

file

ORDINANCE NO. 38

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, PROVIDING FOR THE LICENSING OF DOGS AND CATS: SETTING THE LICENSE FEE FOR DOGS AND CATS: PROVIDING FOR RABIES CONTROL: AND IMPOUNDMENT, CLAIMING AND DESTRUCTION OF LICENSED AND UNLICENSED ANIMALS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH DAKOTA:

Section 1. Keeping of Animals

a) The keeping of animals and fowl on any non-agricultural lot in the city shall not be on a commercial basis or on a scale objectionable to the adjacent property owners. More than two adult dogs and two adult cats will require a kennel license (100.00 ) per year, except as provided for in other provisions of this Code or other City ordinances.

b) The keeping of domestic fowl such as ducks, geese, or chickens on any non-agricultural lots shall be by special permission of the City Council. Household pets such as canaries, parrakeets, and parrots are considered exempt from this requirement.

c) The keeping of predators, such as skunks, fox or racoons, as pets, shall be by special permission of the City Council.

Section 2. Impoundment.

a) The City Council or a designated City Official (Pound Master) is hereby authorized and directed to impound any animal running at large contrary to the provisions of this ordinance. If the impounded animal is a licensed dog or cat, an attempt will be made to contact the owner. If the owner cannot be located and contacted in the same business day, the dog or cat will be transported to the Sioux Falls Humane Society where it will be kept and handled according to Humane Society procedures. If the impounded animal is not licensed, it will be transported immediately to the Sioux Falls Humane Society. Unlicensed animals will be handled in accordance with the Humane Society procedures for strays. No animal will be returned until all fines and costs are paid and the dog or cat is licensed and the license fee paid, if applicable. There shall be a penalty fee/\$15.00 for impounding each animal plus reimbursement of travel costs: and in addition the owner of such animal(s) will be required to pay a daily shelter fee (\$3.00/day per cat- \$5.00/day per dog ) to cover the expenses of keeping such animal (s). Owners allowing their animals (s) to run at large (as defined in Section 7) shall be fined a minimum of \$15.00 for the first offense and a minimum of \$ 30.00 for each additional offense committed within one (1) year. All impoundment penalties and fees and fines may be adjusted by resolution of the City Council.

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, PROVIDING FOR THE LICENSING OF DOGS AND CATS; SETTING THE LICENSE FEE FOR DOGS AND CATS; PROVIDING FOR RABIES CONTROL; AND IMPOUNDMENT, CLAIMING AND DESTRUCTION OF LICENSED AND UNLICENSED ANIMALS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH DAKOTA:

Section 1. Keeping of Animals

a) The keeping of animals and fowl on any non-agricultural lot in the city shall not be on a commercial basis or on a scale objectionable to the adjacent property owners. ~~More than two adult dogs and cats~~ <sup>2 adults</sup> will require a kennel license <sup>add fee per year</sup> except as provided for in other provisions of this Code or other City ordinances.

*need section in kennel license guidelines (fees)*

b) The keeping of domestic fowl such as ducks, geese, or chickens on any non-agricultural lots shall be by special permission of the City Council. Household pets such as canaries, parrakeets, and parrots are considered exempt from this requirement.

c) The keeping of predators, such as skunks, fox or racoons, as pets, shall be by special permission of the City Council.

Section 2. Impoundment.

a) The City Council or a designated City Official (Pound Master) is hereby authorized and directed to impound any animal running at large contrary to the provisions of this ordinance. If the impounded animal is a licensed dog or cat, an attempt will be made to contact the owner. If the owner cannot be located and contacted in the same business day, the dog or cat will be transported to the Sioux Falls Humane Society where it will be kept and handled according to Humane Society procedures. If the impounded animal is not licensed, it will be transported immediately to the Sioux Falls Humane Society. Unlicensed animals will be handled in accordance with Humane Society procedures for strays. No animal will be returned until all fines and costs are paid and the dog or cat is licensed and the license fee paid, if applicable. There shall be a penalty fee/\$15.00 for impounding each animal plus reimbursement of travel costs and in addition the owner of such animal(s) will be required to pay a daily shelter fee (\$3.00/day per cat - \$5.00/day per dog) to cover the expense of keeping such animal(s). Owners allowing their animals(s) to run at large (as defined in Section 7) shall be fined a minimum of \$15.00 for the first offense and a minimum of \$30.00 for each additional offense committed within one (1) year. All impoundment penalties and fees and fines may be adjusted by resolution of the City Council.

*agreement to be worked out Humane Soc.*

Impoundment releases will be issued by the Municipal Finance Officer when all fines and fees are paid and proof of vaccinations furnished as stipulated in this ordinance.

b) Notification shall be made to any person owning or harboring a dog, cat or other animal believed to have bitten or attacked any person. Within twenty-four (24) hours after notification such animal shall be placed under the care and observation of the Poundmaster or a licensed veterinarian for a period not less than ten (10) days.

At the end of the ten (10) day observation period, the animal shall be examined by a licensed veterinarian and if cleared by the veterinarian, may be reclaimed by the owner upon paying the expenses incident thereto.

