**TOWN OF MONSON**

**LARGE DOMESTIC ANIMAL ORDINANCE**

**ENACTED MARCH 1985**

**AMENDED Sept 12, 2019**

**SECTION 1 –Purpose**

 The purpose of the Large Domestic Animal Ordinance (the “Ordinance”) shall be to restrict the housing

 or keeping of Large Domestic Animals within the Village Limits of the Town of Monson (the”Town”).

 and establish setback requirements for Farm Buildings and Fenced Areas.

**SECTION 2 – Definitions**

A. Large Domestic Animals: The term “Large Domestic Animals” shall include horses, hogs, sheep, dairy cows, beef cattle, goats, poultry, and other like animals.

 B. Village Limits: The term “Village Limits” shall be defined to include the following:

 1. Blanchard Road: Proceeding west from the village including Lots 8 & 9, Map 20.

 2. Route 15: (Tenney Hill Road) Proceeding south from the village including Lots 1 & 47,

 Map 20.

 3. North Guilford Road & Willimantic Road: Proceeding south from the village including
 Lot 25 (North Guilford Road) & 24 (Willimantic Road), and Lot 12 ,Map 8.

 4. Water Street: Proceeding east from the village, including Lots 19 & 20, Map 8.

 5. Chapin Avenue: Including Lots 16 & 21, Map 27; also including Lot 26, Map 8.

 6. Forest Avenue: Including Lots 22, Map 8 and Lot 41, Map 21.

 7. Elliotsville Road: Proceeding north from the village including Lots 34 & 42-1, Map 8.

 8. Route 15 (Greenville Road): Proceeding north from the village including Lots 42-1, Map 8

 and Lot 8, Map 27.

 9. Pleasant Street: Proceeding west from the village including Lots 47 & 2, Map 26.

 10. Homer Hill Road: This road is excluded from the Village Limits.

 As long as a lot starts on any street within the Village Limits, the whole lot is included in the

 Village Limits even if the lot borders on another street not within the Village Limits.

 C. Farm Buildings: The term “Farm Buildings” shall mean those buildings, structures, appurtenances,

 and fixtures used for the care and housing of Large Domestic Animals.

 D. Fenced Areas: The term “Fenced Areas” shall mean those feed lots, fenced runs, pens, manure piles

 and other similar facilities or areas for animal raising and care.

**SECTION 3 – Restrictions**

A. No Large Domestic Animals shall be kept, housed, stationed, or otherwise maintained within the

 Village Limits

 B. Except that, within the Village Limits, six (6) hens with a henhouse and fenced in area shall be

 allowed.

 C. Notwithstanding subsection B herein, no roosters and no free range chickens shall be allowed

 in the Village Limits.

**SECTION 4 – Setback Requirements for Farm Buildings & Fenced Areas**

 A. Farm buildings shall not be located within one hundred (100) feet of a neighboring property.

 B. Fenced Areas shall not be located within one hundred (100) feet of a neighboring property.

**SECTION 5 – Non-conforming Uses**

A. Non-conforming uses: Any farm building or fenced area already in existence as of the date of the

 enactment of this Ordinance, shall be “grandfathered” and exempt from the conditions of this

 ordinance, but shall be subject to all applicable laws and regulations enacted by the State of Maine.

 B. Any non-conforming structure damaged by fire, flood, explosion or other casualty may be rebuilt,

 and used as before if such reconstruction is performed within twelve (12) months of such casualty,

 and if the restored structure has no greater coverage and contains no greater cubic content than

 before such casualty.

 C. If any non-conforming use ceases for a period of one (1) year, such non-conforming use shall not

 resumed.

**SECTION 6 -- Enforcement**

 A. It shall be the duty of the Animal Control Officer (the “ACO”) to enforce the provisions of this Ordinance. If the ACO determines, in the ACO’s sole discretion, that any provision of this Ordinance is being violated, the ACO shall notify in writing the person or persons responsible for such violation, indicate the nature of the violation, order the cessation of such violation, and instruct that the violator(s) have 30 days within which to appeal such violation to the Town Board of Appeals.

 B. The Town Board of Selectmen are hereby authorized and directed to institute any and all legal

 actions and proceedings necessary to enforce the provisions of this Ordinance.

 C. Violations of this Ordinance are subject to Title 30-A, Maine Revised Statutes as annotated,

 Section 4452.

 D. The Town’s Board of Appeals may permit on appeal, exceptions to, and variations from, the

 regulations in this Ordinance in accordance with the principals, conditions and procedures set

 forth in the Ordinance.

A true and attested copy on this day September 12, 2019.

By Martha Gagnon, town clerk

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