

CHAPTER 8.02

DOGS

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8.02.010 Definitions: As used in this chapter, unless the context otherwise indicates, the following terms shall have the meaning ascribed to each.

- (a) Owner: Any person owning, keeping or harboring a dog. At Large: Off the premises of the owner and not under control of a competent person
- (b) Restraint: Controlled by a leash not longer than six (6) feet; or at "heel" beside a Competent person and obedient to the person's commands; or within a vehicle with permission of the owner; or within the property limits of premises controlled by the owner or other person consenting thereto.
- (c) Animal Shelter: Any premises provided by the Town and maintained by the Poundmaster for impounding and caring for dogs.
- (d) Vaccination: The inoculation of a dog with anti-rabies vaccine, having an effective immunity of at least two (2) years, and administered by a licensed veterinarian.

(e) The Mayor may contract with, appoint or delegate a person or persons as poundmaster, including local law enforcement officers. The Mayor shall have the right to contract with a humane society or any person for the use of an animal shelter. The poundmaster may provide for space, food and lodging for an animal shelter. The definition, duties and the role of the poundmaster shall be applicable to all ordinances concerning animals or livestock.

8.02.020 Vaccination: It is unlawful for any person to keep, maintain or harbor any dog over six (6) months of age unless it shall have been vaccinated, as hereinabove defined, within the preceding two (2) years.

8.02.030 License and Registration: It is unlawful for any person to keep, harbor or maintain in the Town of Superior any dog over six months of age unless such dog is duly registered and licensed as herein provided. Licenses shall be issued by the Town Clerk, upon proof that the dog has been vaccinated against Rabies within two years of the date when such license expires, and upon payment of any annual license fee of \$10.00 for unneutered male and unspayed female dogs. The annual license shall expire on January 1, following its issuance. A lifetime license of \$5.00 for all neutered male or spayed female dogs. The lifetime license shall be renewable every two years at no charge, upon proof of current rabies vaccination. The owner shall state at the time application is made for such license, the name, breed, color, sex, coat and any identifying marks of the dog for which the application is made, and shall provide proof of the date and by whom the vaccination was done. Further, if the owner is applying for a license for the lifetime of the dog, he shall furnish proof that the dog is either neutered or spayed. The provisions of this Section shall not apply to non-residents having dogs under restraint within the Town less than fifteen (15) days. If a dog was kept, harbored or maintained in the Town of Superior prior to March 1, and the owner did not obtain a license for said dog as herein provided, the required license fee for that year shall be increased by \$10.00.

8.02.040 Tag and Collar: Upon receipt of a proper application, proof of vaccination, and the license fee, the Town Clerk shall issue to the applicant a license certificate and a metallic tag. The tag shall have stamped thereon the year for which it was issued, and the number corresponding with the number on the certificate. Every owner is required to provide each dog with a substantial collar, to which the license tag shall be affixed at all times. Any dog found off the owner's premises without a license tag shall be deemed to be not licensed, even though a license has been issued for such dog. In the event that a dog tag is lost or

destroyed, a duplicate shall be issued by the Town Clerk upon presentation of an affidavit to that effect, or a receipt or duplicate receipt showing that payment of the license fee has been made for the current year, and the payment of a fee of one (\$1.00) Dollar for such duplicate. License tags are not transferable from one dog to another and it shall be unlawful for any person to cause or permit a license tag to be placed upon a dog for which it was not issued. Any dog found with a license tag issued for another dog shall be deemed to be not licensed. No refunds shall be made on any dog license fee because of the death of the dog or the owner leaving Town before the expiration of the license period.

8.02.050 Dogs Running at Large : It is unlawful for the owner of any dog to permit the same to be at large, not under restraint at any time.

8.02.060 Impounding: Unlicensed dogs, or dogs found at large and not under restraint, shall be taken up by the Poundmaster or any law enforcement officer and impounded in the Animal Shelter. The Poundmaster shall make a complete register of every dog impounded, showing the time and place of taking, the breed, color, sex, and distinguishing marks of such dog, and if licensed, the number of the license and the name and address of the owner. Licensed dogs shall be separated from unlicensed dogs at the animal shelter and males shall be separate from females.

