

ARTICLE IV

Title 21

AN ORDINANCE: REGULATING THE KEEPING OF DOGS WITHIN THE TOWN OF FELTON, PROHIBITING VICIOUS AND/OR NOISY DOGS AND AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF DOGS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Be It Ordained by the Commissioners of the Town of Felton:

Section 1 - Definitions of terms used in this Ordinance, unless the context otherwise indicates:

(a) "Dog" shall mean either male or female;

(b) "Owner" shall mean any person or persons, firms, associations or corporation owning, keeping or harboring a dog;

(c) "At Large" shall mean off the premises of the owner and not under control of a human being either by leash, cord, chain, rope or otherwise. A dog not under some means of physical restraint shall be "at large" within the meaning of this Ordinance;

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(d) "Vicious Dog" shall mean any dog that attacks, snaps at or bites a person or persons upon the streets, sidewalks or in any public place or private place, provided that any dog on private property enclosed by a fence or restrained by a chain or other similar device shall be excluded from the definition of "Vicious Dog" for the purposes of this ordinance.

(e) "Noisy Dog" shall mean any dog that repeatedly or continuously barks, whines or howls so as to make a disturbance.

Section 2 - Keeping of Dogs:

The owner of any dog shall at all times maintain the area wherein said dog is kept in a clean and sanitary condition, free of unreasonable accumulations of waste and refuse.

Section 3 - Custody of Dogs; Running at Large Prohibited:

(a) The Owner of any dog within the Town of Felton shall keep the same securely upon his own premises or under the control of the said owner or some other person by means of leash, cord, chain, rope, fence or otherwise. No dog shall be permitted to run at large within the Town of Felton at any time.

(b) The owner of any female dog in heat shall keep such dog at all times while in heat confined within an enclosure from which it cannot escape.

Section 4 - Appointment of Dogcatchers; Impounding dogs:

The Chief of Police may authorize such persons as he designates to act as dogcatchers. It shall be the duty of every Police Officer and dogcatcher to apprehend any dog found running at large contrary to the provisions of Section 3 and to impound such dog in the Town pound or other such suitable place. The Police Officer or dogcatcher who impounds such a dog shall make a record of the breed, color and sex of such dog and its license tag, if any. A compilation of the records of all such dogs caught and impounded shall be maintained at the Town Police Station.

Section 5 - Notice to Owner and Redemption

Not more than 24 hours after the impounding of any dog the owner thereof, if known or ascertainable from the State license records or other means, shall be notified, if such owner shall be found within the Town of Felton and a notice of the impounding of such dog describing the dog and the place and time of taking shall be posted at the Police Station. The owner of any dog so impounded may reclaim such dog upon payment

of the charge for keeping and maintaining said dog.

Section 6 - Disposition of Unclaimed or Infected Dogs:

All dogs so impounded shall be kept for a period of 6 days. If, at the expiration of the six days from the date of notice to the owner or posting of notice such dog shall not have been redeemed, it maybe destroyed. Any dog which appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease shall not be released but may be forthwith destroyed.

Section 7 - Redemption

Any owner whose dog is impounded for a violation of Section 3 of this Ordinance by such owner may redeem said dog within 48 hours by paying to the Town of Felton at the Town Police Station a charge of \$15 to defray the cost of impounding thereof plus the kennel charge for keeping and maintaining said dog.

Section 8 - Keeping of Vicious Dogs:

*(Contradiction
T 21/5 Id)*

It shall be unlawful for any owner to keep any vicious dog within the Town of Felton.

Section 9 - Keeping of Noisy Dogs

(a) It shall be unlawful for any owner to keep any dog which by frequent, habitual or long-continued barking, whining or howling disturbs any person or neighborhood and such action is hereby declared to be a public nuisance and detrimental to the public health and welfare.

(b) Any person or neighborhood so disturbed may advise the owner who keeps such dog. In the event that the nuisance is then not abated, any person so disturbed shall then give

give notice of the facts to the Police and the Police shall then visit the owner and advise such owner of said facts and of the provisions of this Ordinance and the penalties for violation.

(c) Any owner who keeps such a dog or cat and who is so notified as above described and who then fails to abate said nuisance after being notified by the Police, shall be prosecuted as hereinafter provided.

Section 10 - Penalties

Any owner who shall violate any section of this ordinance hereinafter set forth shall upon conviction before any court of competent jurisdiction forfeit and pay a fine as follows:

(a) For violation of Section 2 ("Keeping of Dogs or Cats") or Section 5 ("Keeping of Noisy Dogs or Cats")

First Offense: \$25.00
Second Offense: \$50.00
Third and Subsequent Offense - \$100.00

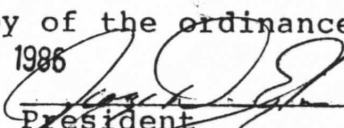
(b) For violation of Section 3 ("Custody of Dogs or Cats; Running at Large Prohibited") or Section 4 ("Vicious Dogs")

First Offense: \$25.00
Second Offense: \$50.00
Third and Subsequent Offense: \$100.00


Any fines imposed under this section shall be in addition to any amounts due under Section 7.

EFFECTIVE DATE: 23 MAY 1986

This is a true and correct copy of the ordinance duly adopted by the Commissioners on 13 MAY 1986



President

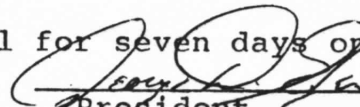
ATTEST: 

Secretary

Date Adopted: 13 MAY 1986

Date Effective: 23 MAY 1986

Posted at the Felton Town Hall for seven days on 15 MAY 1986



President