

ORDINANCE NO. XVI

AN ORDINANCE PROVIDING FOR THE CONTROL OF ANIMALS WITHIN THE CITY OF HUNTERS HOLLOW FOR THE PROTECTION OF THE PUBLIC AND FOR THE ANIMALS THEREIN AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS SET FORTH.

BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF HUNTERS HOLLOW, BULLITT COUNTY, KENTUCKY:

SECTION 1. As used in this Ordinance the following terms shall mean:

Owner - Any person, partnership or corporation owning, keeping, or harboring animals;

Animal - Any living creature, domestic or wild excluding livestock, poultry, pet rodents, pet birds, and vermin;

Livestock - Horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, swine and confined and domesticated hares and rabbits;

Poultry - All domesticated fowl and all game birds which are legally kept in captivity;

Pet Rodents - Hamsters, gerbils, woodchucks, mice, or similar rodents which are kept as domesticated or tamed animals and kept caged or within doors at all time.

Pet Birds - Any tamed or domesticated bird kept caged or within doors.

Kennel - Any person, partnership or corporation maintaining an establishment where animals of any species are kept for the purpose of breeding, buying, selling, showing or boarding such animals or engaged in the training of dogs for guard or sentry purposes, and which establishment is so constructed that the animals cannot stray therefrom; this definition shall, however, exclude noncommercial kennels as defined in KRS 100.365; or any person who on private premises owns, harbors, or maintains five (5) or more animals of the same specie.

Animal Pound - Any premises designated and operated by the City of Hunters Hollow for the purpose of impounding and caring for animals held under authority of this Ordinance;

Animal Control Warden - The official designated by the City Council of Hunters Hollow for Executive Authority to be in charge of the Animal Compound and the primary enforcement officer for the City of Hunters Hollow of the sections of this Ordinance and the state laws regulating animals and owners of animals;

Humane Society - Any organization existing for the purpose of the prevention of cruelty to animals incorporated under the laws of the State of Kentucky;

Humane Officer - Any person designated by a humane society as a law enforcement officer and who qualifies to perform such duties under the laws of the State of Kentucky;

Pet Shop - Any person, partnership or corporation engaged in the business of breeding, buying, selling at retail or boarding animals of any species for profit making purposes;

Animal Dealer - Any person, partnership or corporation engaged in the business of buying for the purpose of resale to pet shops, research facilities or to another animal dealer, any animal or animals;

Veterinarian - A licensed practitioner of veterinary medicine, accredited by the Bureau of Animal Industry, United States Department of Agriculture;

Qualified Person - Person granted a permit of the Kentucky State Board of Health to vaccinate animals against rabies; and may include owners or operators of licensed kennels;

Vaccination - The injection by a veterinarian or other qualified person of vaccine approved by and administered in accordance with the regulations of the Kentucky State Board of Health;

Veterinary Hospital - Any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals or for the boarding of animals;

Zoological Garden - Any park or zoo operated by a person, partnership, private corporation or governmental agency;

Circus - A nonresident variety show which features animal acts;

Theatrical Exhibit - Any exhibition or act featuring performing animals;

Restraint - An animal shall be deemed to be under restraint if on the premises of its owner and in a pen, cage, or on a leash or if accompanied by a responsible person and under that person's control. If in a public way or place, animals must be restrained by either a leash or an enclosure.

Person - An individual, partnership, company or corporation.

SECTION II. Animals - Restraint required. All animals shall be kept under restraint at all times. Dogs owned for guard or sentry purposes must be kept in an enclosure so constructed that the animals cannot stray therefrom. The premises must be posted (Beware of Dog).

### SECTION III.

1. All dogs, cats and other animals shall be licensed and vaccinated against rabies as provided in KRS Chapter 258.

2. Any person residing within the City of Hunters Hollow or having in their possession a dog or cat shall be required to purchase a City of Hunters Hollow license for each animal.

(a). All animals requiring a license shall have a license affixed to a collar and shall be worn at all times.

(b). Any person newly acquiring a dog or cat shall have ten (10) days in which to acquire a city license.

3. Any person having control of any animal on or in any public way or place shall be responsible for any and all mess made by such animal.

4. If any dog or cat should be found dead in or upon any public way or place within the city limits the owner shall be responsible for the disposal of same.

5. Every owner of a dog or cat or other animal shall apply to the City Clerk of Hunters Hollow for a license for each dog, cat, or other animal kept by him. The application shall contain the following information and shall be accompanied by a license fee as follows:

A. An application for dog or cat license shall contain the following information:

Owner's name  
Owner's address  
Telephone number  
Type of animal  
Breed  
Sex  
Approximate age  
Coloring  
Marking  
Size  
Rabies vaccination date

B. License Fees:

- a) for each dog, \$1.50
- b) for each cat, \$1.50
- c) for each animal of other species, \$1.50
- d) for any kennel or pet shop having between five and ten animals in its possession during the year, \$40.00; for such facility having in excess of ten animals during the year, \$100.00. No license shall be issued for any kennel unless such kennel shall have been inspected by the dog warden and found to be meeting the standards for kennels herein.
- e) for any animal dealer, \$100.00 per year
- f) for any commercial zoo, animal act, circus or similar act of exhibition of animals, covering all animals kept, \$100.00
- g) for any livery or riding stable, covering all horses kept, \$100.00
- h) for any abattoir, stockyards, hatchery, livestock auction, or other place where livestock or poultry are regularly bred, kept, offered for sale or slaughtered for commercial purposes, covering all animals kept during the year, \$300.00
- i) no fee shall be required of any humane society, veterinary hospital, municipal animal control facility or zoological garden operated by a governmental agency.

