

ORDINANCE NO. 67

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, AMENDING ORDINANCE NO. 38 PERTAINING TO THE REGULATION OF ANIMALS WITHIN THE CITY; PROVIDING REVISED FINES FOR VIOLATIONS; SPECIFYING COSTS TO BE PAID BY OWNERS OR CUSTODIANS OF IMPOUNDED ANIMALS; AND PROVIDING FOR DISTURBING THE PEACE PROCEDURES AND PENALTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH DAKOTA THAT ORDINANCE NO. 38 OF THE CITY BE AMENDED AS FOLLOWS:

Amended by # 57

A. Section 2 a) of Ordinance No. 38 is hereby amended to read as follows: *Amendment # 57*

"a) The City Council or its designated City Official or agent, or the Sioux Falls Humane Society 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 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 costs and fines are paid and the dog or cat is licensed and the license fee paid, if applicable. The costs shall be the impound fee, travel costs, daily shelter, lodging and meal fees, the cost(s) of vaccination(s) and immunization(s), if necessary, and any other cost of the Humane Society or other impounding authority in capturing, impounding and otherwise dealing with the animal. Owners allowing their animal(s) to run at large (as defined in Section 7) shall be fined a minimum of \$50.00 for the first offense and a minimum of \$100.00 for each additional offense committed within one (1) year. In addition, allowing more than one animal to run at large at any one time shall constitute more than one offense at that time. Impoundment releases may be issued by the Municipal Finance Officer or other authorized City official or Humane Society official when all fines and fees are paid and proof of vaccinations furnished as stipulated in this ordinance."

B. Ordinance No. 38 *Amendment # 57* is hereby also amended by adding new Section 12. thereof to read as follows:

"Section 12. Disturbing the Peace.

a) The owner or custodian of an animal shall not allow the animal to disturb the peace of any other person. Disturbing the peace shall include barking, howl-

ing, yipping, whining or otherwise creating any noise or disturbance sufficient to disturb the peace or tranquility of another.

b) Upon receipt of a written or verbal complaint of any animal disturbing the peace, the City shall cause a warning letter to be issued to the owner or custodian of the animal asking the person for his or her cooperation in keeping the animal from disturbing the peace.

c) Upon receipt of a second written or verbal complaint involving the same animal, the City or its authorized agent or representative of the Sioux Falls Humane Society shall be authorized to seize and impound the animal. In addition, failure to comply with the first complaint and warning letter described above shall constitute an offense and subject the owner or custodian for fine therefore. The owner or custodian shall pay all costs and fine(s) according to the terms of Section 2a) of this Ordinance No. 38, as amended."

Adopted this 5th day of April, 1993.

First Reading:	January 4, 1993
Second Reading:	<u>April 5</u> , 1993
Passage and Adoption:	<u>April 5</u> , 1993
Publication:	<u> </u> , 1993
Effective Date:	<u>May 4</u> , 1993

Paul A. Anderson
Mayor



ATTEST:

Donna J. Larsen
Donna J. Larsen
Municipal Finance Officer

(Municipal Seal)