

Any female animal in the stage of estrus (heat) shall be securely confined during such period of time within a house, building or other secure enclosure which is so constructed as to prevent other animals of the same species from gaining access to the confined animal. Any owner or any person in charge of said animal who does not adequately so confine the animal during the stage of estrus or whose animal during estrus causes or attracts a disturbance as defined in subsection 6-2B-3A of this chapter shall be ordered by the humane officer to remove said animal to a boarding kennel, to a veterinary hospital or to the town animal shelter. All expenses incurred as a result of such confinement shall be paid by the animal owner. Failure to comply with the humane officer's removal order shall be a violation of this article and the animal shall then be impounded at the owner's expense. This section shall not apply when animals are intentionally brought together within an enclosed area of the owner's premises or an enclosed area of the owner's authorized agent's or licensee's premises for purposes of breeding. (Ord. 13, Series 1981)

6-2C-4: CRUELTY TO ANIMALS:

A person commits cruelty to animals if, except as authorized by law, he knowingly overdrives, overloads, overworks, tortures, torments, deprives of necessary sustenance unnecessarily or cruelly beats, needlessly mutilates, needlessly kills, carries in or upon any vehicles in a cruel manner, or otherwise mistreats or neglects any animal, or causes or procures it to be done, or, having the charge and custody of any animal, fails to provide it with proper food, drink or protection from the weather or abandons it. (Ord. 13, Series 1981)

6-2C-5: DISPOSITION OF DEAD ANIMALS:

When any animal shall die within the town, it shall be the duty of the owner or keeper thereof to remove and properly dispose of such animal within twenty four (24) hours after the death thereof. If such dead animal is not so removed and disposed of, the Humane Officer shall be authorized to remove and dispose of said animal, with the owner or keeper of said animal being liable for all costs related to disposition of the animal. (Ord. 13, Series 1981)

6-2C-6: CERTAIN ANIMALS PROHIBITED WITHIN TOWN:

A. It shall be unlawful for any person to keep, maintain, possess or harbor any livestock or fowl, such as, but not limited to, horses, mules, donkeys, burros, cattle, sheep, goats, swine (except for miniature Vietnamese, Oriental or Chinese potbellied pigs [*sus scrofa vittatus*] for which a permit is obtained pursuant to subsection C of this Section), chickens, geese, ducks or turkeys within the residential and urbanized areas of the Town; provided however, that this subsection shall be coordinated

with the Town Development Code wherein certain animals and numbers thereof may be permitted within certain land use districts.

B. It shall be unlawful for any person to own, keep, maintain, possess, harbor, sell or in any manner deal or traffic within the Town in any living exotic, wild, dangerous or unusual animals, whether domesticated or tamed, including but not necessarily limited to the following: bats of any species; felines, other than ordinary domesticated house cats; gorillas, chimpanzees, orangutans, baboons, or any other infra-human primate; any member of the Mustelidae family, including but not limited to, fishers, ferrets, martens, minks, otters, porcupines, raccoons, skunks, weasels and wolverines (except for a member of the Mustelidae family for which a permit is obtained pursuant to subsection C of this Section); poisonous reptiles; wolves, foxes, coyotes or other species of canines other than dogs; any animal or bird which has received State or Federal government designation as an endangered species; any other terrestrial predator or other animal determined to be a public nuisance pursuant to the provisions, procedures and means of abatement established by the ordinances of the Town.

C. The Police Chief shall have the authority to issue an annual permit to authorize the lawful keeping of any member of the Mustelidae family or for the lawful keeping of a miniature Vietnamese, Oriental or Chinese potbellied pig (*sus scrofa vittatus*). An application for a permit to keep any such animal shall be made in writing to the Police Chief. Following application, the Police Chief shall determine if all conditions provided in this Section have been met, and upon a satisfactory determination thereof, shall issue the annual permit. A permit shall be valid until the end of the calendar year in which the permit was issued, unless the permit is revoked as herein provided, and shall be issued upon the payment of an annual permit fee of five dollars (\$5.00). Once paid the permit fee shall be nontransferable and nonrefundable. Upon the issuance of a permit, a tag shall be issued by the Town to the permittee identifying the name, address and telephone number of the owner of the animal for which the permit was issued.

D. It shall be a condition of any permit issued by the Police Chief pursuant to subsection C of this Section that the owner or keeper of the animal for which the permit has been issued shall comply with the following requirements as a condition of such permit:

1. The animal for which the permit was issued shall not be kept in such a manner as to constitute a public or private nuisance.

2. The premises upon which the animal for which the permit was issued shall be kept and maintained at all times in a sanitary condition and in compliance with all applicable health regulations. Such premises shall be available for inspection by the Police Chief, or his designee, at all reasonable hours. It