

Title 2

ANIMALS AND FOWL

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CHAPTER 1. DOGS AND CATS**DIVISION 1. GENERALLY****Sec. 2-101. Definitions.**

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animals means dogs or cats.

At large. Every animal shall be considered running at large when it is physically off the property of the owner of the dog or cat, and not under the immediate restraint of a person physically able to control the animal.

Commercial kennel means a business with a United States IRS tax identification number which offers breeding, buying, selling, temporary boarding of animals, or training of dogs or puppies, regardless of the number of animals maintained.

Hobby kennel means a residence or other property where more than three (3) animals are maintained, except in cases when the total number of animals includes puppies or kittens of the same litter up to six (6) months of age, plus two (2) additional dogs. The maximum number of animals to be allowed is five (5).

License means a Town animal license (dogs and cats) required to be on animals via collar or harness. The Town animal license is valid for one (1) calendar year and is to be renewed March 1 of each year.

Owner means any person, group of persons, association of persons, or corporation who shall own, keep, or harbor any animal, or permit the same to habitually remain or be fed in or about such owners' premises.

Police officer means a person employed by the Town, for the purpose of policing and enforcing any law or ordinance of the Town, including, but not limited to, an animal control officer.

Restraint. An animal is under restraint only when controlled by a leash, or in a vehicle, on a street or other place not within the property limits of the owner.
(Ord. No. 1-2025, § 2-101, 6-11-2025)

Secs. 2-102—2-111. Reserved.

DIVISION 2. LICENSING

Sec. 2-112. Animal licensing required.

(a) All animals kept, harbored, or maintained in the Town, shall be licensed if over six (6) months of age. Animal licenses shall be issued by the Town Clerk upon the payment of the license fee, which shall be set by resolution. License certificates shall be prepared by the Town Clerk and shall state the name and address of the owner, and the name, breed, color, and sex of each animal owned or kept by them. The Town animal license is valid for one (1) calendar year and is to be renewed March 1 of each year. The provisions of this section shall not apply to animals brought into the city for the purpose of participating in any dog or cat show, nor to guide dogs properly trained to assist blind persons when such dogs are being used by blind persons for the purpose of aiding said person in going from place to place.

(b) Upon payment of the license fee, the Clerk shall issue to the owner a license certificate and a metallic license for each animal so licensed. The metallic license design shall be changed every year and shall be stamped for the year in which it was issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each animal with a collar or harness to which the metallic license must be affixed and shall see that the collar and metallic license are constantly worn. In case an animal metallic license is lost or destroyed, a duplicate will be issued by the Clerk upon presentation of a receipt showing the payment of the license fee for the current year and the payment for such duplicate. Animal licenses shall not be transferable from one animal to another, and no refunds shall be made on any animal license fee because of death of the animal or the owner's leaving the Town before expiration of the license period.

(c) As a part of the license certificate for an animal license, the owner shall exhibit to the Town Clerk a certificate signed by a licensed veterinarian that the animal for which the license is to be issued has been vaccinated with an anti-rabies vaccine immunizing the said animal against rabies for a period equal in time to, or in excess of, the term of the license applied for.

(Ord. No. 1-2025, § 2-102, 6-11-2025)

Sec. 2-113. Display of tag.

(a) Every owner of an animal shall attach the tag evidencing the licensing and rabies vaccination to the collar or harness of the licensed animal and such collar or harness shall be worn by such animal at all times. The license therefor shall be retained by the owner of the licensed animal for inspections by any member of the Police Department or other authorized official, at any time.

(b) It is unlawful for any person other than the owner of an animal, or a police officer or animal control officer in the performance of his duty, to deprive an animal of its collar or license, or tag.

(Ord. No. 1-2025, § 2-103, 6-11-2025)

Secs. 2-114—2-123. Reserved.

DIVISION 3. NUISANCE ANIMALS

Sec. 2-124. Running at large prohibited.

(a) It is unlawful for any owner or any person having custody of an animal to allow said animal to run at large within the Town limits.

(b) Any police officer may take up and impound any animal found running at large, whether licensed or unlicensed, and may do so without making or requiring a complaint, and may, if unable to determine ownership, impound or dispose of said animal.

(c) Any animal running at large without a tag will be deemed a nuisance and destroyed or disposed of in a reasonable manner by the Chief of Police or his representative.

