

CHAPTER 1

ANIMALS

The Town of Bethel repeals the previous ordinance with the same chapter and title adopted March 1, 1988 and replaces it with this Chapter 1 entitled "Animals".

The Town of Bethel does hereby ordain:

Sec. 1-1. Manner of keeping animals; procedure; violations.

- (a) No person shall keep, maintain, house, or feed any animal (including, without limitation, feral dogs, feral cats, and skunks) in the Town in such manner as to become a public nuisance or to disturb the peace, comfort, or health of any person residing within the Town.
- (b) It shall be conclusively presumed that property damage, personal injury, or deposits of solid or liquid animal waste on streets and lands owned by the Town that, in any such case, result from a violation of subsection (a) of this Section shall constitute a public nuisance.
- (c) The procedure for complaint, notice, and abatement of any such nuisance shall be as set forth in Chapter 5, Section 5-2 of these Ordinances.
- (d) Any person violating the provisions of this Section shall be assessed a fine in the amount of \$25, and each day that the violation continues

unabated shall be deemed a separate offense. In no event shall the aggregate fine exceed \$500.

Sec. 1-2. Keeping of certain animals prohibited.

No person shall keep within the Town any swine, cow, bull, sheep, goat, horse, or potbellied pig.

Sec. 1-3. Keeping of fowl regulated.

No person shall keep within the Town any poultry, fowl, chickens, or roosters without compliance with this Chapter 1.

Sec. 1-4. Keeping of vicious animals prohibited.

- (a) No person shall keep on his or her premises within the Town any vicious animal, whether or not owned by such person.
- (b) For purposes of this Section 1-4, any animal which habitually (two (2) or more times) attacks, bites, or otherwise injures any human, dog, or other animal, or which has a known propensity to attack or bite humans or other animals, is hereby defined to be a vicious animal.

Sec. 1-5. Diseased animals.

Every person owning or having under his or her charge within the Town any animal which such person knows or suspects has been infected by any

communicable disease (including, without limitation, rabies, glanders, or anthrax) shall isolate such animal from other animals and shall report the existence or suspected existence of such disease to the State Health Department and to the Council.

Sec. 1-6. Property owner may impound animal.

Any person who finds an animal on his or her property to such person's injury or annoyance shall first contact the animal's owner, if known, and attempt to resolve the matter amicably. If the animal's owner fails or refuses to retrieve the animal, then the property owner may:

- (a) Remove such animal to a public or private animal shelter, or
- (b) Retain possession of such animal and, as soon as possible, notify the Council and the Brandywine Valley SPCA or other appropriate agency of such custody, giving a description of the animal and the owner's name, if known. In any such case, the animal's owner shall reimburse the property owner for the reasonable cost of the animal's care.

Sec. 1-7. Disturbing Noises by Animals.

No person shall keep any animal (including, without limitation, dogs, cats, and roosters) which, by making or causing frequent, habitual, or long-continuing noise, shall disturb the reasonable comfort or repose of any person in the vicinity.

Such noise is declared to be a public nuisance under Section 1-1 hereof as detrimental to public health and welfare.

Sec. 1-8. Advise owner of noisy animal; notify SPCA on failure to abate

Any person disturbed by a noisy animal as described in Section 1-7 hereof shall advise the animal's owner or custodian of this fact. If the nuisance is not abated, the person shall then notify the Council (by filing a written complaint with the Town Clerk at the Town office) and the Brandywine Valley SPCA or other appropriate agency.

Sec. 1-9. Failure to abate nuisance based on noise.

No owner or custodian of an animal shall fail to abate a nuisance caused by the frequent, habitual, or long-continuing noise of his or her animal after having been notified in accordance with Section 1-8. Any person failing to abate such nuisance shall be subject to the procedure and the fines set forth in Section 1-1.

Sec. 1-10. Animals running at large prohibited.

No owner or custodian of any animal, including without limitation dogs, cats, cattle, horses, mules, swine, sheep, goats, geese, ducks, and chickens, shall permit any such animal to run at large within the Town. To permit any such running at large is hereby declared to be a public nuisance under Section 1-1 hereof

as detrimental to public health and safety. Any person failing to abate such nuisance shall be subject to the procedure and the fines set forth in Section 1-1.