

DOG CONTROL

ORDINANCE NO. 2008-01

DEFINITIONS:

As used in this article, unless the context otherwise indicates, the following words mean:

AT LARGE: Any dog off or away from the premises of the owner, possessor or keeper thereof, and not under the control of such owner, possessor or keeper, or his agent or servant, or a member of his immediate family. A dog shall be deemed to be under the control of such owner or family member if it is on a leash, cord or chain, or it is contained within a vehicle of the owner or immediate family member. Where an animal is not chained, penned or restrained on the keeper's property, the animal's presence off the property is known, intentional or negligent.

DOG: Any male, female or spayed female dog of any age.

IMPOUNDED: Having been received into the custody of the authorized agent or representative of the county.

OWNER: When applied to the proprietorship of a dog, means any person or persons, firm, association or corporation owning, keeping or harboring a dog.

UNLICENSED DOG: A dog for which the license for the current year has not been paid, or to which the tag provided for in this article is not attached.

VICIOUS OR DANGEROUS DOG: Any dog that attacks, bites or physically injures human beings, domestic animals or livestock without adequate provocation, or which, because of temperament or training, has a known propensity to attack, bite or physically injure human beings, domestic animals or livestock. Any wild dog or any dog that, without provocation, has bitten or attacked a human being or other animal shall be prima facie presumed vicious or dangerous.

LICENSE AND REGISTRATION REQUIRED:

A. License Required: It is unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of the county, exclusive of the incorporated areas, unless such dog has been registered and licensed in the manner herein provided.

B. Application: Application for registration and licensing shall be made to the County Clerk or auditor, or such other person as the county commission may authorize to receive such applications.

C. Issuance of License: A dog license shall be issued by the County Clerk or auditor or such other person as the county commission may authorize.

D. Exception: Dogs shall not be subject to registration and licensing until they obtain age of four (4) months.

E. Fee: No dog license shall be issued by the County until the fee required herein is paid. The fee shall be set by the County Commission, which may be charged at any time. Should a dog not be neutered or spayed at the time the dog is required to be license, the fee charged shall be at the un-neutered or unspayed rate. Upon presentation to the licensing agent of proof of neutering or spaying within sixty (60) days of the licensing, such portion of the license fee paid for an un-neutered or unspayed dog shall be returned to the owner, and the county records shall be changed to reflect the dog is licensed as either spayed or neutered.

F. Due and Payable: The fee due and payable pursuant to this section shall be due January 1 and shall be delinquent after February 15 of each year. A penalty of twenty five percent (25%) shall be added to delinquent payments.

G. Newly Acquired Dogs or Dogs Attaining Age: The owner of any newly acquired dog of licensing age or any dog which attains licensing age after February 15 of any year shall make an application for registration and license within ten (10) days after such acquisition or after the dog attains the above-stated age; provided that the license fee shall be one-half (1/2) of the required fee for a new application received after July 1 of any year.

H. Content of Application: The owner shall state at the time application is made for such license, his name and address and the sex, breed and color of each dog owned or kept by him. The license fee shall cover the calendar year in which the license was issued, expiring on December 31 of the year of issuance, regardless of the date when issued.

I. Exception to Fee Requirement: Dogs used as guides for blind persons and commonly known as seeing-eye dogs shall be licensed and registered as other dogs as provided in this section; except that the owner or keeper of such dog shall not be required to pay any fee therefore.

TAG AND COLLAR REQUIRED:

A. Collar and Tag Required: It is unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of the county, exclusive on the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a current metallic license tag attached to said collar.

B. Nontransferable: No dog license shall be transferable to another dog.

C. Duplicate Tags: Duplicate tags may be issued by the County Clerk or auditor, or such other person the County Commission may authorize, upon presentation of the receipt showing payment of the license fee and the cost for such duplicate.

D. Removal of Tag Prohibited: It is unlawful for any person to remove a license tag from a dog not owned, kept, maintained or in the temporary or permanent custody of that person.

RUNNING AT LARGE PROHIBITED:

A. Running at Large: It shall be unlawful for the owner or keeper of any dog to permit such dog to run at large.

B. Entrance upon Private Property without Permission: It shall be unlawful for an owner of a dog to permit such dog to go upon or be upon the private property of any person without the permission of the owner or person entitled to the possession of such private property.

C. Owner Violation Regardless of Precautions: The owner of any dog running at large shall be deemed in violation of this section regardless of the precautions taken to prevent the escape of the dog and to prohibit it from running at large.