8.02.070 Notice and Redemption: It is hereby declared the duty of every owner of any dog to know its whereabouts at all times. In the event that any dog is impounded, the owner shall redeem the same within seventy-two (72) hours, without any formal notice, or it shall be subject to disposal by the Poundmaster as hereinafter provided. The owner of any impounded dog may redeem the same within such period of time by paying the sum of Fifteen (\$15.00) Dollars for each day the dog is maintained at the animal shelter plus the cost of keeping and feeding the dog. The owner of any unlicensed dog that is impounded shall obtain a license for such dog prior to the time of its release from the animal shelter.

8.02.080 Disposition of Unredeemed Dogs: If an impounded dog is not redeemed within seventy-two (72) hours from the time it is taken and impounded, it may be put to death in a humane manner.

8.02.090 Animals Exposed to Rabies: Every dog or other animal which has been bitten by, or exposed to, any animal suspected to have been inflicted with rabies shall be forthwith seized and taken up by the Poundmaster or any law enforcement officer and securely and separately impounded in the animal shelter. All such animals shall be quarantined in the pound or at a licensed

veterinarian hospital for a period of ten (10) days. It shall be the duty of the Poundmaster to notify the Public Health Officer of every such animal impounded. If, after observation under the supervision of the Public Health Officer for such period, any such animal is adjudged free of rabies, the owner may reclaim the animal, upon payment of the regular fee of fifteen (\$15.00) dollars per day for its maintenance and care and upon compliance with licensing requirements. In the event that any animal under quarantine is diagnosed as being rabid, it shall be disposed of only under the orders and directions of the Public Health Officer in his absolute discretion.

8.02.100 Emergency Rabies Control: Upon the positive diagnosis of rabies infection of any animal in the Town, the Mayor may issue a Town-quarantine Order, providing for the summary destruction of all animals known to have been exposed to rabies, or all unconfined animals, or may make such other orders as he deems necessary or expedient for the protection of the public.

8.02.110 Duties and Power of Poundmaster: In addition to the duties and powers of the Poundmaster otherwise prescribed, the Poundmaster shall keep and maintain adequate records of all animals impounded and all actions taken in the course of his duty; the Poundmaster shall carry out and enforce all of the provisions of this chapter and amendments thereto; the Poundmaster shall enforce the licensing and control of all animals in the Town as provided in this chapter; the Poundmaster shall seize and take up all animals violating the terms of this chapter and maintain the same in a suitable and humane manner at the Animal Shelter. Where this chapter requires that an animal be put to death, the Poundmaster shall accomplish this in a humane manner; the Poundmaster shall be empowered to pursue upon private property any animal violating any provision of this chapter or when attempting to seize any animal suspected of having been exposed to rabies; the Poundmaster shall make complaints in Police Court for violation of this chapter and shall attend and testify in Court when required; and the Poundmaster shall have authority to make out and issue tickets for violations of this chapter.

8.02.120 Investigation: For the purpose of discharging the duties imposed by this chapter and enforcing its provisions, the Poundmaster or any police officer is empowered to demand from the occupants of any premises upon or in which a dog or other animal is kept or harbored, the exhibition of such dog or animal or the license for such dog. It shall be unlawful for any person to refuse such demand. The Poundmaster may make such demand at a premises where any animal is kept in a reportedly cruel or inhumane manner, and examine such animal and take the same, when, in his opinion, it requires humane treatment.

8.02.130 Interference: It is unlawful for any person to hinder, detain or interfere with the Poundmaster in the performance of any duty or power imposed on the Poundmaster by this chapter, or to release or attempt to release, any animal in the custody of the Town.

8.02.140 Fees Collected: All fees collected for licenses as herein provided shall be placed in the general fund of the Town.

8.02.150 Penalties: Any person found violating any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of Fifty (\$50.00) Dollars for a first conviction, Two Hundred (\$200.00) for a second conviction, and a fine not exceeding Five Hundred (\$500.00) Dollars, or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment, and the option to remove and dispose of the dog for a third conviction.

(Ords 95, 104, 114, 120, 141, 179, 210, 216)