

TAYLOR COUNTY, KENTUCKY

840.1

ORDINANCE NO. 840.1, SERIES 1990

PROVIDING FOR THE CONTROL OF DOGS WITHIN THE COUNTY FOR THE PROTECTION OF THE PUBLIC AND FOR THE DOGS THEREIN AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS SET FORTH.

BE IT ORDAINED BY THE FISCAL COURT OF TAYLOR COUNTY, KENTUCKY.

SECTION I. Unless the context otherwise requires, as used in this ordinance, the following terms means:

- (a) Owner--Any person, partnership or corporation, owning, keeping or harboring dogs;
- (b) Dog--Any animal of the dog family (canidae);
- (c) Animal Shelter--Any premises designated by the City Council for the purpose of impounding and caring for dogs held under the authority of this Ordinance;
- (d) Humane Society--The Taylor County SPCA or its successor;
- (e) Animal Control Officer or County Dog Warden--Any person designated by the Fiscal Court;
- (f) Restraint--An animal(s) shall be deemed to be under restraint if on the premises of its owner or if accompanied by a responsible person and under that person's control;
- (g) Person-- An individual, partnership or corporation;
- (h) Fierce, Vicious or Dangerous--A dog which, without provocation, bites or attempts to bite any person;
- (i) Abandon--Ceasing to maintain a dog with the intent of never again claiming a right or interest therein, or left in excess of 24 hours without care.

SECTION II.

After July 1, 1990 no person shall, without first obtaining a license therefore in writing from the County Judge, own, keep, harbor or have custody of any dog over four months of age.

No license shall be issued for any dog which does not then have a current rabies vaccination and the Judge/Exec may require such verification as the Judge deems necessary to establish that fact.

The license fee for each dog, four (4) months of age shall be \$3.00 for county fee, and \$1.50 for state fee, total \$4.50.

Commercial Kennel 10 dogs or more for sell trade, etc. \$30/year.

The County Judge shall provide an application form for each person seeking a dog license, which application form shall contain, but shall not be limited to, such information as the owner's name and the name, breed, color and sex of each dog owned or kept by him. The provisions of this Section shall not be intended to apply to dogs whose owners are non-residents temporarily within the City, nor to "seeing-eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from

place to place. Upon proper completion of the application form and upon payment of the fees herein established, the County Judge shall issue to the owner a license certificate and a metallic or durable plastic tag for each dog so licensed. The shape of the tag or its color shall be changed each year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the license certificate. Every owner shall be required to provide each dog with a collar or harness to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate will be issued by the County Judge upon presentation of a receipt showing the payment of the license fee for the current year and upon the payment of a \$1.50 fee for such duplicate. Dog tags shall not be transferrable from one dog to another and no refunds shall be made on any dog license fee because of the loss or death of the dog or the owner leaving the County before the expiration of the license period.

The licenses herein provided for shall extend for July 1 of each year through the last day of June of the succeeding year and shall be renewed each year the dog is subject to the provisions of this ordinance.

SECTION III.

All fierce, vicious or dangerous dogs and all female dogs in heat, whether licensed or not, shall be kept under restraint at all times, either by a leash or by being kept in an enclosure. All such dogs found unrestrained shall be impounded. Provided, however, that if any fierce, vicious or dangerous dog so found cannot be safely taken up, then such dog may be slain by an Animal Control Officer or local Law Enforcement Officer.

SECTION IV.

It shall be unlawful for any owner to fail to exercise proper care and control of his dog or dogs in order to prevent them from becoming a public nuisance. Acts of excessive, continuous or untimely barking, molesting or offering to molest passers-by, chasing vehicles, damage to and destruction of private property, and habitually attacking other domestic animals, shall each be deemed to cause a dog to become a public nuisance within the meaning of this Ordinance.

SECTION V.

Unrestrained fierce, vicious or dangerous dogs, unrestrained female dogs in heat, unlicensed dogs or dogs constituting a public nuisance shall be taken up by police, the Animal Control Officer, the humane society or its employees, or such other persons as may be designated by the Fiscal Court and impounded in the animal shelter and there be confined in a humane manner. If by a license tag or other means, the owner can be identified, he or she shall be notified by mail or by telephone as soon as practicable after impoundment. Dogs not claimed by their owners within seven days after impoundment shall be eligible for adoption through the humane society or another agency or person designated by the City Council to exercise that authority. Sick, diseased or injured dogs or other dogs not suitable for adoption or which are not adopted shall be humanely destroyed by the humane society in

accordance with its regulations. No animals shall be sold or given from Taylor County Animal Shelter for use in research.

