

Ordinance

NO. 102

AN ORDINANCE LICENSING AND REGULATING DOGS, PROVIDING FOR IMPOUNDING DOGS, AND PRESCRIBING A PENALTY FOR VIOLATION.

Section 1.

Definitions—(a) As used in this ordinance, "owner" means any person, firm, or corporation owning, harboring or keeping a dog. (b) "at large" means off the premises of the owner and not under the control of the owner or a member of his immediate family, either by leash or otherwise.

Section 2.

License Required — No dog owner shall keep any dog over 3 months of age within the village unless a license therefor has first been secured. Licenses shall be issued by the village clerk for a fee of \$2.50 for each male or spayed female dog and \$10.00 for each unspayed female dog. An applicant for a license for a spayed female dog shall present a statement from a qualified veterinarian indicating that the dog has been spayed and giving the date of the operation. Licenses shall expire on the 1st day of May next following their issuance.

Any application for dog license after Nov. 1st of any year shall be issued until May 1st at one half the amounts of this ordinance, this being the minimum charge.

Section 3.

Date of payment — It shall be the duty of each owner of a dog to pay the license fee imposed in Section 2 to the village clerk on or before the first day of May in each year, or upon acquiring ownership or possession of any unlicensed dog or upon establishing residence in the village. The clerk shall cause a notice of the necessity of paying such license fee to be printed in the official paper one time before the 1st day of May in each year.

Section 4.

Receipts and tags — Upon the payment of the license fee, the clerk shall execute a receipt in duplicate. He shall deliver the original receipt to the person who pays the fee, retaining the duplicate.

He shall also procure a sufficient number of suitable metallic tags, the shape of which shall be different for each license year; and he shall deliver one appropriate tag to the owner when the fee is paid.

Section 5.

Affixing Tags — The owner shall cause said tag to be affixed by a permanent metal fastening to the collar of the dog so licensed in such a manner that the tag may be easily seen by the officers of the village. The owner shall see that the tag is constantly worn by such dog.

Section 6

Impounding — This ordinance is in effect immediately and on and after the first day of May of each year thereafter. The police officers of the village shall take up and impound any dogs found in the village without the tag provided for in Section 4 hereof; and to enforce this ordinance said officers are empowered and instructed to enter upon any private premises where they have reasonable cause to believe there is an unlicensed dog. No persons having the custody or control of any dog or animal of the dog kind shall permit the same to be on any unfenced area or lot abutting upon a street, public park, public place or upon any other private land in the village of Brownsdale, without being effectively restrained from, or entering beyond such unfenced area or lot; nor shall any person having the custody or control of any dog or animal of the dog kind permit the same at any time to be on any street, public park, school grounds or public place in the Village of Brownsdale without being effectively restrained by chain or leash not exceeding six (6) feet in length or unless accompanied by and under the control and direction of the owner so as to be effectively restrained by command as by a leash, and unless it wears the collar and tag above described.

Section 7.

Notice of Impounding — Upon taking up and impounding any dog as provided in Section 6, The poundmaster shall immediately post at the village official posting place, the following description of the dog: Sex-color-breed.

Section 8.

Redemption — Any dog may be redeemed from the pound by the owner within the time stated in the notice by the payment to the clerk of the license fee for the current year with an impounding fee of \$1.00 and \$1.00 for each day the dog is confined in the pound as the cost of feeding and care.

Section 9.

Release — Upon the presentation of a correct license tag and a receipt for a dog license for the current year and for the fees provided in Section 8 the poundmaster shall release to any owner the dog claimed by him.

Section 10.

Duplicate Tags — In case any dog tag is lost, a duplicate may be issued by the clerk upon presentation of a receipt showing the payment of the license fee for the current year. A charge of 25c shall be made for each such duplicate tag.

Section 11.

Disposition of Unclaimed Dogs — Any dog which is not claimed within three days shall be disposed of.

Section 12.

Establishment of Pound — The village building under the water tower shall be the pound.

The poundmaster shall attend to the maintenance of such pound, presenting a proper claim to the council, monthly, for the necessary expenses which he may incur in so doing, which claim shall be audited by the clerk and, if allowed by the council, paid by the treasurer.

Section 13.

Restrictions on Certain Dogs — No person shall keep or harbor a dog which habitually barks or cries between the hours of 10:00 P. M. and 6:00 A.M. No dog owner shall permit his dog to damage any lawn, garden, or other property.

Section 14.

Interference with Officers — It shall be unlawful for any unauthorized person to break open the pound, or to attempt to do, or to take or let out any dogs therefrom, or to take or attempt to take from any officer any dog taken up by him in compliance with this ordinance, or in any manner to interfere with or hinder such officer in the discharge of his duties under this ordinance.

Section 15.

Offenses Involving Tags — It shall be unlawful to counterfeit or attempt to counterfeit the tags provided for in Section 3 of this ordinance, or take from any dog a tag legally placed upon it by its owner, with the intent to place it upon another dog, or to place such tag upon another dog.

Section 16.

Tags Not transferable — Dog tags shall not be transferable and no refunds shall be made on any dog license fee because of leaving the village or death of the dog before the expiration of the license period.

Section 17.

Kennels — No person, firm or corporation shall maintain in this village a kennel where dogs are kept for sale without securing a license therefor from the village clerk. The license fee shall be \$15.00 per year. This fee shall be in addition to the license prescribed in preceding sections for each dog kept in such kennel.

Section 18.

Penalty — Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100.00 or imprisonment in the county jail for not more than 90 days.

Section 19.

Repeal — Ordinance No. 21 Passed April 7, 1924 is hereby repealed.

Section 20.

Effective Date — This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed the village council this 1st day of June, 1959.

RAY NELSON

Mayor

(Seal) Attest
GLENN D. TUCKER
Clerk

June 6

Repealed

w/ Ord. 2008-2
2008-3

1959-1