ARTICLE I. - IN GENERAL

Sec. 3-1. - Livestock at large.

Any person owning or having under his care any horse, goat, swine, sheep or cattle who shall allow the same to be at large upon the common or any street or highway shall be fined in accordance with section 1-8.

(Code 1967, § 4-1)
State law reference—Animals at large, G.L. 1956, § 4-15-1 et seq.

Sec. 3-2. - Fowl at large.

Any person owning or having under his care any hens or other fowl who shall allow the same to be at large upon the common or on any street or highway in the compact part of the town shall be fined in accordance with section 1-8.

(Code 1967, § 4-2)
State law reference—Animals at large, G.L. 1956, § 4-15-1 et seq.

Sec. 3-2.5. - Maximum chicken hens permitted.

(a) The owner of any house lot in any residential zone except the residential 40 (R-40) zone containing at least one (1) dwelling may keep or permit to be kept on the house lot no more than six (6) chicken hens.

(b) The keeping of more than six (6) chicken hens on any house lot requires an additional eight hundred (800) square feet of yard space dedicated to each additional chicken hen.

(c) No person shall keep any rooster.

(d) All chicken hens must be provided with both a hen house (coop) and a fenced outdoor enclosure, subject to the following provisions:

(1) The hen house must be covered, predator-resistant and well-ventilated. It shall be no more than eight (8) feet in height and a maximum of sixty-four (64) square feet in area;

(2) The fence made of chicken wire or a stronger substance shall be no more than six (6) feet in height;

(3) The hen house must provide a minimum of two (2) square feet per chicken hen;

(4) The hen house must be kept clean, dry and sanitary at all times; manure must be composted in enclosed bins;

(5) The hen house must be located upon a permeable surface that prevents waste run-off;

(6) The fenced enclosure must adequately contain the chicken hens at all times;

(7) The fenced enclosure must be kept clean and sanitary at all times;
(8) The hen house must provide the chicken hens with adequate protection from the elements and inclement weather and provide for the chicken hens good health and prevent any unnecessary or unjustified suffering;

(9) The hen house shall not be built onto any shared fence;

(10) The hen house must be located at least twenty (20) feet from any dwelling;

(11) The setbacks for the hen house and enclosed area shall be those for the principal dwelling located on the house lot.

(e) No person shall place food in the open for the feeding of any chicken hens, except in such containers as will prevent the scattering of such food upon the ground. After such feeding, such food shall not be allowed to remain where it is accessible to rats.

(f) No chicken hens may be kept or raised within the dwelling.

(g) The owner of the chicken hens must be a resident of the dwelling located on the house lot.

(h) The raising of chicken hens shall be restricted to back yards or side yards; chicken hens shall not be permitted, at any time, on the part of the property directly abutting a main road.

(i) The keeping of chicken hens pursuant to this section shall be primarily for the purpose of raising chicken hens and collecting the eggs produced thereof; this section shall not be construed to allow for the commercial slaughter and sale of any chicken hens for any purpose.

(j) Slaughtering of chickens is not allowed.

(k) This section shall be subject to the nuisance provisions of section 3-4 of this chapter.

(l) All chicken hens must be confined between the hours of 9:00 p.m. and 8:00 a.m.

(m) The town manager, on the advice of the animal control officer, shall promulgate a registration process as a condition precedent to the construction of hen houses and keeping of chicken hens. Such registration shall include:
   (1) Inspection and approval of the construction plans by the building official.
   (2) Payment of a fee to be set by the town council each year.

(Ord. of 11-8-2011)

Editor's note—

Ord. of Nov. 8, 2011, enacted provisions which did not specify manner of inclusion. At the direction of the city, said provisions have been included as § 3-2.5

Sec. 3.3. - Keeping swine.

No person shall keep swine in the town within one-quarter of a mile of a main highway or within one-quarter of a mile of any residential section, unless such person shall first receive permission to do so from the town council.

(Code 1967, § 4-5)

Sec. 3.4. - Nuisance.

(a) No owner or keeper of any animal or fowl shall permit such animals or fowl under his or her care and control to cause annoyance, alarm or noise disturbance for more than ten (10) minutes at any time of the day or night, by repeated barking, whining, screeching, howling, braying, crowing, or other like sounds which can be heard beyond the boundary of the owner's or keeper's property.

(b) No owner or keeper of any animal or fowl shall permit such animals or fowl under his or her control to cause annoyance, alarm or noise disturbance at night by barking, whining, screeching, howling, braying, crowing, or other like sounds which can be heard beyond the boundary of the owner's or keeper's property.

(c) No owner or keeper of any animal or fowl shall permit such animals or fowl under his or her control to cause annoying or noxious odors and smells to emanate from and be detected beyond the boundary of the owner's or keeper's property and unreasonably interfere with the use and enjoyment of neighboring properties.

(Ord. of 6-8-99; Ord. No. O-1(3-5), 9-8-2009)

Editor's note—

Ord. No. O-1, adopted Sept. 8, 2009, changed the title of § 3-4 from continuous or untimely noise by animals and
fowl to nuisance.


Sec. 3-5. - Cleanliness and sanitation.

The owner or person in control of any building or premises in which cows, goats, sheep, swine, poultry, horses and/or rabbits are maintained shall keep the building and premises clean and free from decaying food, dirt, water and fecal matter. Buildings and pens shall be properly disinfected and put in such sanitary conditions as may be ordered by the animal control officer.

(Ord. of 6-8-99; Ord. No. O-1(3-5), 9-8-2009)
Editor's note— Ord. No. O-1, adopted Sept. 8, 2009 enacted provisions intended for use as § 3-4. To preserve the style of this Code, and to facilitate indexing, said provisions have been designated as § 3-5

Sec. 3-6. - Penalty.

Any person, firm or corporation who violates any of the provisions of this article shall be subject to the penalties as set forth in section 1-8 of this Code, and each day of a continuing violation shall count as a separate offense.

(Ord. of 6-8-99; Ord. No. O-1(3-7), 9-8-2009)
Editor's note— Ord. No. O-1, adopted Sept. 8, 2009 enacted provisions intended for use as § 3-7. To preserve the style of this Code, and to facilitate indexing, said provisions have been designated as § 3-6

Secs. 3-7—3-25. - Reserved.