

**City of Providence**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

---

**CHAPTER 2012-41**

**No. 353**

**AN ORDINANCE AMENDING OF CHAPTER 4 AND  
CHAPTER 18 OF THE CODE OF ORDINANCES, ENTITLED:  
“ANIMALS AND FOWL” AND “PARKS AND RECREATION”  
RESPECTIVELY**

EFFECTIVE ~~APPROVED~~ July 2, 2012

***Be it ordained by the City of Providence:***

**SECTION 1.** The Code of Ordinances of the City of Providence is amended as follows:

Article I. In General.

Sec. 4-1. Establishment of public pound.

The Dexter Asylum grounds, as enclosed by the existing wall around the same, are hereby designated as the public pound of the city.

Sec. 4-2. Running at large.

(a) No horse, sheep, swine, goats or cattle shall go at large, loose or unfastened in any public street or highway within the limits of the city, or on any land therein thrown open as a way for public travel and used by the public for travel although such way be not legally a public street or highway, or go at large elsewhere in the city.

(b) All swine found running at large within the limits of the city are hereby declared forfeited, and any person may seize, or cause to be seized, any swine found so running at large and convert the same to his own use, or deliver the same to the keeper of the Dexter Asylum for the use of the poor persons in that institution.

Sec. 4-3. Keeping swine.

No swine shall be kept within the limits of the city.

Sec. 4-4. Keeping fowl.

[repealed]

Sec. 4-5. Bins for manure and refuse, removal of manure and refuse.

(a) Every person owning, leasing or occupying any stall, stable, shed, barn or apartment, wherein any horse or any cattle shall be kept, shall maintain a covered bin, vault or cellar, satisfactory to the superintendent of health, in which shall be placed all manure or refuse from such horse or cattle.

(b) No person shall, between the hours of 8:00 a.m. and 7:00 p.m. remove or suffer to be removed any such manure or refuse from said premises, except with the permission of the superintendent of health previously obtained in writing.

Sec. 4-6. Burying dead animals.

No person shall bury or cause to be buried the body of any horse, ass, mule, ox, cow, bull, hog or other large animal, within the limits of the city, unless in such manner that every part and portion of such body shall be at least three (3) feet below the natural surface of the ground where the same is buried, and in conformity with the requirements of the superintendent of health. Page 2

Sec. 4-7. Transporting dead animals.

No person shall remove, carry or transport over, upon or through any street or highway of the city the dead body of any horse, ass, mule, ox, cow, bull, hog or any other animal, not slaughtered and in condition for use as food unless specially authorized so to do by the superintendent of health.

Sec. 4-8. Contract for removal of dead animals.

The superintendent of health is hereby authorized and empowered, in his discretion, in the name and behalf of the city, from time to time, to contract for the faithful performance of the work of removing from the city, and through the streets thereof, any dead animal bodies, with such party as he shall authorize to make such removals, and upon such terms and conditions as he shall approve, provided the terms of any such contract shall not exceed five (5) years.

Sec. 4-9. Euthanization by lethal injection only.

Within the city any animal subject to destruction under the laws of the state or the ordinances of the city shall be euthanized by lethal injection only. No animal may be destroyed by use of a gas chamber. This enactment shall supersede the provisions of section 4-41 or any other relevant section of the Code of Ordinances.

Sec. 4-10. Disposition or destruction of animals.

Any animal relinquished to any animal shelter or pound by an individual claiming to be the animal's owner shall be held for not fewer than seventy-two (72) hours, excluding Saturday, Sunday and Holidays. A new or previous owner of said animal shall pay the reasonable and customary fees associated with the adoption process. The provisions of this section relating to the seventy-two-hour holding period shall not apply to any animal which, being impounded hereunder, is in need of immediate medical attention and which same animal has been examined by a licensed veterinarian or shelter staff who shall confirm in writing that the animal should be destroyed for humanitarian reasons.

Sec. 4-11. Minimum care of animals.

(a) An owner or guardian of any animal must provide proper nourishment and access to adequate water at a drinkable temperature, quality and quantity as required by the species, breed, size and age of said animal, which will allow and foster normal growth and maintenance of body weight.

(b) An owner or guardian of any animal must maintain a sanitary environment, which is dry and free of accumulated feces, and free of debris and garbage that may clutter the environment so as not to inhibit comfortable rest, normal posture and range of movement or pose a danger to or entangle an animal, this as set by the industry standard for the environmental health scale as set forth in the most recently adopted version of the Tufts Animal Care and Conditions Scale (TACC).

(c) An owner or guardian of any animal must maintain said animal's health with minimum veterinary care, and a healthy physical condition as set by the industry standard for the body condition scale, TACC.

Secs. 4-12--4-18. Reserved.

Article II. Dogs.

Sec. 4-19. Licensure and proof of vaccinations.

Every dog shall be licensed. At the time of application for a license, the owner or keeper of any dog shall produce evidence that the animal has received vaccination against rabies and distemper-hepatitis-parvovirus-parainfluenza.

