

- (a) the dogs or cats in the owner's possession are not creating a nuisance;
- (b) there is adequate waste disposal; and
- (c) there is no hazard to public safety, health or welfare.

(3) Any owner of a dog or cat who wishes to own more than three (3) dogs or more than three (3) cats, must obtain a kennel license from the Boswell Town Council. The license shall be provided on an annual basis to the owner of dogs or cats after an inspection and approval by the Boswell Town Marshall and determination that:

- (a) the kennel shall be maintained in a clean and sanitary condition, devoid of rodents, vermin and objectionable odors;
- (b) the interior walls, ceilings, floors, partitions, and appurtenances of all such structures shall be painted annually or more often if the Boswell Town Marshall finds that more frequent painting is necessary;
- (c) the kennel is not a health hazard or a nuisance;
- (d) the kennel complies with all applicable zoning laws; and
- (e) the kennel is not a hazard to the public safety or general welfare. The Boswell Town Marshall upon complaint of any individual shall inspect the kennel and issue any such order as may be necessary in order to carry out the provisions of this Section.

Section 9. Location of Kennels. No kennel shall be maintained closer than one hundred (100) feet to any apartment house, residential condominium, hotel, restaurant, boarding house, retail food store, building used for school, religious or medical purposes, or residence other than that occupied by the owner or occupant of the premises upon which said dogs or cats are kept.

Section 10. Dogs and Cats Creating a Nuisance.

(1) No person shall own, keep, have in his or her possession, or harbor any dog, which, by frequent or habitual howling, yelping or barking, shall cause a nuisance by creating a serious annoyance or disturbance to any individual or to the neighborhood.

(2) No person shall permit any dog or cat to run at large in the Town of Boswell, except on the property of the owner of said