(d) Upon the impounding of any licensed animal pursuant to Subsection (b) of this section, the Town Clerk or the Town Police Department shall exert reasonable efforts to determine the ownership of each animal so impounded. The owner, if known, shall be notified by telephone, in person, or in writing mailed to the last known Town address of such owner, that the animal has been impounded; such notice shall contain a general description of the animal and the date of impounding. If the proper personnel are unable to determine and to so notify the owner, the animal shall be impounded or disposed of.

(e) In the enforcement of any of the provisions of this title, any animal control officer or police officer is authorized to enter the premises of any person and take possession of licensed or unlicensed animals when in fresh pursuit of such animal at the time the animal goes upon private property.

(f) Any impounded animal will be released only to the owner. No unlicensed animal whose owner resides inside the Town limits may be released to the owner, until the owner has paid the license fee and any costs associated with impounding and complied with all other ordinances of the Town relating to vaccination and licensing of animals.
(Ord. No. 1-2025, § 2-104, 6-11-2025)

Sec. 2-125. Mayor's proclamation; hydrophobia (rabies); confining dogs to premises.

Whenever it becomes necessary to safeguard the public from the dangers of rabies, the Mayor, if the Mayor deems it necessary, may issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises unless such dog shall have a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All dogs so noticeably infected with rabies and displaying vicious propensities shall be disposed of by the animal control officer or police officer without notice to the owner.

(Ord. No. 1-2025, § 2-105, 6-11-2025)

Sec. 2-126. Vicious animal.

(a) Any owner or other person exercising care, custody or control over a dog, commits a misdemeanor if said dog bites or attempts to bite, or growls, snarls or barks at, or otherwise behaves in a vicious or aggressive manner toward any person at any place within the Town where a person is legally entitled to be, regardless of whether said dog was under restraint at such time and regardless as to whether said dog was on the property of the owner or the person exercising care, custody or control over said dog at such time; provided, however, that it is a defense to a violation of this section if at such time:

- (1) The dog was tied to a stationary object on private property restricting the dog to such private property or confined within a fenced enclosure on private property, and whether tied or confined in a fenced enclosure the property was marked with signs clearly visible to the public warning that the dog may be vicious, such as "beware of dog," "vicious dog," "guard dog" or similar words.
- (2) The dog was confined within the cab or passenger compartment of a vehicle in such a manner that the dog could not extend its head outside the cab or passenger compartment of the vehicle.
- (3) The person attacked was engaged in the commission of a criminal act under the laws of the State or the Town at the time of the attack.

(b) Any animal not on the property of the animal's owner that has attacked a domestic animal in such a manner that resulted in physical contact between the animals not necessarily requiring medical treatment to either animal, or any animal that has chased, approached, or otherwise interacted with a human being or domestic animal in an intimidating or aggressive manner is a vicious animal.

(c) The Town Municipal Judge may order any dog adjudged to be vicious pursuant to this section to be destroyed or removed permanently from the municipal limits of the Town by the owner within any reasonable time; provided, however, that said destruction or removal order shall not interfere with a rabies quarantine period. If the dog owner fails to comply with the destruction order, the Town Municipal Judge may direct any Town police officer or animal control officer to take such dog into custody immediately and destroy it as soon as possible. In carrying out such order, the Town police officer or animal control officer may enter upon any property, public or private, within the Town to take custody and possession of the dog without warrant.

(Ord. No. 1-2025, § 2-106, 6-11-2025)

Sec. 2-127. Unlawful to allow dog to chase.

It is unlawful for the owner of any dog, licensed or unlicensed, to allow such dog to chase motor vehicles, motorcycles, bicycles, or persons on foot, for whatever reason or purpose and irrespective of the dog's intent or vicious nature.

(Ord. No. 1-2025, § 2-107, 6-11-2025)

Sec. 2-128. Keeping noisy animals.

No person shall own or keep any animal which makes continual or repeated barking, screeching, yowling, howling, yelping, or other noises in excessive, continuous, or untimely fashion that otherwise disturbs the peace of others.

(Ord. No. 1-2025, § 2-108, 6-11-2025)

Sec. 2-129. Harassment/disturbing of confined animals.

Any animals confined by a fence, leash, rope, chain, or other enclosure within the boundaries of the premises of the owner of the animal, shall be safe from annoyance and harassment. Any person, other than the owner of the animal, who shall in any manner annoy, harass or disturb an animal so confined, or who shall open any gate or other opening in a fence or other enclosure in which the animal is confined, or in any manner disturb any enclosure, is guilty of a misdemeanor. However, the portion of this section prohibiting persons other than the owner from opening gates and fences shall not apply to persons authorized to enter the premises for the purpose of delivering merchandise ordered by the owner to be delivered, or the reading of any utility meter.