Any animal impounded or placed for observation, showing active signs of rabies, suspected of having rabies or known to have been exposed to rabies, shall be confined under competent observation for such time as may be deemed necessary to determine a diagnosis.

### Section 3. Vaccination of Impounded Animals.

No impounded animal shall be released to any person until such animal has been vaccinated against rabies and the cost of such vaccination paid in full by the owner or person requesting release of the animal; unless the owner or person requesting release can present a certificate of a current vaccination.

### Section 4. False Information.

It shall be unlawful for any person to give any false information or statement concerning the owner of any animal, concerning the condition or health of any animal, or in connection with the procuring of a license for any animal.

### Section 5. Licensing.

Every owner of a dog or cat in the City shall, before May 1 of each year pay to the Municipal Finance Officer a license fee of one (\$1.00) dollar for each dog or cat owned by the owner, and shall place on the dog or cat's neck a durable collar upon which shall be firmly attached a metal plate or tag to be furnished by the Municipal Finance Officer showing the year for which the license fee is paid and the tag number. The Municipal Finance Officer shall also furnish to the owner a duplicate receipt showing the name and sex of the dog or cat, the name and address of the owner, the year for which the license fee is paid, and the tag number. The Municipal Finance Officer shall retain the original receipt in the City records. No tag shall be attached to any dog or cat collar unless and until the license fee has been paid.

thereof without any impounding charge or cost, if not infected with hydrophobia or rabies, but after the ten (10) days such dogs may be destroyed.

c) No person shall knowingly harbor or keep any animal infected with hydrophobia or rabies, or any animal known to have been bitten by an animal known to have been infected with hydrophobia or rabies.

Section 9. Cruelty to Animals.

a) No person shall willfully or negligently maltreat or abuse or neglect in a cruel or inhumane manner any animal or fowl. It shall be unlawful for any person to willfully or maliciously administer or cause to be administered poison of any sort whatsoever to any animal or fowl, on the property of another, with the intent to injure or destroy such animal or fowl, or to willfully or maliciously place any poison or poisoned food where the same is accessible to any such animal or fowl. (SDCL 9-29-11)

b) The owner of any animal or fowl shall provide the same with some kind of shelter which provides adequate protection against adverse weather conditions. This shelter or enclosed area shall be of adequate size and kept clean and sanitary for purposes of promoting the continued health and safety of such animal or fowl.

Section 10. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Adopted this 4 day of April, 1983.

First Reading:	<u>10th March 1983</u>
Second Reading:	<u>4th of April 1983</u>
Final Passage and Adoption:	<u>4th April 1983</u>
Date of Publication:	<u>14th April 1983</u>

Vern C Erickson  
Vern C. Erickson  
Mayor

ATTEST:

Janet Anderson  
Janet Anderson  
Municipal Finance Officer

## Section 6. Immunization Required.

a) Every dog, cat, or other animal held as a domestic pet in the City, six (6) months of age or older, is required to be immunized against rabies and distemper by a licensed veterinarian or other qualified person designated by the City. No dog or cat shall be licensed until the owner thereof presents a current, 1-year rabies and distemper shot certificate. Immunization against rabies and distemper shall be given at such intervals as to guarantee immunity.

b) Any owner acquiring a dog, cat, or other animal held as a domestic pet by purchase, gift, birth, or otherwise shall have such animal immunized against rabies and distemper within one month following acquisition or within one month after the animal is six (6) months old, whichever last occurs.

## Section 7. Definition of "Running at Large"

The term "running at large" as referred to within this ordinance shall include any animal not restricted on property with a pen, building or leash. Any animal not restricted on property will be under the direct control of the owner or responsible person by use of a leash or other acceptable method whereby the animal cannot bother, threaten or disturb other persons, pets or property.

## Section 8. Rabies Infection

a) Any person who shall suspect that any animal in the City is infected with rabies or hydrophobia shall report his or her suspicion to the City Council, Pound Master or health officials describing the animal and giving the name of the owner, if known; and if, upon examination by the health authorities, it appears that the animal may have rabies or hydrophobia, the health authorities or City Council shall be authorized to impound such animal for observation and testing, and if the animal proves to be infected with the disease, the animal may be destroyed.

b) When the health authorities shall have determined that an animal found in the City is infected with rabies or hydrophobia, the mayor may, upon written advice from the health authorities that the public safety and general welfare require it, order by proclamation that all dogs be muzzled when off the premises of the owner, and that all unmuzzled dogs when found off the premises of the owner be immediately seized and impounded, and may further order that, after the proclamation has been published for forty-eight (48) hours, either by posting or printing in a newspaper of general circulation in the City, all dogs found off the premises of the owner unmuzzled shall be seized, impounded, and destroyed, except that a designated City Official may immediately kill any such unmuzzled dog, if with reasonable effort it cannot first be seized and impounded. All dogs seized and impounded during the first forty-eight (48) hours after the publishing of any such proclamation, shall, if claimed within ten (10) days be returned to the owner