

**SCOTT COUNTY FISCAL COURT
ORDINANCE NO. 16-05**

**AN ORDINANCE REGULATING THE NUMBER OF DOGS TO BE OWNED OR
POSSESSED BY A RESIDENT OF SCOTT COUNTY, KENTUCKY WITHOUT A KENNEL
LICENSE**

WHEREAS, numerous citizens have complained to the Scott County Fiscal Court about dogs causing disturbances, not being under control of the owners or persons maintaining custody and control of dogs and the maintaining of large numbers of dogs without a kennel license in all areas of the county; and

WHEREAS, the Scott County Fiscal Court recognizes the rights of citizens to possess and to keep dogs; and

WHEREAS, it further recognizes the rights of citizens to enjoy the peace and quiet of their property and the public thoroughfares which they travel, free from any nuisance created by a large number of dogs; and

WHEREAS, the Scott County Fiscal Court has determined that there is a legitimate and necessary need to limit the number of dogs a resident may own, maintain, keep or possess without a kennel license to ten (10) dogs.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF SCOTT COUNTY, AS FOLLOWS:

SECTION ONE: REQUIREMENTS.

Any person, entity or organization with more than ten (10) dogs shall constitute a kennel which shall require a kennel license. No resident, entity or organization situated in Scott County shall be permitted to own, maintain, possess or keep more than ten (10) dogs without a kennel license. An individual, entity or organization operating a dog rescue or similar operation, which owns, maintains, possesses or keeps more than ten (10) dogs shall be required to obtain a kennel license. Any individual, entity or organization that desires to obtain a kennel license shall apply for said license and a conditional use permit through the Scott County Board of Adjustment. Licensed veterinarian practices in Scott County that operate a boarding service with more than ten (10) dogs at any time shall be required to apply for a kennel license and a conditional use permit as well. Licensed veterinarian practices in Scott County who at various times have more than ten (10) dogs for "treatment purposes" are exempt from the requirements of this ordinance.

SECTION TWO: DEFINITIONS.

A. "Owner" - for the purpose of this ordinance shall mean any person, entity or organization having an interest in or right of possession to a dog or any person, entity or

organization having control, custody or possession of any dog, or having any dog residing consistently at a location.

B. "Assistance Dog" - as defined by KRS 525.010, shall be exempt from the license requirements of this ordinance.

C. "Kennel" - for the purpose of this ordinance shall mean any location or establishment where more than ten (10) dogs are kept and/or maintained.

D. "Dog" - for the purpose of this ordinance shall be defined as any dog six (6) months of age or older.

SECTION THREE: CHARGING OFFICIAL.

The animal control officer, code enforcement officer or any peace officer shall be permitted to issue a citation or file a criminal complaint giving notice of the charge of any violation of this ordinance. The animal control officer shall have all powers vested to him/her by the county.

SECTION FOUR: SEPARATE VIOLATIONS FOR EACH INCIDENT.

Each incident which results in a violation of this ordinance shall constitute a separate offense.

SECTION FIVE: SEVERABILITY.

If any section, phrase, or provision of this ordinance is for any reason declared to be invalid, such declaration will not affect the validity of the remaining provisions of this ordinance.

SECTION SIX: CONFLICT.

To the extent any previous resolution or ordinance is in conflict, the provisions of this ordinance will prevail and be given full force and effect.

SECTION SEVEN: PENALTIES.

Any person, entity or organization that owns, maintains, possesses or keeps more than ten (10) dogs without a kennel license shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) upon conviction for violating the provisions of this ordinance. Each day's continuance of any violation of this ordinance shall constitute a separate offense.

SECTION EIGHT: SEIZURE OF DOGS.

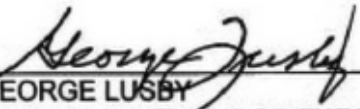
Any dog or dogs kept in violation of this ordinance may be seized and impounded by any animal control officer, code enforcement officer and/or peace officer and may be confined at an animal shelter until all violations are remedied and all fines and court costs are satisfied. The animal shelter may transfer title to any dog impounded for a period greater than ten (10) days. Any person, entity or organization that owns, maintains, possesses or keeps more than ten (10) dogs without a kennel license shall be responsible for the reasonable costs of the Scott County

Fiscal Court and said animal shelter associated with the removal of the said dogs and the boarding and care of same.

SECTION NINE: EFFECTIVE DATE.

This ordinance shall be effective immediately upon the passage and publication.

THIS ORDINANCE was read for the first time on August 12, 2016 and then for the second time and adopted on August 25, 2016.



GEORGE LUSBY
SCOTT COUNTY JUDGE/EXECUTIVE

ATTEST BY:



STACY HAMILTON
SCOTT FISCAL COURT CLERK