

Ordinance Number 124

An ordinance of the Bainville Town Council amending Title 8 Animals Chapter 8.02 Regulation of Animals to include female chicken-hens.

Chapter 8.02 Regulation of Animals

Sections:

- 8.02.010 Animals Running at Large Prohibited
- 8.02.020 Keeping of Hogs and Swine Prohibited
- 8.02.025 Female Chickens
- 8.02.030 Permit for Keeping Animals
- 8.02.040 Cruelty to Animals
- 8.02.050 Keeping Vicious Animals Prohibited
- 8.02.060 Violations; Penalty

8.02.010 Animals Running at Large Prohibited. It shall be unlawful for the owner or person in charge of any horses, mules, sheep, goats, cattle, chickens, turkeys, ducks, geese, or other fowl or livestock to permit such livestock or fowl to run at large within the town limits.

Any person in charge of any fowl shall keep such fowl securely impounded in a sufficient enclosure to prevent them from running at large.

It shall be permissible for the owner or person in charge of any animals to stake such animals for the purpose of grazing within the town limits; provided, however, that such staking shall not create a nuisance by creating hazards in roadways or problems for neighboring residents.

8.02.020 Keeping of Hogs and Swine Prohibited.

It shall be unlawful for any person to keep or maintain any hogs or swine within the town limits any closer than two hundred feet (200') from the nearest neighboring dwelling.

8.02.025 Female Chickens

Chicken hen(s) shall be provided with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chicken hens, designed to be easily accessed, cleaned and maintained by the owners.

No Chicken house, outdoor chicken enclosure, or chicken hen shall at any time be located closer than 10 feet to any public right of way, sidewalk, or neighboring property line other than the chicken owner, custodian, or keeper.

The chicken hens shall be shut into the chicken house at night, from sunset to sunrise.

Stored feed must be kept in a rodent- and predator-proof container.

It is unlawful for the owner, custodian, or keeper of any chicken hen to allow the animal(s) to be a nuisance to any neighbors, including but not limited to noxious odors from the animals or their enclosure and noise of a loud and persistent and repetitious nature.

8.02.030 Permit for Keeping Animals.

It shall be unlawful for any person to keep any cattle, horses, sheep, mules, goats, or similar animals within the town limits of Bainville without first having obtained a permit to do so from the town council.

No permit shall be issued to any person to keep more than two (2) of any such animal at one time, unless the applicant shall be equipped to furnish necessary shelter and pen or enclosure of not less than fifty (50) square feet for each one animal, which shelter, pen or enclosure shall not be less than two hundred feet (200) from any neighboring dwelling. Said permit shall provide that the permit will be revoked if premises are not kept clean and quiet to the satisfaction of the town council or its representative. (Ord., 1983)

8.02.040 Cruelty to Animals.

It shall be unlawful for any person to wantonly or cruelly injure, beat, abuse, or torture any animals within the town limits.

8.02.050 Keeping Vicious Animals Prohibited.

It shall be unlawful for any person to keep, feed, harbor, or allow to stay about the premises occupied by him within the town limits, any vicious, unruly, or ferocious animal.

8.02.060 Violations; Penalty.

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as provided in Section 1.08.010 of this Code.

Effective Date: This ordinance shall be effective 30 days after adoption.

Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

First reading on the 10th day of May 2021, by a vote of 2 Ayes, 1 Nays, 0 Abstain, and 1 Absent

Second reading and final adoption on the 21st day of June 2021, by a vote of 2 Ayes, 1 Nays, 0 Abstain, and 0 Absent.

ATTEST

APPROVED

/s/Nikki Rogers
Nikki Rogers, CMC
Clerk-Treasurer

/s/Dennis Portra
Dennis Portra
Mayor