An owner reclaiming an impounded licensed dog shall pay a fee of \$4.00 for each day or portion thereof that the dog was impounded and the owner may also be proceeded against for violation of this Ordinance. An owner reclaiming an impounded unlicensed dog must provide satisfactory proof of ownership and then obtain a dog license, in addition to the other payments herein required. The animal shelter is not obligated to release any animal in its custody.

SECTION VII.

The humane society, or such other organization as may be designated by the Fiscal Court shall develop, promulgate and implement written rules and regulations for the animal shelter and such rules and regulations shall provide for, but may not be limited to, a system for the receipt of dogs to be impounded, the care and control of such dogs, the notification of owners, the adoption of suitable dogs, the charges incurred and a system for humane destruction and disposal of unclaimed dogs or those unsuitable for adoption. Such rules and regulations shall be presented to the Fiscal Court for approval prior to their adoption and any changes therein must receive the prior approval of the City Council.

SECTION VIII.

It shall be unlawful to abandon any dog or dogs in the County of Taylor. Each dog abandoned in violation hereof shall constitute a separate offense. Any person, firm or corporation violating this Section of this Ordinance shall be fined not less than \$50.00 nor more than \$100.00 per dog and shall in addition thereto be assessed the reasonable cost of picking up, impounding and disposing of each dog so abandoned.

SECTION IX

Any person, firm or corporation violating any provision of this Ordinance other than Section VIII, shall be fined not less than \$25.00 and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION X.

All Ordinances or parts of Ordinances in conflict herewith are expressly repealed, but only to the extent of such conflict.

SECTION XI.

If any Section, sub-section, sentence, clause or phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION XII.

This Ordinance shall become effective upon its second reading and publication, but the licensing of dogs hereunder shall not be required before July 1, 1990.

COUNTY OF TAYLOR, KENTUCKY

BY Fred L. Waddle
Judge Executive

ATTEST:

Randall I Phillips

FIRST READING: 6-5-90

SECOND READING & PASSAGE: 6-28-90

TAYLOR COUNTY FISCAL COURT

ORDINANCE NO. 840.1A

(Restatement of Ordinance 840.1, Series 1990, Amending its Original language)

PROVIDING FOR THE CONTROL OF DOGS WITHIN THE COUNTY FOR THE PROTECTION OF THE PUBLIC AND FOR THE DOGS THEREIN AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS SET FORTH

Whereas the Taylor County Fiscal Court previously adopted Ordinance 840.1 in June, 1990, and

Whereas the Taylor County Fiscal Court has determined it proper to make revisions thereof, and therefore has desires to restate said Ordinance to reflect the provisions thereof,

Therefore, said Ordinance is amended, restated, and shall now be deemed to provide as follows:

BE IT ORDAINED BY THE FISCAL COURT OF TAYLOR COUNTY, KENTUCKY,

SECTION I Unless the context otherwise requires, as used in this ordinance, the following terms mean:

- (a) Owner - Any person, partnership or corporation, owning, keeping or harboring dogs;
- (b) Dog- Any animal of the dog family (canine);
- (c) Animal Shelter- Any premises designated by the Fiscal Court for the purpose of impounding and caring for dogs held under the authority of this Ordinance;
- (d) Humane Society - The Taylor County SPCA or its successor;
- (e) Animal Control Officer or County Dog Warden- Any person designated by the Fiscal Court;
- (f) Restraint - An animal shall be deemed to be under restraint if on the premises of its owner or if accompanied by a responsible person and under that persons's control;
- (g) Person - An individual, partnership or corporation;
- (h) Fierce, Vicious or Dangerous - A dog which, without provocation, bites or attempts to bite any person;
- (I) Abandon - Ceasing to maintain a dog with the intent of never again claiming a right or interest therein, or left in excess of 24 hours without care.
- (j) Commercial Kennel - any person or entity boarding, selling, trading, etc,

ten (10) or more dogs per year.

SECTION II

After July 1, 1990, no person shall, without first obtaining a license therefore in writing from the County Judge, own, keep, harbor or have custody of any dog over four (4) months of age.

No license shall be issued for any dog which does not then have current rabies vaccination and the Judge/Exec may require such verification as the Judge deems necessary to establish that fact.

The licence fee for each dog, four (4) months of age shall be \$3.00 four county fee, and \$1.50 for state fee, total \$4.50. Commercial Kennel \$30.00.

