

Proposed Red Cross Animal Ordinance

Horses, Bovine, Llama, Emu

Zoning Districts:	RA	R40	R20	R8	NB	HB	CB	GB	M1
	P	P	P	-	-	-	-	-	-
	(P) Permitted		(-) Not Permitted						

Facilities for care and holding of Horses, Cows, Llama, and Emu’s shall comply with the following standards:

1. The land on which the facility is located shall require (1) acre for the first animal and one additional acre is required for each additional animal.
2. Stables shall be located at least fifty (50) feet from all property lines, and at least one hundred feet from an existing well.
3. Stables must be operated in a healthy and safe manner. Healthy and safe is defined as, but not limited to: fences kept in good repair, potable water available on demand; protection from wind or rain; a sign posted indicating the name and phone number of the person to be contacted in case of an emergency.
4. These standards do not apply to bona fide farms.

Fowl - Gallinaceous fowl including Chickens, Waterfowl including, Geese, Ducks, Swans, also including Guinea fowl.

Zoning Districts:	RA	R40	R20	R8	NB	HB	CB	GB	M1
	P	P	P	-	-	-	-	-	-
	(P) Permitted		(-) Not Permitted						

Facilities for care and holding of Fowl as defined above shall comply with the following standards:

1. Fowl may be allowed to “free range” on lots zoned RA only as long as they remain on the owner’s property at all times and as long as they do not create a public nuisance as defined in this ordinance.
2. One bird is permitted for every two thousand (2000) square feet of lot area.
3. Birds shall be provided with adequate and safe coops.
4. All accessory buildings housing birds including coops, enclosures, and pens shall be set back at least fifty feet (50) from all property lines.
5. Pens must be operated in a healthy and safe manner. Healthy and Safe is defined as, but not limited to: pens kept in good repair, potable water available on demand: protection from the

wind and rain: and a sign posted indicating the name and phone number of the person to be contacted in case of an emergency.

6. Roosters are permitted in the RA zoning districts only. Maximum number of roosters allowed is two (2) roosters per acre.
7. Peacocks are permitted in RA Zoning Districts only!
8. These standards do not apply to bona fide farms.

Goats, Sheep – The keeping of Goats and Sheep shall comply to the following standards:

Zoning Districts:	RA	R40	R20	R8	NB	HB	CB	GB	M1
	P	P	P	-	-	-	-	-	-
	(P) Permitted			(-) Not Permitted					

1. A minimum lot area of 8700 square feet is required for each animal or each female with an unweaned offspring with a maximum of five (5) animals per acre.
2. Goats, and Sheep shall be kept in a fenced area at all times. The fence shall be sufficient to prevent escape.
3. Animals shall not be chained unless they are being moved.
4. Shelters must be operated in a Healthy and Safe manner. Healthy and Safe is defined as, but not limited to: pens kept in good repair, potable water available on demand: protection from the wind and rain: and a sign posted with the name and phone number of the person to be contacted in case of an emergency.
5. All shelters shall be located at least fifty (50) feet from existing houses, and at least 100 feet from an existing well.
6. These standards do not apply to bona fide farms.

Swine – The keeping of pigs, or hogs shall comply to the following standards:

Zoning Districts:	RA	R40	R20	R8	NB	HB	CB	GB	M1
	P	-	-	-	-	-	-	-	-
	(P) Permitted			(-) Not Permitted					

1. A maximum of one pig, or hog whether being raised for human consumption, or being kept as a pet shall be allowed on any single property in a rural agriculture (RA) zoning district.
2. A shelter shall be provided for a pig for protection from wind and rain.
3. Shelters shall be kept in a Healthy and Safe manner. Healthy and safe is defined as, but not limited to: pens kept in good repair, potable water available on demand, protection from the wind and rain: and a sign posted with the phone number of the person to be contacted in case of and emergency.
4. All shelters shall be located at least fifty (50) feet from a house and at least 100 feet from an existing well.
5. These standards do not apply to a bona fide farm.

EXOTIC PETS – The keeping of exotic pets shall comply with the following standards;

Zoning Districts:	RA	R40	R20	R8	NB	HB	GB	M1
	(P)	(P)	(P)	(P)	(-)	(-)	(-)	(-)
	(P) – Permitted				(-) Not Permitted			

1. The keeping of exotic pets is allowed as long as they are not classified as inherently dangerous to humans. (see below)
2. Shelters must be kept in a Healthy and Safe manner. Healthy is defined as, but not limited to: pens kept in good repair, potable water available upon demand, protection from the wind and rain, and a sign posted with a phone number of the person to be contacted in case of an emergency.
3. All shelters shall be located at least fifty (50) feet from a house and at least 100 feet from an existing well.

