

**Chapter 4. ANIMALS.
ANALYSIS**

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Article 1. FARM ANIMALS.

4-1. Keeping or slaughtering of farm animals prohibited.

No person, firm or corporation shall raise, keep, harbor or slaughter any farm animal, including but not limited to cattle, horses, goats, sheep or pigs within the City.

Article 2. FOWL.

4-2. Keeping or slaughtering of fowl prohibited.

No person, firm or corporation shall raise, keep, harbor or slaughter any fowl, including but not limited to chickens, ducks, geese, pigeons or turkeys within the City.

Article 3. KEEPING OF SMALL ANIMALS.

4-3. Limitation on number of cats and/or dogs per household.

There shall be no more than six (6) cats or dogs kept or harbored in any household in the city of Englewood. "Aggressive dogs" as defined in the City of Englewood Ordinance 99-16 shall be regulated not withstanding the provisions of this section in accordance with the City of Englewood Ordinance 99-16.

Owners of aggressive dogs, as defined in the City of Englewood Ordinance 99-16, must show proof that they complied with that ordinance before a dog license may be issued by the Department of Health.

(a) If an owner wishes to have more than six (6) cats or dogs in their home, such owner shall make an application to the Health Officer, in writing, or an application form prescribed by the Board of Health.

The Health Officer shall act upon such application based upon the standards set forth in this ordinance within thirty (30) days of the date on application. The owner shall have the right to appeal an adverse action to the Board of Health. The appeal should be filed with the Board of Health within ten (10) days of adverse action and shall be an appeal form prescribed by the Board of Health.

4-4. Prohibition, abatement of health hazard or nuisance.

Any person keeping, owning or otherwise harboring more than one animal shall maintain them in such a way that they do not constitute a public health hazard or a nuisance to others. If any home or place where such animal is kept is deemed a health hazard or a nuisance by the Health Officer, the owner or person keeping the animal shall be requested to remove the hazard or abate the nuisance within five (5) days written notice by the Health Officer.

4-5. Duties of owners.

- A. For the purpose of this section, unless otherwise limited, the owner is ultimately responsible for the behavior of the animal regardless of whether the owner or another member of the owner's household or a household visitor permitted the animal to engage in the behavior that is the subject of the violation.
- B. It is unlawful for any person to commit any of the following:
 1. Permit an animal to be at large.
 2. Permit an animal to trespass upon property of another.
 3. Permit any animal unreasonably to cause annoyance, alarm or noise disturbance to any person or neighborhood by barking, whining, screeching, howling, braying or other like sounds which may be heard beyond the boundary of the owner's or keeper's property under conditions wherein the animal sounds are shown to have occurred either as repeated episodes of continuous noise lasting for a minimum period of ten (10) minutes or repeated episodes of intermittent noises lasting for a minimum period of thirty (30) minutes. It shall be an affirmative defense under this sub-section that the animal was intentionally provoked by a party other than the owner to make such noise.
 4. Permit any animal to leave the confines of any officially prescribed quarantine area.
 5. Cages, rooms, hard-surfaced pens, runs and food and watering receptacles shall be sanitized daily to prevent disease.
 6. Excrement shall be removed from primary enclosures a minimum of every twenty-four (24) hours, or more often if necessary as to prevent contamination, reduce disease hazards and minimize odors.

4-6. Location of pens.

No hutch, pen, coop or enclosure shall be less than 50 feet from any dwelling nor less than 10 feet from all adjoining property lines.

4-7. Contagious diseases.

No person shall keep any small animals affected with skin mange, coccidiosis, parasitic worms or other diseases contagious to other animals or human beings, and any such animal so affected shall immediately be destroyed and the carcass cremated forthwith. The provisions of this Article shall not apply to any small animal under regular professional treatment by a duly licensed Veterinarian, but all said provisions shall fully apply when such treatment shall be discontinued without a full cure having been effected or when such Veterinarian shall certify that, in his opinion, such cure cannot be effected. Any hutch, pen, coop or enclosure wherein such affected animal is found and all adjoining hutches, pens, coops or enclosures shall be destroyed or thoroughly disinfected in an approved fashion.

4-8. Animals to be confined.

No person shall allow any small animal, as the terms are herein defined, to run at large in Englewood, but the same shall, at all times, be confined to the premises in a suitable hutch, pen, coop or enclosure.

Article 4. BEES.

4-9. Keeping of bees prohibited.

No person, firm or corporation shall raise, keep or harbor any bees for commercial or non-commercial purposes within the City.

Article 5. WILD WATER FOWL.

4-10. Statement of purpose.

It has been determined that the presence of large numbers of “wild water fowl” which are defined as those non-domesticated species of birds commonly known as “swans,” “geese,” “brant” and “river and sea ducks” on and around ponds and other bodies of water in the City of Englewood causes a public health nuisance in and around said ponds and bodies of water, including the surrounding properties which is inimical to the health and general welfare of the public. The purpose of this Article is to prevent such conduct that may attract such wild water fowl to properties in the City.

4-11. Feeding of wild water fowl prohibited.

No person shall feed, cause to be fed or provide food for wild water fowl in the City of Englewood on lands either publicly or privately owned.

4-12. Exceptions.

This section shall not be construed to prohibit humane acts toward wild water fowl in individual cases, such as the temporary nurturing of a wounded bird on one’s own premises.

4-13. Enforcement.

The Police Department and the Health Department of the City of Englewood are hereby authorized and directed to enforce this article.