

Chapter 9

ANIMALS

- Art. I. In General, §§ 9-1—9-30
Art. II. Dogs, §§ 9-31—9-50
Art. III. Livestock, §§ 9-51—9-70
Art. IV. Dangerous Animals, §§ 9-71—9-73

ARTICLE I. IN GENERAL*

Sec. 9-1. Cruelty prohibited.

No person shall cruelly treat or abuse any animal or fowl.
(Ord. No. 83, Art. I, § 1, 10-4-83)

Sec. 9-2. Poisoning prohibited.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or fowl.
(Ord. No. 83, Art. I, § 2, 10-4-83)

Sec. 9-3. Molesting birds' nests prohibited.

No person, except a public officer acting in his official capacity, shall molest, injure, kill or capture any wild bird, or molest or disturb any wild bird's nest or the contents thereof.
(Ord. No. 83, Art. I, § 3, 10-4-83)

Sec. 9-4. Nuisance.

(a) It shall be unlawful for any owner to fail to exercise proper care and control of his animals or a boarded animal to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds, or trespassing upon private property in such manner as to damage property, shall be deemed a nuisance.

(b) It shall be unlawful for any owner to fail to provide animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. It shall be unlawful for any owner to beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse any animal, or cause or permit any combat between animals or between animals and humans.
(Ord. No. 83, Art. III, § 7, 10-4-83)

Cross reference—Environment, Ch. 25, Art. III.

***Cross reference**—Restrictions on operating off-road vehicles, § 49-256(9).

Sec. 9-5. Noises.

It shall be unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night.

(Ord. No. 83, Art. III, § 2, 10-4-83)

Cross reference—Anti-noise, Ch. 25, Art. II.

Secs. 9-6—9-30. Reserved.**ARTICLE II. DOGS****Sec. 9-31. Nuisances.**

Any dog found in the village running at large or disturbing the peace under conditions set forth in this article is declared to be a nuisance, and shall be impounded as provided by law.

(Ord. No. 83, Art. II, § 3, 10-4-83)

Cross reference—Environment, Ch. 25, Art. III.

Sec. 9-32. Running at large.

No dog shall be permitted to run at large in the Village of Elkton at any time, provided, however, that dogs may be walked or exercised when they are under restraint, or direct control of the owner or handler, and are prevented from trespassing upon private property not owned by the said dog owner or handler.

(Ord. No. 83, Art. II, § 1, 10-4-83)

Sec. 9-33. Disturbing the peace.

No person owning or boarding any dog shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by barking, howling or making other loud or unusual noises.

(Ord. No. 83, Art. II, § 2, 10-4-83)

Cross reference—Anti-noise, Ch. 25, Art. II.

Sec. 9-34. Impounding.

The chief of police or the county dog warden are authorized to impound any animal found in violation of this article.

(Ord. No. 83, Art. III, § 8, 10-4-83)

Cross reference—Officers and employees, Ch. 1, Art. III.

Sec. 9-35. Removal of dog excrement.

The owner, custodian or handler of a dog that defecates on any public or other person's private property in the village shall pick up and dispose of the droppings of said animal in a manner so as not to violate any village, county or state law.

(Ord. of 5-11-04)

Sec. 9-36. Penalties.

The owner or handler of any dog who knowingly suffers or allows any dog to become a nuisance under the conditions set forth in this article shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the county jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment. (Ord. No. 83, Art. II, § 4, 10-4-83)

Secs. 9-37—9-50. Reserved.**ARTICLE III. LIVESTOCK****Sec. 9-51. Housing.**

(a) No person shall cause or allow any stable or place where any animal is or may be kept to become unclean or unwholesome.

(b) It shall be unlawful to keep or have any cattle, horse, sheep, goats, poultry or pigs anywhere in the village.

(Ord. No. 83, Art. III, § 6, 10-4-83)

Sec. 9-52. Strays.

It shall be unlawful to permit any cattle, horse, swine, sheep, goats or poultry to run at large in the village; any such animal running at large in any public place in the village shall be impounded in the manner provided in this article.

(Ord. No. 83, Art. III, § 3, 10-4-83)

Secs. 9-53—9-70. Reserved.**ARTICLE IV. DANGEROUS ANIMALS*****Sec. 9-71. Dangerous animals.**

It shall be unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the village; exhibits or parades of animals which are *ferae naturae* in the eyes of the law may be conducted only upon securing a permit from the chief of police.

(Ord. No. 83, Art. III, § 1, 10-4-83)

Sec. 9-72. Killing dangerous animals.

The members of the police department are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property.

(Ord. No. 83, Art. III, § 4, 10-4-83)

***Cross reference**—Officers and employees, Ch. 1, Art. III.

Sec. 9-73. Diseased animals.

No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the chief of police.

(Ord. No. 83, Art. III, § 5, 10-4-83)

Chapters 10–12

RESERVED

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