitled to recover of the owner of such animal the sum of fifty cents for taking up and twenty-five cents for each day such animal shall remain in his charge. For each goose, or duck thus taken up and impounded, such Marshall shall be entitled to recover of the owner of such fowl the sum of twenty-five cents, for taking up and ten cents for each day such fowl shall remain in his charge. For each chicken a fine of \$1.00 plus costs of action for each offense shall remain in his charge. And in the case such Marshall shall be entitled to recover of the owner, of such stock taken up and impounded by him, reasonable pay for the expense of feeding such stock in addition to the fees herein prescribed. All such stock and charges shall be paid before such stock shall be taken from the custody of such Marshall. (Ord. Unnumbered, July 5, 1960) (Ord. #1, pt. S2, September 3, 1890)