

ORDINANCE NO. _____

AN ORDINANCE RELATING TO DOGS IN RESIDENTIAL DISTRICTS

ARTICLE I

Enacting Clause, Title, Purpose

1.1 Enacting Clause

Be it ordained by the Fiscal Court of the County of Scott, Commonwealth of Kentucky.

1.2 Title

This ordinance is entitled "County Dog Ordinance, Scott County, Kentucky," and may be referred to as "Dog Ordinance." Certified copies of this ordinance are on file with the Scott County Clerk.

1.3 Purpose

The purpose of the Dog Ordinance is for the control of animals, the abatement of a public nuisance and the promotion of the general welfare through the establishment of dog regulations in residential zoning districts throughout Scott County, Kentucky. In establishing dog regulation throughout the county's residential areas, this ordinance seeks the general welfare by eliminating, in these designated areas, the unleashed dogs which at the passage of this ordinance are freely roaming the county. This ordinance by eliminating these roaming dogs, will protect the health, safety and property of the residents of Scott County, Kentucky.

ARTICLE II

General Regulations

2.1 Definitions

- a. "Dog" shall mean both male and female.
- b. "Owner or Keeper" shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.
- c. "At Large" shall mean off of the premises of the owner or keeper and not under the control of the owner or keeper, a member of the owner or keeper's immediate family or an agent of the owner or keeper either by leash, cord, chain or otherwise. "At large" shall not include a hunting dog which, while not on a leash, cord, chain or otherwise, is subject to the master's command.

2.2 Application of Regulations

This ordinance pertaining to dogs shall regulate dogs at large in all areas of the county which are zoned residential. The application of this dog ordinance shall cover all residential zoned districts extant at the passage of this ordinance and shall become effective in all other areas which are subsequently zoned residential. The applicability shall take effect on the date that the residential zoning classification takes effect.

2.3 Regulations

(1) It shall be unlawful for any owner or keeper of any dog to permit such dog to run at large in a residential zoned district unless accompanied by the owner or keeper. Any dog not accompanied by the owner or keeper may be impounded.

(2) It shall be unlawful for any owner or keeper to keep or harbor any dog that barks or yelps or otherwise makes such noise as to disturb the peace and quiet of the neighborhood.

(3) Any complaint lodged with the Animal Control Office concerning a violation of this ordinance shall be investigated by the Animal Control Officer.

(4) Not later than three (3) days after the impounding of any dog, written notice shall be posted for five (5) days at the Courthouse, the Animal Shelter and the immediate vicinity of the impounding. The owner or keeper may reclaim the dog upon proof that the dog is currently licensed, has a rabies inoculation and payment of all costs and charges incurred by the county for impounding and maintenance of the dog. Any dog not reclaimed within seven (7) days beginning after the final day of the notice period, shall be eligible for adoption or other disposition.

(5) The following charges shall be paid to the county for the impounding of any dog; cost of impounding or pick up, \$2.00, cost of maintenance, \$.50 per day and cost of notice, \$1.00.

(6) Any dog found at large belonging to an owner or keeper who can be identified need not be impounded but returned to the owner or keeper upon payment of \$2.00 pick up fee.

(7) Any owner or keeper in violation of this ordinance may in addition to any costs of impounding, etc., be guilty of a misdemeanor and upon conviction be subject to a fine of not less than \$10.00 nor more than \$100.00.

(8) The Animal Control Officer and the County Sheriff's office shall be empowered to enforce this ordinance.

2.4 Conflict with existing law

In the event any section of this ordinance conflicts with existing state law, the conflicting section of this ordinance shall be inapplicable to the extent of the conflict. The provisions of this ordinance shall be in addition to any existing state or local laws.

2.5 Validity

If any provision of the Dog Ordinance is held invalid, or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of the Dog Ordinance.

Adopted by Fiscal Court -12-12-78