INHERENTLY DANGEROUS ANIMALS (EXOTICS)

Definitions:

- (a) For the purpose of this ordinance, an inherently dangerous animal includes any inherently dangerous exotic mammal or inherently dangerous reptile defined herein.
- (b) Inherently dangerous exotic mammal is any member of the Canidae, Felidae, or Ursidae families, including hybrids thereof, which due to their inherent nature can become dangerous to humans.
 - (1) Canidae includes any member of the dog (canid) family not customarily domesticated by man, or any hybrids of such Canidae thereof, including wolf hybrids which are a cross between a wolf and a domestic dog, but not including dogs (*Canis familiaris*).
 - (2) Felidae includes any member of the cat family not customarily domesticated by man, or any hybrids of such Felidae, but not including domestic cats (*Felis catus*)
 - (3) Ursidae includes any member of the bear family, or hybrids of such Ursidae.
- (c) Inherently dangerous reptile is any member of the class reptilia which:
 - (1) Is venomous. A venomous reptile shall include all members of the families Helodermodidae (gila monsters and Mexican bearded lizards), Viperidae (vipers), Crotalidae (pit vipers), Atractaspidae (burrowing asps), Hydrophilidae (snakes), and Elapidae (cobras, coral snakes, and their allies), as well as any “rear fanged” snakes of the family Colubridae that are known to be dangerous to humans (including, but not limited to *Dispholidus tupus* (boomerang), *Thebtomis kirtlandii* (twig snake), *Rhabdophis* spp (keelbacks).
 - (2) Is a member of the order Crocodillia, (Crocodiles, Alligators, and Caimen).
- (d) Harboring of an inherently dangerous exotic animal or inherently dangerous reptile is any person or persons, regardless of ownership, who allows an inherently dangerous mammal or inherently dangerous reptile to remain, lodge, or to be fed or given shelter or refuge within a person’s home, store, yard, enclosure, outbuilding, abandoned vehicle or building, place of business, or any other premises in which the person resides or over which the person has control.

Possession of Inherently Dangerous Animals.

At no time may any person or persons harbor an inherently dangerous exotic mammal or inherently dangerous reptile. A violation of this section is punishable as a misdemeanor. For every day that the animal(s) remain housed or harbored as defined above shall constitute a new offense.

Bees – The keeping of bees shall comply with the following standards:

Zoning Districts:	RA	R40	R20	R8	NB	HB	CB	GB	M1
	P	P	P	P	P	P	P	P	P
	(P) Permitted				(-) Not Permitted				

1. Up to five (5) are permitted on any single parcel located within the Municipal Town Limits.
2. Hives shall be setback a minimum of twenty-five (25) feet from any property line.
3. Hives shall be removed if the owner no longer maintains the hives or if the removal is necessary to protect the health, safety, and welfare of the public.

All animals shall be subject to the following:

PUBLIC NUISANCE.

- (a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of or damages a member of the general public, interferes with the ordinary use and enjoyment of another’s property, or frightens or harms livestock.
- (b) It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner as to constitute a public nuisance. By the way of example and not of limitation, the following acts or actions by an owner or possessor of an animal are hereby declared to be a public nuisance and are therefore unlawful:
 - (1) Having an animal that disturbs the rights of, threatens the safety of or damages a member of the general public, or interferes with the ordinary use and enjoyment of one’s property.
 - (2) Allowing or permitting an animal to damage the property of anyone other than its owner, including but not limited to, turning over garbage containers, damaging garden’s flowers, or vegetables, defecating upon the property of another; or frightening or harming livestock.
 - (3) Maintaining animals in an unsanitary environment which results in offensive odors or is dangerous to the animal or to public health, safety and welfare, or a failure to maintain a condition of good order and cleanliness which reduces the probability of transmission of disease.
 - (4) Maintaining the owner’s property in a manner that is offensive, annoying or dangerous to the public health, safety or welfare of the community because of the number, type, variety, density or location of animals on the property.
 - (5) Allowing or permitting an animal to bark, whine, howl, crow, or cackle in an excessive or untimely fashion so as to interfere with the reasonable use and enjoyment of neighboring premises.
 - (6) Maintaining an animal that is diseased and dangerous to public health.
 - (7) Maintaining an animal that habitually or repeatedly chases, snaps at, or attacks pedestrians, joggers, animals on a leash by owners, bicycles or other vehicles.

Enforcement. Enforcement of the adopted Animal Ordinances shall be subject to the provisions as written in the Town of Red Cross Zoning Ordinance Article IX, Section 9-10.

In addition to any other enforcement remedies available pursuant to this document, if the enforcement officer declares an animal to be a nuisance under this section, then the enforcement officer has the authority to order the owner to confine the animal in accordance with the instructions of the enforcement officer. It shall be unlawful for the owner to fail to comply with such an order or with the instructions of the order.

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