

Chapter 6.04 - DOGS, CATS AND FERRETS--CONTROL--LICENSES—RABIES

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6.04.010 Definitions.

As used in this chapter, unless the context otherwise indicates:

- A. "*At Large*" means off the premises of the owner and not under the control of the owner or other authorized person, either by leash, cord, chain or other means adequate for the purpose;
- B. "*Barking*" (includes barking, howling, yelping, whining) means the sounds made by an animal for any reason which is disturbing or annoying or irritating or done at a time or in a circumstance which disturbs the tranquility and peace of any person outside the perimeter of the owners premises, such as at nighttime, during school or church functions, near hospitals or rest homes and under similar circumstances;
- C. "*Dog*", "*Cat*", "*Ferret*" or "*Animal*" means both male and female, and whether kept for pleasure, utility or commercial purposes.
- D. "*Kept*" or "*Keep*" includes the harboring, maintaining or boarding of an animal.
- E. "*Owner*" means any person owning or keeping an animal.
- F. "*Kennel*" means that property, enclosure, structure or other facility where four or more of cats, dogs or ferrets beyond the age of four months are kept whether or not for commercial purposes. As used in TITLE 6, "kennel" does not include pens or other enclosures which do not fit this description.
- G. "*Pound*" means that facility used for the confinement of animals which have come under the control of the chief law enforcement officer or his designated alternate. A pound may or may not be owned and/or operated by the city.

6.04.020 Control of Dogs, Cats, Ferrets.

It is unlawful for the owner of a dog, cat or ferret to fail or refuse to maintain sufficient control of the animal to prevent it from becoming a nuisance. A dog, cat or ferret shall be deemed a nuisance when it is barking, molesting any person, chasing vehicles, attacking other animals, trespassing upon public or private property, damaging in any way the property of any person or running at large.

6.04.040 Kennels. ¹

The owner of more than three (3) dogs or cats or ferrets, shall be deemed the operator of a kennel. Kennels shall be licensed and inspected annually. For purposes of this ordinance, places of boarding, training or breeding where three (3) or more animals are kept shall meet these requirements:

A. General Provisions;

1. The kennel shall be maintained at all times in a clean and sanitary condition and the animals cared for in a humane manner.
2. Animals shall be restrained from being at large and from barking, howling or any other annoying action.
3. No kennel may be established within 150 feet of any dwelling other than that of the kennel owner or operator.
4. Subject to any exceptions set forth herein, all animals kept in a kennel must be licensed individually.
5. For the purposes of this ordinance, the litter of a female animal may be kept with its mother until the litter reaches the age of five (5) months. Such litter, together with its mother shall be counted as one animal until after the litter reaches five (5) months of age, only the mother of the aforementioned litter must be licensed.

B. Kennel License;

1. Application for a kennel license shall be made to the city of Arco clerk on an application form provided by the clerk. All applicable information shall be included and appropriate fee submitted to the clerk. Fee shall be established by resolution of the City of Arco Council. Kennel licenses are not transferable and shall be renewed annually, being valid for one (1) year from date of issue.
2. Application for kennel license must be approved by the City of Arco planning and zoning commission to assure that all the requirements and conditions of the zoning ordinance are met.
3. The appointed animal control officer shall inspect all prospective kennels prior to issuance or renewal of a license. The animal control officer shall sign the application form in the appropriate place indicating that adequate shelter, sanitation and restraint is provided for the number of animals which may be kept at the facility.

C. Performance Standards:

1. Kennel enclosures and houses shall be readily cleaned and sanitized. Provisions shall be made to maintain a temperature of more than fifty (50) degrees F. and less than ninety (90) degrees F. in the kennel house with adequate ventilation to assure that odors are kept within reasonable limits and that animals are comfortable.
2. Space shall be provided both internal and external to assure adequate exercise area for the animals to be kept in the kennel. Minimum space requirements (per animal) are shown in the following table;

Minimum Space Requirements

Animal Weight (pounds)	Primary Enclosure		Kennel House	
	width (ft)	Square ft.	width (ft)	square ft.
up to 15	2	6	1.5	3
16 to 35	2.5	10	2	5
36 to 65	3	15	2.5	7.5
66 to 95	3	18	2.5	9
96 to 130	3.5	24	3	12
131 & over	4	32	3.5	14

3. Fencing shall be of a type and installed so as to prevent animals from digging under or escaping over the top. Fencing shall be uniform, well maintained and pleasing to the eye.
4. Adequate natural and/or artificial lighting shall be provided to allow cleaning and inspection activities to be performed.
5. Outdoor facilities shall provide suitable shelter to keep animals dry in inclement weather and shaded from the direct sun.
6. Suitable methods shall be employed to eliminate urine and other liquid substances, as well as the regular (daily) removal of solid waste (excreta). Solid waste shall be double bagged and disposed of in an approved sanitary landfill.
7. Clean potable water shall be made available for the animals at all times. Animals shall be provided wholesome, palatable and uncontaminated food in sufficient quantity to assure good health and condition.
8. All animals shall be vaccinated against rabies from the age of six (6) months and a certificate to that effect shall be maintained for each animal kept.

