

## ORDINANCE NO. 211

AN ORDINANCE PROVIDING FOR THE LICENSING AND CONTROL OF DOGS, FOR THE VACCINATION OF DOGS, FOR THE APPOINTMENT OF A POUND MASTER AND DOG CONTROL OFFICERS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUGAR CITY:

Section 1. DEFINITION OF TERMS. For the purpose of this Ordinance, certain terms and words are herewith defined as follows:

DOG: Any animal of the canine species, regardless of sex.

OWNER: Every person in possession of or harboring any dog, or who shall suffer any such dog to remain about his premises for the period of ten days.

DOG, STRAY: Any dog found anywhere within the town limits which is not wearing a dog tag.

DOG, AT LARGE: Any dog not leashed and accompanied by and under the control of its owner or some other person.

VACCINATION: Inoculation of a dog with standard rabies vaccine.

YEAR: The twelve months' period commencing March 1 and ending on the last day of February next following.

Section 2. LICENSE AND REGISTRATION REQUIRED. No dog over the age of six months shall be kept, harbored or maintained within the Town of Sugar City unless the owner in charge of such dog shall make application to the Town Clerk for a license. Applications for licenses filed with the Town Clerk shall be accompanied by a fee of \$2.00 for each male or spayed female dog, and a fee of \$5.00 for each unsplayed female dog. All license fees from September 1 to March 31 of each year shall be one half of the fee above enumerated, for any dog which was not required to be licensed prior to Sept. first. All licenses shall expire on March 31st each year.

Section 3. TAG AND COLLAR. Upon payment of the license fee the Clerk shall issue to the Owner a receipt for the payment and a metallic tag for each dog so licensed. Each Owner shall be required to provide each dog owned by him with a durable collar to which the tag must be affixed and shall see that the collar and tag are constantly worn by the dog. In case a dog license tag is lost or destroyed, a duplicate may be issued by the Town Clerk upon the presentation of the receipt showing the payment of the license fee for the current year and upon payment of a fee of fifty cents for such duplicate. Dog tags shall not be transferable and no refunds shall be made because of the death of the dog, or for any other reason.

Section 4. ANNUAL VACCINATION. From and after the effective date of this ordinance it shall be the duty of every Owner who keeps a dog or dogs in the Town of Sugar City, to have such dog or dogs inoculated by a licensed veterinarian and to obtain a certificate stating the facts of such vaccination. Such vaccination shall be performed during the month of March of each year; provided, however, Owners who acquire dogs between April 1 and the last day of February of any year, shall immediately following such acquisition have such dog vaccinated and licensed for the remaining portion of that year. Vaccinations shall be valid for each year in which the same is had, and for the month of March of the following year.

*Dawn Schenk - 267-4848*

Section 5. (a) POUND MASTER. The Board of Trustees shall provide a place, either within or without the Town where dogs may be taken up under the provisions of this ordinance, may be confined and kept and shall appoint some person as Pound Master, to have general charge of such animals.

(b) DOG CONTROL OFFICERS. The Board of Trustees may appoint one or more Dog Control Officers whose duty it shall be to enforce the provisions of this ordinance. Persons so appointed shall serve at the pleasure of the Board of Trustees and shall be compensated for their services in such manner and amount as the Board of Trustees may from time to time determine.

Section 6. (a) IMPOUNDING. It shall be the duty of the Marshal, and any Dog Control Officer appointed by the Board of Trustees, to apprehend, take into custody and impound, either with or without complaint, any stray dog, and any dog found running at large contrary to the provisions of this ordinance; and to confine and keep such dog in the Pound or other suitable place. He shall make a complete registry of the breed, color, sex, whether licensed, and if licensed, the license number. It shall be lawful for the Marshal or any Dog Control Officer to go upon private property for the purpose of catching any dog to be impounded.

(b) FILING OF COMPLAINT. If a dog is impounded it shall be the duty of the Marshal or Dog Control Officer impounding such dog to immediately

institute proceedings in the Municipal Court on behalf of the Town against the owner, possessor or keeper of such dog, if known, charging the owner, possessor or keeper with a violation of the appropriate section of this ordinance. Nothing herein contained shall be construed as preventing the Marshal, Dog Control Officer, or any citizen from instituting a proceeding in the Municipal Court in the Town for a violation of this Ordinance where there is no impoundment.

Section 7. NOTICE TO OWNER AND REDEMPTION. Within 24 hours after the impounding of any dog the Owner shall be notified, or if the Owner is unknown, a written notice shall be posted for 3 days at the Town Hall in Sugar City, describing the dog and the time of taking. The Owner of any dog so impounded may reclaim such dog upon payment of the license fee, if unpaid, and all of the costs and charges incurred by the Town of Sugar City for impounding and maintenance of said dog.

Section 8. DISPOSITION OF UNCLAIMED DOGS. It shall be the duty of the Pound Master to keep all dogs so impounded for a period of four days, if not sooner redeemed. If at the expiration of four days from the date of notice to the Owner or the posting of such notice such dog shall not have been redeemed, it shall be destroyed.

Section 9. CONFINEMENT OF CERTAIN DOGS. No dog shall be allowed to run at large upon the premises of one other than the Owner. If any such dog is found running at large in violation of this section, it shall be taken up and impounded; provided, however, that if any dangerous, fierce or vicious dog so found at large cannot be taken up and impounded, such dog may be slain by the Marshal or Dog Control Officer.

Section 10. No Owner shall permit his dog to bark, howl or whine continuously for a period in excess of fifteen minutes within the Town of Sugar City.

Section 11. PENALTIES. Any person found violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than \$10.00 nor more than \$300.00, for each offense.

Section 12. REPEAL. All ordinances of the Town of Sugar City which are in conflict herewith are hereby repealed.

Section 13. SEPARABILITY OF PROVISIONS. It is the intention of the Board of Trustees that each separate provision of this Ordinance shall be deemed independent of all other provisions hereof, and it is the further intention of

the Board of Trustees that if any provision of this Ordinance be declared invalid, all other provisions shall remain valid and enforceable.

Section 14. EMERGENCY CLAUSE AND EFFECTIVE DATES. The Board of Trustees finds that barking dogs, dogs running at large, and dogs which have not been vaccinated, disturb the safety, health and welfare of the citizens of the Town of Sugar City, and that therefore an emergency exists and this ordinance shall be in full force and effect five days after its adoption, approval and publication.

, INTRODUCED, READ IN FULL, ADOPTED, APPROVED AND ORDERED PUBLISHED THIS  
7th DAY OF MARCH, 1983.

Attest: Harriet Johnson  
Town Clerk

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Harold Manweiler  
Mayor