

## Chapter 8.16

### PERMITS REQUIRED

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8.16.010 Permit to keep horses, cows and similar animals. It is unlawful for any person to keep or cause, or permit to be kept within the town, any horse, mare, mule, jenny, ass, colt, bull, cow, calf, or goat in any stable, barn, corral, yard or other enclosure which is less than fifty feet distant from any church, school or building of any character occupied by human beings, without first having obtained from the town council a permit to do so. (Ord. 405 §17(part), 1979; prior code §4102).

8.16.020 Permit to maintain stables, barns, etc. It is unlawful for any person to maintain any stable, barn, corral, yard or other enclosure, in the town, wherein any horse, mare, mule, jenny, ass, colt, bull, cow, calf or goat is kept, which is less than fifty feet distant from any church, school or building of any character occupied by human beings, without first having obtained from the town council a permit so to do. (Ord. 405 §17(part), 1979; prior code §4103).

8.16.030 Conditions of granting permit. No permit required by Section 8.16.010 and Section 8.16.020 shall be granted by the town council excepting upon written application of the person desiring the permit. The application shall be signed by the applicant and shall specify the location of the building, enclosure or premises in or upon which the applicant proposes to keep any such animals, and the number of any such animals so to be kept at such place. The application shall further specify the name of any church or school and of any person occupying any building which is within fifty feet distant from the building, enclosure or premises in or upon which the applicant proposes to keep any such animals. The application shall further state that the applicant will faithfully observe the provisions of this chapter and of any and all laws applicable in any manner to the keeping of any such animals and to the maintenance of any and all buildings, enclosure and premises in or upon which the animals may be kept, and will also faithfully obey, comply with and perform any and all orders and regulations of the health officer. (Ord. 405 §17(part), 1979; prior code §4104).

8.16.040 Hearing of application. Upon the filing of an application, as specified in Section 8.16.030, the town council shall give ten days written notice to the applicant and to the governing body of any church or school and to all persons occupying any building within fifty feet distant from the building, enclosure or premises in or upon which it is proposed to keep any such animals, of the time and place of the hearing of the application. The health officer shall thereafter investigate the building, enclosure or premises and report thereon to the town council at the hearing of the application. If upon the hearing of the application the council shall be of the opinion that the granting of the application will not be detrimental to the health, peace and welfare of the inhabitants of the immediate neighborhood, the application shall be granted and a permit issued to the applicant; provided, however, that the council shall have authority to impose upon the person receiving the permit such conditions as it may deem necessary to insure a sanitary condition in and about the place specified in the permit. Provided further, that any such permit shall be subject to revocation and cancellation without notice if the applicant fails or neglects to faithfully observe all such conditions in the permit imposed, or the provisions of this chapter, or of any and all other laws applicable to the keeping of the animals or shall fail or neglect to faithfully obey, comply with and conform to any and all lawful orders, rules and regulations of the health officer applicable thereto. (.Ord. 405 §17(part), 1979; prior code §4105).

8.16.050 Revocation of permit. Any permit granted as provided in Section 8.16.040 shall be subject to revocation and cancellation, after hearing by the town council, of which at least ten days written notice shall be given the holder thereof, if, in the opinion of the town council, the keeping of such animals as in the permit provided, has become detrimental to the health, peace or welfare of the inhabitants of the immediate neighborhood. (Ord. 405 §17 (part), 1979; prior code §4106).

8.16.060 Upkeep of stables, etc. It is unlawful for any person to keep or maintain any stable, barn, corral, yard or other enclosure in the town wherein any horse, mare, mule, jenny, ass, colt, bull, cow, calf or goat is kept unless the same is kept and maintained in a sanitary and clean condition and in accordance with such orders, rules and regulations as may from time to time be made by the health officer. (Ord. 405 §17(part), 1979; prior code §4107).

8.16.070 Authority of health officer. The health officer is authorized to make such orders, rules and regulations concerning the keeping of animals and the maintenance of the buildings and enclosures in which they are kept, as he may deem necessary for the preservation of the public health and welfare, and any and all permits granted under the provisions of this chapter shall be deemed and held to be subject to such orders, rules and regulations. (.Ord. 405 §17(part), 1979; prior code §4108).

8.16.080 Live poultry defined. The term "live poultry", as used in this chapter, means and includes live chickens, ducks, turkeys, geese, guinea fowl and all other domestic fowls. (Ord. 405 §17(part), 1979; prior code §4109).

8.16.090 Permissible locations. It is unlawful for any person to keep, harbor or maintain within the town any live poultry within fifty feet of a residence other than the residence of the owner of the poultry, or within fifty feet of any street, highway, road, lane or other public place. (Ord. 405 §17(part), 1979; prior code §4110).

8.16.100 Upkeep of yards and enclosures. Every yard, pen, poultry house, corral or other enclosure for the keeping therein of live poultry, shall at all times be kept and maintained in a clean, sanitary and sightly condition, and free from any offensive odor, and the yard, pen, poultry house, corral or enclosure, when found to be in an unclean, unsanitary or unsightly condition, or causing an offensive odor, is declared to be a nuisance, and the nuisance may be summarily abated in accordance with provisions as provided in Chapter 9.04. (Ord. 405 §17(part), 1979; prior code §4111).