Sec. 4-20. Regulations for dogs in city parks and conservation areas; penalty for violations.

- (a) Every owner or keeper of a dog using the municipal parks and conservation areas designated by the Board of Parks Commissioners for such purposes shall obtain a permit for such use. The permit shall be acquired annually through the Animal Control division at the time of licensing or at any time in advance of use of a designated park or conservation area. Every owner or keeper of a dog must show evidence of licensure in the owner's place of residence. Applications for licenses and permits shall be available at the Animal Control office and via the city website.
- (b) No more than three dogs may be walked at one time by a single walker.
- (c) Leashes may not exceed six (6) feet in length.
- (d) The penalty for a first offense of the permit requirement is \$100.00, as well as loss of the permit if the dog is not leashed or if the owner or keeper fails to remove excrement. Second and subsequent offenses will be fined \$250.00.

Sec. 4-21. Prohibition on access to school property, athletic fields, playgrounds, or recreational areas.

- (a) No dogs are permitted in school yards or on school property, whether at large or under restraint.
- (b) No dogs are permitted on any athletic fields or baseball diamonds, whether at large or under restraint.
- (c) No dogs are permitted on any playgrounds or recreational areas, whether at large or under restraint.

(d) These prohibitions shall not apply to guide dogs or dogs trained to provide assistive services.

(e) The penalty for a first violation of this section is \$100.00. Second and subsequent offenses will be fined \$250.00.

Sec. 4-22 through 4-24 Reserved.

Sec. 4-25. - Molesting, injuring, interfering with dogs of police department.

It shall be unlawful for any person to willfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable, or kill any dog used by the police department of the city in the performance of the functions or duties of such department, or to interfere with or meddle with any such dog while being used by said department or any officer or member thereof in the performance of any of the functions or duties of said department or of such officer or member.

Sec. 4-26. - Fees for special constable destroying, listing dogs.

The special constable appointed annually by the commissioner of public safety to kill or destroy or cause to be killed or destroyed, all dogs going at large and not licensed or collared according to law shall receive therefor from the city treasurer a fee of six hundred seventy-five dollars (\$675.00) each month, to be charged to the police department appropriation. The special constables appointed annually by the commissioner of public safety to ascertain and make a list of the owners or keepers of dogs and return such lists to the said commissioner of public safety on or before the last day of May shall receive no fees for making such lists and returns.

Sec. 4-27. - Canine waste and its removal.


(a) Duties to dispose. It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any sidewalk, street or other public area. It shall further be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any private property neither owned nor occupied by said person.



- (b) Duty to possess means of removal. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, street, park or other public area without the means of removal of any feces left by such dog. Further more, no person who owns, possesses or controls such dog shall appear on any private property neither owned nor occupied by said person without the means of removal of any feces left by said dog.
- (c) Method of removal and disposal. For the purpose of this regulation, the means of removal shall be any tool, implement or other device carried for the purpose of picking up and containing such feces, unexposed to said person or the public. Disposal shall be accomplished by transporting such feces to a place suitable and regularly reserved for the disposal of human feces, to a place specifically reserved for the disposal of canine feces, or to a place so designated as appropriate by the department of public works.
- (d) Fines for violation. Violation of this regulation shall be punishable by a fine not exceeding fifty dollars (\$50.00) for the first offense, not exceeding seventy-five dollars (\$75.00) for the second offense within a year, not exceeding one hundred dollars (\$100.00) for the third and any subsequent offenses within a year to be recovered by action of debt or by complaint or warrant, to use as such city council may prescribe.
- (e) Exemption. This regulation shall not apply to a licensed dog accompanying any handicapped person who, by reason of his/her handicap, is physically unable to comply with the requirement of this section.
- (f) Severability. The provisions of this section are severable and if any of the provisions of this section shall be held unconstitutional or in conflict with any other section of the City Charter or ordinances of the City of Providence or state law, then such section shall be void without affecting or impairing any of the remaining provisions.

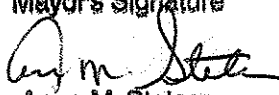
**SECTION 2.** The Section 18-8 of the Code of Ordinances of the City of Providence, entitled "Domestic animals in parks," is amended as follows:

No person, being the owner or having the charge or custody of any cat, fowl, goat, swine or neat cattle, shall allow such cat, fowl, goat, swine or neat cattle to enter any public park or to remain therein. Dog owners who have obtained a permit pursuant to Sec. 4-20 may walk their dogs in city parks designated for such purposes by the Board of Parks Commissioners.

**SECTION 3.** These amendments shall take effect upon passage.

IN CITY COUNCIL  
JUN 07 2012  
FIRST READING  
READ AND PASSED  
 CLERK

IN CITY  
COUNCIL  
JUN 21 2012  
FINAL READING  
READ AND PASSED, as Amended  
 PRESIDENT  
 CLERK

Effective without the  
Mayor's Signature  
  
Anna M. Stetson  
City Clerk