D. Violation:

Violation of any of the provisions of this section shall be deemed a misdemeanor and be subject to fine not to exceed three hundred dollars (\$300.00) or imprisonment for a term not exceeding six (6) months, or both such fine and imprisonment.

6.04.050 License and Registration Required -- Fees -- Exceptions.

All dogs, cats and ferrets kept in the municipality shall be licensed and registered if over five (5) months of age, including those in kennels. The owner shall state at the time application is made for a license, his name and address, the name, breed, color and sex of each dog, cat and/or ferret kept by him, together with a certification as to whether the animal has or has not been neutered. Dog, cat and ferret licenses shall be issued by the clerk upon payment of a license tax in an amount set by resolution of the governing body. Such resolution shall be published no less than two times during the thirty days prior to adopting the resolution. The provisions of section 6.04.050 are not intended to apply to dogs, cats or ferrets whose owners are nonresidents temporarily within the municipality, where "temporarily" is construed to mean a period of time less than thirty days, nor to "Seeing Eye" dogs or other animals properly trained and certified to assist or serve disabled persons. All other sections shall apply.

6.04.060 Tag Requirements -- Duplicate Tags.

Upon payment of the license fee, the clerk shall issue to the owner a license certificate and a tag for each dog, cat and/or ferret licensed. The tag shall be changed every year and shall have the year for which it was issued and the number corresponding with the number on the certificate stamped on it. Every owner shall be required to provide each dog, cat and/or ferret kept by him with a collar or harness to which the license tag must be affixed, and owner shall see that the collar or harness and tag are constantly worn. In case a tag is lost or destroyed, a duplicate will be issued by the clerk upon presentation of a receipt showing the payment of the license fee for the current year, and the payment of an amount set by resolution of the governing body for the duplicate. Dog, cat and ferret tags shall not be transferable from one animal to another, and no refunds shall be made on any dog, cat or ferret license fee for any reason.

6.04.070 Rabies -- Procedures Authorized During Proclamation.

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the mayor may issue a proclamation ordering every person keeping a dog, cat or ferret to confine it securely on their premises. Any dog, cat or ferret running at large during the time of the proclamation shall be seized, and if noticeably infected with rabies or displaying vicious propensities shall be killed by order of the presiding officer of the law without notice to the owner. Dogs, cats and ferrets impounded during the time of the proclamation may, if claimed within five days, be released to the owner, unless infected with rabies, upon payment of the impounding charges as described in chapter 6.12 of this ordinance. If unclaimed after that period, the dog, cat or ferret may be summarily destroyed.

6.04.080 Confinement of Suspected Rabid Dogs, Cats and Ferrets Required -- Procedures.

If a dog, cat or ferret is suspected of having rabies or is bitten by an animal suspected of having rabies, that dog, cat or ferret shall be confined by a leash or chain on the owners premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two weeks. The owner shall notify the chief law enforcement officer having jurisdiction of the fact that the dog, cat or Ferret has been exposed to rabies, and at the discretion of that officer may be required to remove the animal to a veterinary hospital and be placed under observation for a period of two weeks at the expense of the owner. As an option, the animal may be "put-down" (destroyed) at the discretion and expense of the owner.

It is unlawful for any person knowing or suspecting a dog, cat or ferret of having rabies to allow that animal to be taken off their premises or beyond the limits of the municipality without the written permission of the chief law enforcement officer having jurisdiction. Every owner, or other person, upon ascertaining that a dog, cat or ferret is rabid shall immediately notify the chief law enforcement officer having jurisdiction who shall either remove the animal to impound or summarily destroy it.

6.04.090 Vaccination Required.

It is unlawful for the owner of any dog, cat or ferret to keep or maintain that animal unless it has been vaccinated by a licensed veterinarian with anti-rabies vaccine and anti-parvovirus vaccine within one year (or other such period of time as indicated by the specific vaccine) preceding the date on which the dog is kept or maintained. Proof of proper vaccination shall be presented to the city clerk at the time the owner submits application for license.

TITLE 6 – ANIMALS
CHAPTER 6.04 - DOGS, CATS AND FERRETS--CONTROL--LICENSES--RABIES

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(1) Ordinance 2002-D, 2002