6. Licenses shall be purchased on an annual basis, the licensing period shall begin July 1 each year.

SECTION IV. Impounding. Unrestrained animals may be taken by the dog warden, police or humane officer and impounded in the Animal Pound or an animal shelter maintained by a humane society and there confined in a humane manner. Impounded animals shall be kept for not less than seven (7) days unless reclaimed by their owners. If by a license tag or other means the owner can be identified, the agency impounding such dog shall immediately notify the owner by telephone or mail of the impoundment of the animal. Animals not claimed by their owners within seven (7) days of their impoundment, or placed in suitable new homes, shall be humanely euthanized by the agency.

Any owner reclaiming an impounded animal for the first time shall pay a fee of Twelve Dollars and Fifty Cents (\$12.50) plus maintenance expense of Two Dollars (\$2.00) per day per animal for any male dog, or spayed dog, male cat or spayed cat or animal of other species; a fee of Twenty-Two Dollars and Fifty Cents (\$22.50) plus maintenance expense of Two Dollars (\$2.00) per day shall be charged for the redemption of an unspayed female dog or unspayed female cat. Upon the second and all subsequent

reclaimings there shall be a fee of Thirty-Five Dollars (\$35.00) plus maintenance expense of Two Dollars (\$2.00) per day. If the animal has been quarantined, the redemption fee shall be Forty Dollars (\$40.00).

The animal control warden may be allowed a One Dollar (\$1.00) fee to cover impounding expense for each animal that is picked up within the city limits of Hunters Hollow. This expense will be added to the cost of redemption if the animal is redeemed. If the animal is not redeemed, the cost will be borne by the City.

A current City of Hunters Hollow license shall be required before any animal impounded is released. Proof of compliance with licensing and vaccination provisions of KRS Chapter 258 shall also be requested. If no such proof can be produced, the person reclaiming the impounded animal shall have the animal released to their custody, with the provision that within seven (7) days they produce proof of compliance. If after seven (7) days no proof of compliance has been produced before the Animal Control Warden or the City Clerk, the owner shall be cited for said violation.

The owner may, upon reclaiming any animal, be issued a citation for violation of this Ordinance or applicable state law.

SECTION V. Issuance of Citations. In addition to, or in lieu of, impounding of an animal found at large, any enforcement officer so authorized, may issue to the owner of such animal a citation or ordinance violation, specifying the section or sections violated and indicating the specific nature of the violation. Such notice shall impose upon the owner the obligation of either payment of the minimum fine imposable under this ordinance of Fifteen Dollars (\$15.00) to the Bullitt District Court, or appearance to answer the charges specified in the citation at the Bullitt District Court at the time and place indicated on the citation. In the event that the fine is not paid and the owner is convicted of the violations specified, said owner shall be punished as provided in Section XIX of this Ordinance.

SECTION VI. Confinement of animal when in heat. Every female dog or cat in heat shall be confined in a building or secure enclosure in such manner that such female dog or cat cannot come into contact with another animal except for planned breeding.

SECTION VII. Nuisance. No owner shall fail to exercise proper care and control of his animals so as to prevent the following actions by them: excessive, continuous or untimely barking or howling; molesting of passersby; chasing of vehicles; attacking other domestic animals; trespassing upon school grounds; trespassing upon private property; or damaging of property of any nature.

SECTION VIII. Humane treatment of animals.

(a) No owner shall fail to provide his animals with good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. If any animal is restrained by a chain, leash, or similar restraint, such chain or restraint shall not be less than ten (10) feet in length and either on a swivel designed to prevent the animal from choking or strangling itself or else on a chain run. No person shall beat, cruelly, ill treat, torment, overload, overwork, or otherwise chase any animal, or cause or permit any dog fight, cock fight or other combat between animals. No owner shall abandon an animal, abandonment consisting of leaving such animal for a period in excess of twenty-four (24) hours without providing for someone to feed, water, and check on the animal's condition. In the event that an animal is found so abandoned, such animal

may be taken by the dog warden, police or humane officer and impounded in the Animal Pound or an animal shelter maintained by a humane society and there confined in a humane manner. Such animal, if taken from private property, shall be kept for not less than seven (7) days with the same procedure otherwise to be followed as in Section IV above (Impounding). In the event that an animal is so abandoned, the owner, rather the person, if any, whom he has charged with the animal's care, shall be liable for citation for violation of this section. No person shall crop a dog's ears except a licensed veterinarian.

(b) No person shall place any poisonous substance which may be harmful to any animal as described herein in any location where it may be readily found and eaten by such animal.