(Ord. No. 1-2025, § 2-109, 6-11-2025)

Sec. 2-130. Breaking into enclosure or release of impounded animals.

(a) It is unlawful for any person to annoy, harass or disturb any animal confined in the Town shelter or to open any gate or other opening in a fence or other enclosure within which the animal is confined or in any manner to disturb any enclosure operated by the Town to contain and confine animals under the provisions of this title.

(b) No person shall, directly or indirectly, break open or assist in breaking open any pen or enclosure, with the intention of releasing any animal confined therein pursuant to the provisions of this chapter.

(Ord. No. 1-2025, § 2-110, 6-11-2025)

Sec. 2-131. Hobby and commercial kennels.

(a) *Licensing.*

(1) A license for a commercial kennel shall require:

- a. An application, listing the name and address of the owner of the animals, number of animals, breed of each animal, sex of each animal, age of each animal, rabies tag information for each animal, name of animal.
- b. An inspection by an animal control officer or police officer to ensure compliance with this Code.
- c. Payment of the required license fee as provided by the Town fee schedule.
- d. A single public hearing at the next scheduled Town Council meeting following receipt of the application.

(2) Each commercial kennel license shall be applied for and renewed March 1 each year.

(3) A license for a hobby kennel shall require:

- a. An application, listing the name and address of owner of the animals, number of animals, breed of each animal, sex of each animal, age of each animal, rabies tag information for each animal, name of animal.
- b. Payment of the required license fee as provided by the Town fee schedule.
- c. Hobby kennels will be limited to no more than five (5) animals in any combination of animals.
- d. A license must be obtained for each animal required to be licensed in this section. The fee for the fourth animal shall be set by resolution, and for the fifth animal the fee shall be set by resolution, and such license shall be valid for a period of one (1) year beginning March 1 of each year. Licenses are not transferable from one (1) animal to another animal, and no full or partial refunds shall be made of any license fee because of death of the animal or removal of the animal from the property.
- e. Prior to the commencement of any prosecution under this section, the person who keeps, maintains or harbors more than three (3) animals over the age of six (6) months at any location, premises or property shall be notified by the Town in person or by mail of the requirements of this section at least thirty (30) days prior to the commencement of prosecution. If the person complies with the requirements of this section within the thirty (30) days, no prosecution shall be commenced. The Town shall not be required to notify a person of this section if such person has previously been notified.

(b) *Fees.* All fees for commercial and hobby kennels, including inspection fees, shall be set by resolution and kept on file in the Clerk's office.

(c) *Kennel requirements.* Each commercial kennel shall meet the following requirements:

(1) *Shelter.* Each animal shall have access to an area sheltered from adverse weather conditions. Each animal shall be able to comfortably walk, turn and lie down in the shelter. Enough shelter access shall be provided so that each dog can utilize the shelter simultaneously.

(2) *Water.* Each animal shall have access to drinking water at all times.

(3) *Outdoor kennel size.*

- a. Small breeds, under ten (10) pounds. Six (6) feet in width by ten (10) feet in length for four (4) dogs; additional two (2) feet in width for each additional dog.
- b. Medium breeds, ten (10) to one hundred (100) pounds. Fourteen (14) feet in width by twelve (12) feet in length for four (4) dogs; add four (4) feet in width for each additional dog.

- c. Large breeds, over one hundred (100) pounds. Eighteen (18) feet in width by twenty (20) feet in length for four (4) dogs; add six (6) feet in width for each additional dog.
 - d. For facilities including breeds of multiple sizes, the largest animal will be determinative for space purposes.
- (4) *Cleanliness.* Each kennel, whether indoor or outdoor, shall be kept free of feces. Waste matter will be removed from the property at a minimum of once a week.
 - (5) *Safety.* Each kennel shall be free of jagged or sharp edges that could harm any dog residing within.
 - (6) *Perimeter fence.* Each kennel shall have a perimeter fence of at least six (6) feet in height. Each perimeter fence shall be of material that prevents other animals from entering the kennel.
 - (7) *List of animals maintained.* Each owner shall maintain a current list of animals within the kennel detailing the information required under Subsection (a)(3) of this section. Each owner shall provide the Town, through the Clerk's office, notice in writing within thirty (30) days of any change to the information on the list of animals maintained.
 - (8) *Temporary boarding.* Temporary boarding shall be for no more than fourteen (14) consecutive days in any month. Animals boarded shall not be required to be licensed unless they remain on the premises for longer than fourteen (14) days.
- (d) *Inspection of kennel.* With three (3) days' written notice to the owner, an animal control officer or police officer shall be allowed to inspect the premises to ensure compliance with this title.
- (e) *Revocation or refusal of commercial kennel license.*
- (1) A commercial kennel license shall be revoked or refused for the following reasons:
 - a. Refusal of permission for an inspection.
 - b. Failing to abide by the terms of this title.
 - c. The applicant is convicted of more than two (2) violations of this title in a one (1) year period.
 - (2) Prior to the revocation of a commercial kennel license, written notice shall be given to the owner.
 - (3) If able, the owner may correct any defect resulting in license revocation within seven (7) days. Proof of any correction shall be at the inspection of an animal control officer or a police officer.