D. Violation, Impound: Any dog running at large in violation of the provisions of this section is hereby declared to be a nuisance and a menace to the public health and safety, and the dog shall be taken up and impounded as provided herein.

FEMALE IN HEAT:

The owner of a female dog in heat shall cause such dog to be penned or enclosed in such a manner as to preclude other dogs from attacking such female dog or being attracted to such female dog so as to create a public nuisance.

STRAYS:

It shall be unlawful for any person to harbor or keep within the limits of the county, exclusive of the incorporated areas, any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the County Sheriff's office, which shall notify the person/entity with whom the County has contracted to impound the dog for a license tag, or other form of identification. The County Sheriff's office or the pound master shall notify the person to whom such license was issued at the address given in the license, or otherwise identified.

RABIES VACCINATION:

Rabies vaccination is required for dogs and cats. Every owner of any dog or cat over the age of four (4) months within the limits of the county, exclusive of the incorporated areas, shall have the dog or cat vaccinated against rabies by a duly licensed veterinarian, shall secure from the veterinarian a certificate thereof, and shall attach to the collar or harness, which such person is required to place upon the animal, a tag showing that such vaccination has been done; provided that the County Commission may by resolution, provide that the owners of any dog or cat may themselves purchase serum and vaccinate their own dogs or cats. The resolution shall also prescribe the conditions with which the owner must comply to obtain the tag herein after required.

DOGS AND CATS REQUIRED TO HAVE RABIES SHOT:

It shall be unlawful for the owner of any dog or cat to suffer, allow or permit such animal to be or go upon any sidewalk, street, alley or public place within the limits of the county, exclusive of the incorporated areas, without first having had such animal vaccinated against rabies. Every dog shall be vaccinated every two (2) years against rabies and every cat shall be vaccinated every twelve (12) months with a modified rabies virus vaccine. It shall also be unlawful for any such animal to be without a license tag thereon showing that such animal has been vaccinated.

DOGS WHICH DISTURB NEIGHBORHOOD:

No person, persons, firm or corporation shall own, keep or harbor any dog which, by loud, continuous or frequent barking, howling and yelping, or by noxious or offensive odors, shall annoy, disturb or endanger the health and welfare of any person or neighborhood. Each day a violation is permitted to exist or continue shall constitute a separate offense. This section shall not apply to veterinary hospitals or medical laboratories.

VICIOUS DOGS, SPECIAL PROVISIONS:

A. Prohibited: It is unlawful for any person to own or possess a vicious dog. Whenever a prosecution for this offense is commenced under this section, the dog so involved may not be redeemed, pursuant to the provisions of this section, while awaiting final decision of the court as to the disposition to be made of such dog.

B. Disposition of Dog: Upon the trial of any offense under this article, the court may, upon conviction and in addition to the usual judgment of conviction, order the authorized personnel of the county to put the dog to death or may order such other disposition of the dog as will protect the inhabitants of the county.

DEFECATING OF ANIMAL PROHIBITED:

The owner or person charged with responsibility for an animal shall prevent or control the animal from defecating on any public sidewalk, park or other area, or on any public or private property without consent of the property owner, unless the owner or custodian of the animal removes and properly disposes of all animal waste that may result.

PENALTY:

Any person violating any of the provisions of this article shall be deemed guilty of a Class B misdemeanor and, upon conviction, subject to penalty as provided in Section _____ of this code.

DOG LICENSE FEES:

Cost of license: \$20

Note: Licenses expires on December 31 of each year. If the license is renewed before December 31 each year, the fee will be waived.

IMPOUNDS:

You will be responsible for all fees if your dog is impounded.

Impound:	\$30.00
Hourly rate:	\$18.00 per hour for the time spent by Animal Control in handling your animal. This includes transportation time to and from the incident.
Mileage:	48.5 cents per mile one way.
Daily fee:	\$10.00 per day for feed and care while impounded.
Euthanization:	\$30.00 Dogs will be held three days before being euthanized.

VACCINATION:

State Law requires all dogs to be vaccinated for rabies.

Note: If your dog does not have a current rabies vaccination, there will be a \$50 deposit required when your dog released. This money is refundable upon proof of the vaccination.

QUARANTINE:

If your dog bites someone and does not have a current rabies vaccination, the dog will be impounded and quarantined at a cost of \$15 per day for 10 days. All medical bills will be your responsibility and must be paid prior to release. The dog will also need to be vaccinated at your expense prior to release.