

AN ORDINANCE PROVIDING FOR THE CONTROL OF ANIMALS
WITHIN POWELL COUNTY, KENTUCKY,
FOR THE PROTECTION OF THE PUBLIC, AND PROVIDING PENALTIES FOR
THE VIOLATION OF THE PROVISIONS SET FORTH.

BE IT ORDAINED BY THE FISCAL COURT OF POWELL COUNTY, KENTUCKY

SECTION ONE

ANIMALS-RESTRAINT

All animals (except cats) shall be kept within the boundaries of the owner's property, or under restraint, at ALL times, provided however, that a hound or other hunting dog which has been released from confinement or restraint for lawful hunting purposes shall be exempt if said dog is wearing a collar providing proof of license and current rabies vaccination. If such a hunting dog becomes temporarily lost from a pack or wanders from actual control or sight of its owner or handler, such owner or handler shall not be deemed in violation of the provisions herein. At all other times, such hound or hunting dog shall be kept within the boundaries of the owner's property or under restraint.

SECTION TWO

DOGS AND CATS TO BE LICENSED AND VACCINATED AGAINST RABIES

(a) License Fee: Effective July 1, 2011 and on that day each year thereafter, every owner of a dog regulated by this Section shall apply to the designated office for Powell County, Kentucky for the appropriate license. Proof of a valid rabies vaccination must be provided when applying for a dog license. License tags shall be firmly attached to a harness or collar worn by the animal. Dog licenses are required at four (4) months of age. The fee for a dog or cat license for the residents of each governmental entity shall be \$5.00 and shall be retained by the animal

shelter for maintenance and operation expenses.

(B) Vaccination: On or before July 1 of each year, every owner of a dog or cat four (4) months of age or older, shall have it vaccinated against rabies. Vaccinations shall be performed by a licensed veterinarian or qualified person.

The veterinarian or qualified administering the vaccination shall issue to the dog or cat owner a Vaccination Certificate on a form prescribed by the State Board of Health. The Vaccination Certificate shall bear the name and address of the issuing party, and a serial number and a brief description of the animal vaccinated. The veterinarian or qualified person shall also furnish each owner with a metal tag bearing the certificate number and the year of vaccination. The tag may also bear the name of the person issuing it.

The tag furnished by the veterinarian or other qualified person for dogs shall be affixed by the owner to a collar or harness furnished by him and shall be worn by the dog for which the certificate was issued. No one except the owner or his duly authorized agent shall remove the collar with the attached tag from any dog except as provided in KRS 258.165.

The tag furnished by the veterinarian or other qualified person for cats shall be given to the owner who shall retain the same, to be produced whenever called upon to verify that any cat in his possession or owned by him has had the required vaccination. The Vaccination Certificate may be produced if said tag has been lost.

SECTION THREE

DOG POUND – IMPOUNDING

The Powell Fiscal Court shall provide funding for the construction and maintenance of an Animal Shelter to be used to confine impounded animals.

Each impounded animal shall be kept for at least seven (7) days, at which time, such animals that are not claimed by their owners, or not placed in a suitable home, may be humanely euthanized. However, if an impounded animal has an injury or physical condition which causes the animal to suffer, the dog warden or his agent may immediately humanely euthanize the animal.

Every owner reclaiming an impounded animal which is subject to the terms of this Ordinance shall pay a fee of \$1.00 per day. The fee imposed shall be retained by the animal shelter for maintenance and operation expenses. Proof of vaccination against rabies and a current license shall be required before any dog is released. If no proof of vaccination is shown, a rabies vaccination must be purchased before the animal is released. An animal (excluding wildlife) which has bitten or scratched someone shall be quarantined fourteen (14) days from the time the bite or scratch occurs. Any owner who fails to properly quarantine their animals is subject to citation for violation of his section and the animal shall be removed to the animal shelter for the remainder of its quarantine period. The owner will be responsible for all quarantine fees.

An animal whose owner is unavailable or incapable of quarantining the animal, may be taken by the appropriate dog warden or enforcement officer and quarantined at the Animal Shelter for the prescribed period.

SECTION FOUR

ISSUANCE OF CITATIONS

In addition to, or in lieu of impounding an unrestrained animal, any enforcement

officer so authorized may issue a Citation to the owner of such animal specifying the section or sections of this Ordinance so violated, and indicating the specifying the section nature of the violation. Such Citation shall impose upon the owner the obligation of appearance to answer the charges specified in the Citation in the Powell District Court at the time and place indicated on the Citation.

SECTION FIVE

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 SIX

NUISANCE

No owner shall fail to exercise proper care and control of his animals so to prevent the following actions: excessive, continuous or untimely barking or howling; trespassing upon school grounds; trespassing upon private property; damaging of crops or gardens; damaging of property of any kind. The owner of an animal shall be deemed responsible for the actions of such animal.

SECTION SEVEN

SALE OF ANIMALS FROM ANIMAL SHELTER

Any animal which has been confined more than seven (7) days may be purchased by any person for the payment of the impounding fee, a license fee and the obtainment of a rabies vaccination voucher.

SECTION EIGHT

NON-APPLICABILITY TO NON-RESIDENTS

The section of this Ordinance requiring a license, shall not apply to non-resident of the County who are keeping only a domestic pets, provided that animals of such owners shall not be kept in the County longer than thirty (30) days during the calendar year, and such animals shall be kept under restraint and/or in compliance with Section One of this Ordinance. No non-resident shall however, keep any pet in this County over the age of four (4) months that has not been vaccinated against rabies.

SECTION NINE

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 TEN

SEVERABILITY

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

SECTION ELEVEN

PENALTIES

Any person violating any provisions of this Ordinance shall be deemed guilty of a Class B Misdemeanor and shall, upon conviction, be punished by a fine not to exceed Two hundred and fifty dollars (\$250.00), or be imprisoned in the County Jail for a period not to exceed ninety (90) days, or both fined and imprisoned. Each day a violation continues

shall constitute a separate offense.

SECTION TWELVE

EFFECTIVE DATE

This Ordinance shall be effective upon publication after its adoption by the Powell Fiscal Court.

Introduced and adopted at a regular session of the Fiscal Court of Powell County, Kentucky, held on the 11 day of Jan, 2011, and finally adopted, after a second reading at a regular session of said Board on the 8 day of Feb, 2011.



JUDGE, POWELL COUNTY, KY

ATTEST:



POWELL COUNTY CLERK