

TOWN OF BURRILLVILLE

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Town of Burrillville Public Hearing

Notice is hereby given that a Public Hearing will be held on Wednesday, April 24, 2024 at 7:00 P.M. at which time the Town Council of the Town of Burrillville will consider for adoption amendments to The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 4 entitled *Animals* and Chapter 11 entitled *Courts*. The proposed amendments to the ordinances are as follows:

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 4 entitled *Animals* and Chapter 11 entitled *Courts*, are hereby amended as follows:

Chapter 4 - ANIMALS

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal/Animals include, but is not limited to, dogs; cats; horses; cattle; goats; sheep; swine; emus; llamas; alpacas; rabbits; poultry, which include chickens, hens and roosters; ducks; geese; guinea fowl; peacocks; ostriches; reptiles and birds.

Sec. 4-4. Penalty.

Except as otherwise provided in this chapter or the Rhode Island General Laws, penalties for violation of the provisions of this chapter shall be as follows:

First offense: ~~\$20.00~~ Written warning, with no more than thirty (30) calendar days, as determined by the police department, to come into compliance. If the violation is not remedied on or before the time set forth in the written warning, the penalty will be a \$100 fine.

~~Second offense: \$30.00~~

~~Third~~ Second and subsequent offenses: ~~\$100.00 and Owner shall~~ may be cited to appear before the Burrillville Municipal Court, and, upon conviction, said owner shall be fined not in excess of \$500.00, in accordance with section 11-5 of the ordinances of the Town of Burrillville. Third and subsequent offenses may be considered a violation of title 4 of the Rhode Island General Laws.

Each day's violation may constitute a separate offense.

Sec. 4-7. - Creation of nuisance.

- (a) *Noise disturbance.* The keeping or harboring by any person of any dog, or other animal or fowl, whether licensed or not, which by habitual howling, yelping, barking or other noise disturbs or annoys the peace of citizens in the immediate area is unlawful, and is hereby declared to be a public nuisance.
- (b) *Failure to restrain animal.* It shall be unlawful for any owner of any animal excepting felines to fail to restrain an animal so the animal shall trespass on private or public property and/or damage or destroy any property or thing of value. This violation is hereby declared to be a nuisance and such animal shall be impounded by the animal control officer and may be disposed of in accordance with section 4-69.
- (c) *Sanitary and humane conditions.* The failure to keep animals under sanitary and humane conditions and in such a manner as to affect the health, welfare and safety of the surrounding area and/or the residents, shall be deemed to be a nuisance under this section. For purposes of this section, health and welfare means the creation of any health risk or hazard, including disease, infirmity, and/or in such a manner that the keeping of the animals attracts rodents, vermin or other predators.
- ~~(e)~~(d) *Complaint procedure.* Complaints made under the provisions of this section shall be made to the police department or animal control officer, who will investigate the complaint. If the animal control officer finds the animal is a ~~habitual~~ habitual nuisance by reason of trespassing, habitual howling, barking or other noise, or damage to property, or in any other manner causing undue annoyance, he/she shall serve written notice upon the owner or custodian that such nuisance shall be abated ~~within three days.~~ If such nuisance is not abated ~~within three days,~~ the owner shall be found in violation of this chapter and subject to penalties provided in section 4-4. This violation will be deemed to be a second or subsequent offense and penalties levied accordingly. Subsequent offenses may result in the impoundment of the animal and disposal in accordance with section 4-69.

Sec. 4-71. - Impoundment fees

- (a) Fees for impoundment of any animal impounded under this chapter shall be as follows:

First day animal is impounded: ~~\$10.00~~ \$20.00
Each additional day animal is sheltered: ~~\$5.00~~ \$10.00

Fees cannot be waived, but can be adjusted with the approval of the police chief or designee.
- (b) Any animal impounded under this article may be reclaimed as provided in this article upon payment by the owner to the animal control officer of all applicable fines and fees. Fees may include any direct expenses associated with the apprehension, boarding and care given to the animal by the Town.

Chapter 11 - COURTS

Sec. 11-5. - Penalties.

- (a) The court in addition to its equity power shall have the right to impose a fine not in excess of \$500.00, and any fees or direct expenses that are unpaid.

These amendments shall take effect upon passage.

The full text of the proposed amendments are available in the Town Clerk's office and are posted on the Town's website: www.burrillville.org. The proposals shown thereon may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing.

Meeting details will be posted in advance of the meeting on the Town of Burrillville's official website: www.burrillville.org. Anyone interested in participating in the meeting may also call the Town Clerk's Department at 401-568-4300 to receive meeting details.

by order of the Town Council
Vicki T. Martin, Town Clerk