

Chapter 65

ANIMALS

§ 65-1.	Running at large prohibited.	§ 65-3.	Responsibilities of owner.
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		§ 65-5.	Records.

[HISTORY: Adopted by the Mayor and Council of the Town of Manchester 7-11-1972 (Ch. 42 of the 1979 Code). Amendments noted where applicable.]

GENERAL REFERENCES

County legislation — See Ch. 7.

Parks and recreation areas — See Ch. 130.

§ 65-1. Running at large prohibited.

No person shall allow any horse, mule, cow, calf, horned cattle, sheep, swine, poultry, cats or other domestic animals or pets to run at large in the Town.

§ 65-1.1 Restrictions on keeping and/or breeding of animals.

The following restrictions on the animals shall apply within the limits of the Town of Manchester:

- A. The keeping of greater than five dogs and/or cats on a residential property is prohibited
- B. The breeding of
 - (1) Farms animals such as fowl or poultry, hog or swine, horse, mule, cow, calf, horned cattle, sheep and rabbits is prohibited.
 - (2) Exotic animals is prohibited.
 - (3) Dogs, cats or companion animals in a residential zone is permitted, but must be in compliance with local, county, state and federal law.
- C. The keeping of exotic animals is prohibited except for the following;
 - (1) Fish kept in aquaria or small mammals such as hamsters or gerbils kept in cages
 - (2) A lawful and accredited wildlife sanctuary or nature preserve which complies with this chapter and all other local, state and federal laws
 - (3) A lawful and accredited scientific, medical or educational research facility which complies with this chapter and all other local, state and federal laws.

- D. Fowl, hog, or swine, horse, mule, cow, calf, horned cattle, sheep, or similar farm types of farm animals are prohibited.
- E. Poultry shall be allowed under the following conditions:
 - (1) The keeping of up to four chickens, but roosters are prohibited.
 - (2) The principal permitted use is a detached single-family dwelling on a lot of at least one half acre or more in size.
 - (3) A chicken coop and chicken run are required. A chicken coop is defined as a small enclosed area or structure in which the chickens are kept. The coop shall be enclosed on all sides and roofed, A chicken run is defined as an outdoor enclosed (top and all sides) area attached to a chicken coop in which the chicken is allowed to range freely. Chickens must be confined within coops and runs. Coops and runs shall be considered as accessory buildings or structures in conformity with all other requirements of the code and the following:
 - (a) The minimum setback for a coop or run shall be 25 feet from any lot line,
 - (b) The coops must be kept in a clean, dry and sanitary condition at all times.
 - (c) The outdoor enclosure shall be cleaned on a regular basis to prevent the accumulation of animal waste,
 - (d) Coops must be in the rear yard of the property.
 - (4) Prior to obtaining a zoning certificate, a copy of the registration for the backyard chicken with the Maryland Department of Agriculture shall be submitted to the Town.
 - (5) Compliance with all other county and state regulations shall be required at all times
- F. Exceptions. The requirements of this Section shall not apply to:
 - (1) Licensed humane societies.
 - (2) Animal control officers.
 - (3) Licensed veterinary hospitals or clinics.
 - (4) Licensed uses involving animal breeding, shelter, care, services or sales in business zoning districts where such use is permitted by this chapter.

§ 65-2. Control of dogs by leash or chain.

No owner of a dog, whether licensed or unlicensed, shall permit such dog to run at large off the premises of the owner except when it is under the control of the owner or the authorized agent of the owner by leash, cord or chain.

§ 65-3. Responsibilities of owner. [Added 9-10-2002 by Ord. No. 146]

The owner of an animal within the Town, whether licensed or unlicensed, shall immediately retrieve and remove any excrement or waste matter produced by that animal from any public property, the owner's own property, or private property not owned by the owner of the animal. The owner of the animal shall repair any damage done by the animal, such as digging holes, damaging or destroying landscaping, on any public or private property not owned by the pet owner.

§ 65-4. Violations and penalties. [Amended 4-2-1979 by Ord. No. 11; 9-10-2002 by Ord. No. 146]

Violation of this chapter is declared to be an infraction. The penalty for violation shall be up to \$500 for each initial offense and \$1000 for each repeat offense. Each day that a violation persists shall be a separate violation.

§ 65-5. Records. [Amended 9-10-2002 by Ord. No. 146]

Except for any necessary accounting records, no criminal record shall be kept by the Town of Manchester of any violations of this chapter. The pretrial pleas of guilty and payment of penalty by any person shall not be used as evidence of guilt or admission of liability in any civil case.

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1. Editor's Note: Original Section 4, regarding impoundment and penalties, which immediately followed this section, was deleted 4-2-1979 by Ord. No. 11.