(Ord. No. 1-2025, § 2-111, 6-11-2025)

Sec. 2-132. Removal and disposal of dead animals.

It shall be the duty of the owner of any animal found dead within the Town to bury or remove such animal. If the Town has designated a particular area for the burial of dead animals, the owner of any dead animal shall remove the carcass to such designated area and bury the carcass at the place designated.

(Ord. No. 1-2025, § 2-112, 6-11-2025)

Sec. 2-133. Penalties.

Any person found violating this title shall be guilty of a misdemeanor and subject to the penalties described in Section 1-801 for each offense together with the costs of action.

(Ord. No. 1-2025, § 2-113, 6-11-2025)

CHAPTER 2. OTHER ANIMALS AND FOWL

DIVISION 1. GENERALLY

Sec. 2-201. Keeping of certain livestock within the Town forbidden; penalty.

(a) *Keeping of certain livestock within the Town forbidden.* It shall be unlawful for any person to keep within the Town any swine, geese, or other poultry, fowl, or any cows, goats, sheep, horses, livestock, or bees, and any person, firm or corporation keeping or maintaining such animals within the Town shall, upon conviction, be deemed guilty of a misdemeanor. This title shall not apply to any animal hospital.

(b) *Variance.* Request for variances from this title shall be made in writing and presented to the Town Council. Requests shall state the nature of the requested variance and the reason for the variance. Variances shall be approved or denied only by majority vote of the Town Council.

(Ord. No. 1-2025, § 2-201, 6-11-2025)

Sec. 2-202. Keeping of chickens in Town limits.

Chickens shall be allowed in the Town limits with the following restrictions:

- (1) Chickens shall be allowed only at single-family residences.
- (2) No more than six (6) shall be allowed at any single-family residence.
- (3) No roosters shall be allowed in the Town limits.
- (4) Coops shall be constructed within setback requirements in the Town Building Code and twenty (20) feet from any dwelling. Coops shall be built following the current Town Building Code. Coops shall be permitted in the rear yard of the residence only. The maximum height of a coop shall be seven (7) feet at the highest point of the roof. Coops shall be properly vented and predator-resistant. Chickens shall have access to the coop at all times.

- (5) Pens (runs) shall be fully enclosed to include roof and attached to the coop. Construction shall be out of chicken wire or similar metal material.
 - (6) Areas housing chickens, including pens, coops, and other structures and open areas in the pens, shall be maintained in a clean condition to prevent unpleasant odors and attracting rodents, insects and other vermin.
 - (7) Feed shall be restricted to commercially processed feed products; food scraps will not be allowed. Feed will be stored in airtight containers to prevent attracting rodents and other vermin.
 - (8) Chickens shall have access to water at all times.
 - (9) Butchering of chickens shall not be permitted within the Town.
 - (10) Payment of an annual permit cost to be set by resolution of the Town Council. Permits shall be valid from March 1 to the last day of February each year.
- (Ord. No. 1-2025, § 2-202, 6-11-2025)

Sec. 2-203. Leaving animals unfastened unlawful.

No person shall leave any horse or mule in any street, alley or open lot, on or within the corporate limits of the Town, without first securely fastening such horse or mule either to a suitable post, metal weight or other proper thing.

(Ord. No. 1-2025, § 2-203, 6-11-2025)

Sec. 2-204. Penalties.

Any person found violating this title shall be guilty of a misdemeanor and subject to the penalties described in Section 1-801 for each offense, together with the costs of action.

(Ord. No. 1-2025, § 2-204, 6-11-2025)

Secs. 2-205—2-220. Reserved.

DIVISION 2. LEGAL

Sec. 2-221. Legal status.

Whenever there is a discrepancy between the requirements of this title and any other Town regulations, the most restrictive shall apply.

(Ord. No. 1-2025, § 2-302, 6-11-2025)