The County Judge shall provide an application form for each person seeking a dog license, which application form shall contain, but shall not be limited to, such information as the owner's name and the name, breed, color and sex of each dog owned or kept by him. The provisions of this Section shall not be intended to apply to dogs whose owners are non-residents temporarily within the County, nor to "seeing-eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place. Upon proper completion of the application form and upon payment of the fees herein established, the county Judge shall issue to the owner a license certificate and a metallic or durable plastic tag for each dog so licensed. The shape of the tag or its color shall be changed each year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the license certificate. Every owner shall be required to provide each dog with a collar or harness to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate will be issued the County Judge upon presentation of a receipt showing the payment of the license fee for the current year and upon the payment of a \$1.50 fee for such duplicate. Dog tags shall not be transferrable from one dog to another and no refunds shall be made on any dog license fee because of the loss or death of the dog or the owner leaving the County before the expiration of the license period.

The Licenses herein provided for shall extend for July 1 of each year through the last day of June of the succeeding year and shall be renewed each year the dog is subject to the provision of this ordinance.

SECTION III

All fierce, vicious or dangerous dogs and all female dogs in heat, whether licensed or not, shall be kept under restraint at all times, either by a leash or by being kept in an enclosure. All such dogs found unrestrained may be impounded. Provided, however, that if any fierce, vicious or dangerous dog so found cannot be safely taken up, then such dog may be slain by an Animal Control Officer or local Law Enforcement Officer.

SECTION IV

It shall be unlawful for any owner to fail to exercise proper care and control of his/her dog or dogs in order prevent them from becoming a public nuisance. Acts of excessive, continuous or untimely barking, molesting or offering to molest passers-by, chasing vehicles, damage to and destruction of private property, and habitually attacking other domestic animals, shall each be deemed to cause a dog to become a public nuisance within the meaning of this Ordinance.

SECTION V

Unrestrained fierce, vicious or dangerous dogs, unrestrained female dogs in heat, unlicensed dogs or dogs constituting a public nuisance may be taken up by police, the Animal Control Officer, or such other persons as may be designated by the Fiscal Court and impounded in the animal shelter and there be confined in a humane manner. If by a license tag or other means, the owner can be identified, he/she shall be notified by mail or by telephone as soon as practicable after impoundment. Dogs not claimed by their owners within seven (7) days after impoundment shall be eligible for adoption through the animal shelter or other agency or person designated by the Fiscal Court to exercise that authority. Sick, diseased or injured dogs or other dogs not suitable for adoption or which are not adopted may be humanely destroyed by the animal shelter in accordance with its guidelines. No animals shall be sold or given from the Animal Shelter for use in research.

An owner reclaiming an impounded licensed dog shall pay a fee of \$4.00 for each day or portion thereof that the dog was impounded and the owner may also be proceeded against for violation of this Ordinance. An owner reclaiming an impounded unlicensed dog must provide satisfactory proof of ownership and then obtain a dog license, in addition to the other payments herein required. The animal shelter is not obligated to release any animal in its custody.

SECTION VI

The Fiscal Court may designate an organization to assist the Court in the operation of the animal shelter and the carrying-out of the provisions of this Ordinance.

SECTION VII

It shall be unlawful to abandon any dog or dogs in the County of Taylor. Each dog abandoned in violation hereof shall constitute a separate offense. Any person, firm or corporation violating this Section of this Ordinance shall be fined not less than \$50.00 nor more than \$100.00 per dog and shall in addition thereto be assessed the reasonable cost of picking up, impounding and disposing of each dog so abandoned.

SECTION VIII

Any person, firm or corporation violating any provision of this Ordinance other than Section VII, shall be fined not less than \$25.00 and a separate offense shall be deemed committed

on each day during or on which a violation occurs or continues.

SECTION IX

All Ordinances or parts of Ordinances in conflict herewith are expressly repealed, but only to the extent of such conflict.

SECTION X

If any Section, sub-section, sentence, clause or phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION XI

This Ordinance shall become effective upon its second reading and publication, but the licensing of dogs hereunder shall not be required before July 1, 1990.

SECTION XII

The provisions set forth herein, including, but not limited to, the requirement to obtain licenses, the rates therefore (if any) and fines, may be amended by the Fiscal Court from time to time in its discretion.

This Ordinance having been read for the first time in open session of the Taylor County Fiscal Court on March 13, 2012; having been read for the second time in open session of the Taylor County Fiscal Court on April 10, 2012, upon motion made, duly seconded and passed and adopted shall become effective upon publication as required by law.

TAYLOR COUNTY FISCAL COURT

BY: Eddie Rogers
Eddie Rogers, County Judge Executive

ATTEST:

Annetta Reynolds
Taylor County FISCAL COURT CLERK