

**TITLE IX: GENERAL REGULATIONS**

Chapter

**90. ANIMALS**



## CHAPTER 90: ANIMALS

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## GENERAL PROVISIONS

### ' 90.01 DEFINITIONS .

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL.** Any horses, cows, mules, oxen, donkeys, pigs, sheep, goats, dogs and cats.

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**FOWL.** Chickens, ducks, geese, turkeys, pigeons, peacocks and peahens.

**REPTILES.** All species of snakes and lizards, alligators and crocodiles.

**RODENTS.** Rabbits, chinchillas, skunks and domestic rats.  
(1991 Code, ' 6-1-1) (Ord. 25, passed 2-20-1967)

### ' 90.02 REGULATIONS ON KEEPING OF PIGS AND REPTILES.

(A) No pigs shall be kept within the town limits except registered purebred miniature Vietnamese potbelly pigs and other similar registered purebred miniature pigs. Miniature pigs shall not exceed 100 pounds in weight and no more than two miniature pigs shall be allowed per household.

(B) The rules pertaining to the keeping of miniature pigs shall generally follow the confinement requirements for dogs, which prohibits running at large unless controlled by either a leash, cord, chain or other restraint, and the same penalties shall apply for this type of violation.

(C) No poisonous reptiles shall be kept within the town limits.

(D) Large reptiles, such as python and boa constrictor snakes, alligators, crocodiles and the like, which are capable of doing significant physical harm to human life, should be kept in appropriate containment structures on the premises. Additionally, some type of identification indicating that these type of pets are being kept on the premises should be prominently displayed to alert the public and emergency response staff, should they be called into service at this location.

(E) State and federal laws pertaining to the capture and keeping of reptiles, which are considered endangered, shall preempt local law. Additionally, this section shall not apply to animal hospitals or medical clinics where these type of animals may be kept for medical purposes for short periods of time.

(1991 Code, ' 6-1-2) (Ord. 97-1996, passed 12-17-1996) Penalty, see ' 10.99

### ' 90.03 HOUSING .

(A) The premises upon which animals, fowl or rodents subject to this subchapter are kept shall be maintained in a sanitary condition and subject to inspection and regulation by the town, which shall have the right of entry upon private property at reasonable times for the purpose of inspection.

(B) All enclosures referred to in this subchapter shall be kept in good repair and in a condition to prevent the breeding of flies and other insects, and so that no offensive, disagreeable or noxious smell or odor shall arise therefrom to the injury, annoyance or inconvenience of any inhabitant of the town.

(1991 Code, ' 6-1-3) (Ord. 25, passed 2-20-1967) Penalty, see ' 10.99

**' 90.04 RESTRAINT .**

(A) It is unlawful for any person, firm or corporation to cause or permit any animal to run at large, to be pastured, herded, staked or tied in any street, alley, lane, park or public place within the town.

(B) Any animal tied or staked upon private property shall be subject to the limitation set forth in the zoning chapter of this code.

(1991 Code, ' 6-1-4) (Ord. 25, passed 2-20-1967) Penalty, see ' 10.99

**REGULATION OF DOGS**

**' 90.20 DEFINITIONS .**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AT LARGE.** Off the premises of the owner, and not under the control of the owner or a member of his or her immediate family either by leash, cord, chain or otherwise.

**DOG.** Any member of the canine family, both male and female.

**NUISANCE.** A dog that harms, injures or annoys any person by any means.

**OTHER BITING ANIMAL.** Any animal capable of carrying or transferring rabies.

**OWNER.** A person, firm, association or corporation owning, keeping or harboring a dog or other biting animal.

(1991 Code, ' 6-2-1) (Ord. 84-1993, passed 9-20-1993)

**' 90.21 LICENSE REQUIRED.**

(A) All dogs four months of age or older kept, harbored or maintained within the corporate limits of the town shall be vaccinated against rabies by a licensed veterinarian and then shall be licensed and registered.

(B) Dog licenses shall be issued by the Town Clerk upon the payment of an amount as the Council may set by resolution from time to time for neutered or spayed dogs or an amount as the Council may set by resolution from time to time for non-neutered or non-spayed dogs on or after the first day of the year, and the license shall expire on the last day of the year.

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(C) Before a license is issued, the owner shall provide proof that the dog has been vaccinated against rabies for the period for which the license is to be issued.

(D) This section shall not apply to nonresidents temporarily within the town, and a license shall be issued without charge to properly trained Aseeing-eye@ dogs or companion dogs actually being used by blind persons for the purpose of aiding them in going from place to place.

(1991 Code, ' 6-2-2) (Ord. 84-1993, passed 9-20-1993)

**' 90.22 TAGS AND COLLAR.**

Upon payment of the license tax, the Town Clerk shall issue to the owner a license certificate and a metallic tag for each dog licensed. The metal tag shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed. In case a dog tag is lost or destroyed, a duplicate will be issued by the Town Clerk upon presentation of a receipt showing payment of the license tax for the current year and payment of an amount as the Council may set by resolution from time to time for the duplicate. Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license tax because of death of the dog or the owner leaving town before expiration of the license period.

