

**§ 91A-43. PERMIT FOR FOUR OR MORE DOGS AND/OR CATS.**

**(A) Permit Required:** It shall be unlawful for any person to own, to keep custody of, or care for, four (4) or more dogs or cats, or any combination of four (4) dogs and cats or more, all being four (4) months or older, unless a permit is issued by the Animal Control Division.

**(B) Permit Fee:** Only one permit is required per household. A fee schedule for this permit is found in section 91A-61.

**(C) Permit Period:** A permit shall remain valid as long as the person is in compliance with the terms and conditions, if any, of the permit. If any of the circumstances change, such as, but not limited to, more animals, different breed for a particular dog, new structures or other such similar change that might reasonably violate the five (5) standards set forth above, then the permit shall automatically terminate and be null and void. The person must secure a new permit, or the person shall be in violation of this section.

**(D) Permit Considerations:** If a person has four (4) or more dogs or cats on the premises, then the Chief of Police must make the following findings before a permit is issued:

(1) That noise from the dogs or cats will not interfere with an abutting occupant's use and peaceful enjoyment of the property.

(2) That odor or unsanitary conditions caused by the dogs or cats will not interfere with an abutting property occupant's use and peaceful enjoyment of their property.

(3) That four (4) or more dog runs or other dog-related structures, or any combination thereof, cannot be seen from an abutting occupant's property if within a residentially zoned district.

(4) That there is no evidence that the dogs or cats pose any health problem or disease exposure for abutting occupants.

(5) That the dogs or cats do not interfere in some other similar manner with the peaceful use and enjoyment of abutting property.

**(E) Permit Denied:** If an application for a permit relative to this section is denied, the applicant will receive the reasons for the denial in writing. The written statement may include any recommendations or conditions that would enable the person to be in compliance with the standards. The Town reserves the right to assign specific conditions to any permit when it is deemed to be in the best interest of the Town.

**(F) Permit Revoked:** The Division may revoke any permit when the permit has been mistakenly issued without compliance with this section; or when the applicant has submitted false information; or for a violation of any of the provisions of this chapter; or, when it is deemed that the health, safety or welfare of any person or property is menaced by the keeping of such animals; or when the animals become a nuisance. If a permit is revoked, the applicant shall be given a written explanation of the reasons for the revocation. Upon the determination of a violation of this section, and if the violation pertains to a correctable condition on the property, the owner shall have thirty (30) days in which to bring the property or condition into compliance with this chapter.