





## **Sec. 91A-43. Permit for Four or More Dogs or Cats.**

- (A) It shall be unlawful for any person to own, to keep custody of or to take care of four (4) or more dogs or cats or any combination of four (4) dogs and cats or more, four (4) months or older, unless a permit is issued by the Animal Control Division.
- (B) If a person has four (4) or more dogs or cats on the premises, then the Public Works Director or his designee must make the following five (5) findings in order to issue a special permit:
- (1) Noise from the dogs or cats will not interfere with an abutting occupant's use and peaceful enjoyment of the property.
  - (2) Any odor or unsanitary conditions caused by the dogs or cats will not interfere with an abutting occupant's use and peaceful enjoyment of the property.
  - (3) Four (4) or more dog runs or other dog-related structures or any combination thereof shall not be permitted if the structures can be seen from an abutting occupant's property in a residentially zoned district.
  - (4) There is no evidence that the dogs or cats pose any health problem or disease exposure for abutting occupants.
  - (5) The dogs or cats do not interfere in some other similar manner with the peaceful use and enjoyment of abutting property.

If the Public Works Director or his designee denies a person a special permit, then the Public Works Director or his designee must state the reasons for the denial in writing. If the Public Works Director or his designee has any recommendations or conditions that would enable the person to be in compliance with the standard(s), then the Public Works Director or his designee must state those recommendations or conditions in writing. The Public Works Director or his designee is authorized to issue a special permit with specific conditions attached to the permit.

- (C) 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. The Public Works Director or his designee shall have the authority to revoke the permit at any time if there is a violation of the standards stated in subsection (B), for a violation of any term or condition of the permit if there has been any misrepresentation, or for any other similar reason. The Public Works Director or his designee shall state in writing the basis of the revocation.