(1991 Code, ' 6-2-3) (Ord. 84-1993, passed 9-20-1993)

**' 90.23 RUNNING AT LARGE PROHIBITED.**

No owner or keeper of any dog shall permit the dog to leave the premises of the owner or keeper unless it is controlled by a leash, cord, chain or other restraint. Any dog in violation of the aforesaid restrictions and upon complaint by any person or in the judgment of any law enforcement officer or animal control officer may be impounded or the owner of the dog may be cited for violation of this section. Citations for violations of this section may be issued by any law enforcement officer or animal control officer.

(1991 Code, ' 6-2-4) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99

**' 90.24 NUMBER OF DOGS PERMITTED.**

(A) No person, firm or corporation shall own or keep on his or her premises more than two dogs over the age of four months.

(B) No person, firm or corporation shall maintain a kennel where dogs are kept for sale.

(1991 Code, ' 6-2-5) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99

**' 90.25 IMPOUNDING AND REDEMPTION.**

Any dog impounded for running at large contrary to the conditions set forth in ' 90.23 shall be impounded in a suitable pound as may be designated by the Council. The poundmaster will record the breed, color and sex of the dog and license number, if licensed, and shall notify the owner, if known, by telephone or by mail of the impoundment. The owner of any dog impounded may reclaim the dog upon payment of license fee, if the license fee is unpaid, and all normal charges for impounding and maintaining the dog. In addition, an impoundment penalty fee will be charged. The impoundment penalty fee must be paid prior to the animal being released from the pound. The impoundment penalty fee shall be set by the Town Council and shall be paid to the Town Clerk or his or her designate.

(1991 Code, ' 6-2-6) (Ord. 84-1993, passed 9-20-1993)

**' 90.26 DISPOSING OF UNCLAIMED OR INFECTED DOGS.**

It is the duty of the poundmaster to keep all dogs so impounded for a period of three days, and if, at the expiration of three days from date of notice to the owner, the dog has not been redeemed, it shall be destroyed. Any unlicensed dog required by law to be licensed or any dog that appears to be suffering from rabies or any other infectious disease or is of a dangerous or vicious nature shall not be released but shall be destroyed.

(1991 Code, ' 6-2-7) (Ord. 84-1993, passed 9-20-1993)

**' 90.27 BARKING DOGS.**

No person shall keep or harbor a dog which habitually barks or cries.

(1991 Code, ' 6-2-8) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99

**' 90.28 DISPOSING OF BITING DOGS OR OTHER BITING ANIMALS.**

It is unlawful for any person to destroy or dispose of any dog or other biting animal that has bitten any person for a period of seven days if the animal has been vaccinated against rabies and ten days for animals not having been vaccinated. When any dog or other biting animal bites any person, it shall be impounded and quarantined in the designated town pound for a period of seven days if the animal has been vaccinated against rabies, or ten days if the animal has not been vaccinated, for observation for rabies. The owner shall be responsible for any and all expenses incurred for the impoundment and quarantine. A dog that has been vaccinated against rabies may be quarantined by the owner in lieu of the town pound.

(1991 Code, ' 6-2-9) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99

**' 90.29 INTERFERENCE WITH OFFICERS.**

(A) It is unlawful for any unauthorized person to break open the pound or to attempt to do so, or to take from any officer any dog taken up by him or her in compliance with this subchapter or in any manner to interfere with or hinder the officer in the discharge of his or her duties under this subchapter.

(B) It is unlawful for any unauthorized person to release or cause to be released any dog from a town-owned animal trap. It is also unlawful for any person to tamper with, damage or hinder the performance of the trap.

(1991 Code, ' 6-2-10) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99

**' 90.30 MUZZLING PROCLAMATION.**

Whenever the prevalence of rabies renders the action necessary, to protect the public health and safety, the Mayor shall issue a proclamation ordering every person owning or keeping a dog to confine it securely on his or her premises unless it is muzzled so that it cannot bite. No person shall violate the proclamation, and any unmuzzled dog running at large during the time fixed in the proclamation may be killed by the police without notice to the owner.

(1991 Code, ' 6-2-11) (Ord. 84-1993, passed 9-20-1993)

**' 90.31 OWNERSHIP OF HABITUALLY BITING DOGS.**

It is unlawful for any person to keep any dog within the town limits that displays a habit of biting or otherwise being vicious with persons or other animals. Any owner that knowingly owns such an animal may be cited for violation of this section by any police officer or animal control officer.

(1991 Code, ' 6-2-12) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99

**' 90.32 LIABILITY FOR DOG BITES AND PROPERTY DAMAGE.**

(A) The owner of a dog that bites a person when the person is in or on a public place or lawfully in or on a private place, including the property of the owner of the dog, is liable for damages suffered by the person.

(B) The owner of a dog shall be liable for damages to real and personal property caused by actions of the dog.

(1991 Code, ' 6-2-13) (Ord. 84-1993, passed 9-20-1993) Penalty, see ' 10.99