SECTION IX. Standards for kennels. All kennels as defined herein, shall, in addition to the other requirements of this ordinance, comply with the minimum standards of this section. Failure to meet these standards shall be grounds for denial or revocation of a license and the issuance of a citation subjecting the owner to the penalties herein. Facilities shall be subject to inspection by the Hunters Hollow Animal Control Warden upon his request during normal business hours.

(a) Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs and walls shall be of an impervious material to permit proper cleaning and disinfecting.

(b) Building temperature shall be maintained at a comfortable level. Adequate ventilation shall be maintained.

(c) Each animal shall have sufficient space to stand up, lie down, and turn around in a natural position without touching the sides or top of cages.

(d) Cages are to be of material and construction that permit cleaning and sanitizing.

(e) Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.

(f) Runs shall provide an adequate exercise area and protection from the weather. Runs shall have an impervious surface.

(g) All animal quarters and runs are to be kept clean, dry, and in a sanitary condition.

(h) The food shall be free from contamination, wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal.

(i) All animals shall have fresh water available at all times. Water vessels shall be mounted or secure in a manner that prevents tipping and be of the removable type.

SECTION X. Standards for pet shops. All pet shops, as defined herein, including pet shops run in conjunction with another holding facility, shall, in addition to the other requirements of this Ordinance, comply with the minimum standards of this section. Failure to meet these standards shall be grounds for denial of or revocation of a license and the issuance of a citation subjecting the owner to the penalties herein. Facilities shall be subject to inspection by the dog warden upon his request during normal business hours.

(a) There shall be available hot water at a minimum temperature of 160 degrees Fahrenheit for washing cages and disinfecting and cold water easily accessible to all parts of the shop. Fresh water shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be mounted so the animal cannot turn them over and be removable for cleaning.

(b) Room temperature of the shop shall be maintained at a level that is healthful for every species of animals kept in the shop.

(c) All cages and enclosures are to be of a nonporous material for each cleaning and disinfecting. Each cage must be of sufficient size that the animal will have room to stand, turn, and lie down in the natural position.

(d) All animals under three (3) months of age are to be fed at least three (3) times per twenty-four (24) hours. Food for all animals shall be served in a clean dish so mounted that the animal cannot readily tip it over and be of the removable type.

(e) Each bird must have sufficient room to sit on a perch. Perches shall be placed horizontal to each other in the same cage. Cages must be cleaned every day and cages must be disinfected when birds are sold. Parrots and other large birds shall have separate cages from smaller birds.

(f) The water temperature for fish shall be maintained at a constant temperature that is healthful.

(g) There shall be sufficient clean, dry bedding to meet the needs of each individual animal.

(h) All animals must be fed, watered, and cages cleaned every day, including Sundays and holidays.

SECTION XI. Exhibitions of wild or vicious animals prohibited. No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall be construed so as to apply to a zoological garden, theatrical exhibit or circus as defined in Section I of this Ordinance, except that no theatrical exhibit or act shall be held in which animals are encouraged to perform through the use of chemical, electrical, or mechanical devices.

SECTION XII. Nonapplicability of nonresidents. The sections of this Ordinance requiring a license shall not apply to nonresidents of the City who are keeping only domestic pets, provided that animals of such owners shall not be kept in the City longer than fifteen (15) days and that the animals are kept under restraint. No nonresident shall, however, keep any pet in this City over the age of four (4) months that has not been vaccinated.

SECTION XIII. Interference with enforcement prohibited. No person shall in any manner interfere with, hinder, molest or abuse any officer or individual authorized to enforce the provisions of this Ordinance.

SECTION XIV. Repeal of other regulations. All other regulations of the City of Hunters Hollow in conflict with the provisions of this Ordinance are hereby repealed.

SECTION XV. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION XVI. Penalties. Any person violating any provision of this Ordinance (except Section VIII (b) and Section XIII) shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than Fifteen Dollars (\$15.00) nor more than Five Hundred Dollars (\$500.00) or be imprisoned for not less than five (5) nor more than sixty (60) days or both so fined and imprisoned. Any person violating Section VIII (b) or Section XIII of this Ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be fined not less than Fifty Dollars (\$50.00) or be imprisoned for not less than ten (10) days nor more than six (6) months or both so fined and imprisoned. If any violation be continuing, each day's violation shall be deemed a separate violation.

SECTION XVII. All ordinances or parts of ordinances in conflict with this Ordinance or any part of this Ordinance are repealed.

SECTION XVIII. Should any section, clause, line, paragraph, or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

Given first reading at a meeting of the City Council of the City of Hunters Hollow, Bullitt County, Kentucky, on the 16<sup>th</sup> day of July, 1985. Given second reading, voted upon and passed at a meeting of the City Council of the City of Hunters Hollow, Bullitt County, Kentucky, on the 17<sup>th</sup> day of July, 1985.

Votes for 3; votes against 0; abstentions 0.

Timothy A. Mills  
TIMOTHY MILLS, Mayor

ATTEST:

Jeane M. Owen  
CITY CLERK