

ORDINANCE NO. 81

AN ORDINANCE TO ADD SECTION 8.06 TO THE ENNIS TOWN CODES FOR THE PURPOSE OF DEFINING NUISANCE ANIMALS, IMPOUNDING NUISANCE ANIMALS, PENALTIES AND FINES FOR NUISANCE ANIMALS.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS, MONTANA:

SECTIONS:

- 8.06.010 DEFINING NUISANCE ANIMALS
- 8.06.020 IMPOUNDING NUISANCE ANIMALS
- 8.06.030 IMPOUNDING FEES
- 8.06.040 LICENSES REQUIRED
- 8.06.050 LENGTH OF IMPOUNDMENT ON UNCLAIMED ANIMALS
- 8.06.060 PENALTIES AND FINES

8.06.010 NUSIANCE ANIMALS: A nusiance animal shall be an animal that fits into anyone of the categories listed below:

1. An animal which bites
2. An agressive animal which alone or in packs impedes the progress of citizens upon the streets or sidewalks no matter what the person's mode of transportation might be. Not only joggers, walking, trikes, bikes, motorbikes, skates, or any other conceivable method of transport.
3. An agressive animal either alone or in packs which attacks an animal under the direct control of its owner or in that owners yard.
4. A barking or howling animal which persists for a period of time that becomes annoying or interferes with sleeping residents.
5. An animal which tears into garbage sacks and strews the contents onto public or private property.
6. An animal at large. At large being defined as out of the range of immediate voice command of its owner.
7. Bitch in heat at large
8. An animal on the school grounds.

8.06.020 IMPOUNDING NUISANCE ANIMALS: Any animal which falls into one of the above listed categories of a nuisance animal may be picked up by the dog catcher at anytime, with the following exceptions:

1. Howling or barking animals
2. An animal that tears into and strews garbage.

In the case of the howling or barking animal a written complaint must be filed with the Town Clerk or a law enforcement officer stating the hours of disturbance, location of the animal and hame and address of owner, if known.

Incase of an animal that tears into and strews garbage a written complaint must be filed with the Town Clerk or a law enforcement officer stating when the animal was getting into the garbage and a complete description of the animal and name and address of owner, if known.

8.06.030 IMPOUNDING FEES: There shall be a five-dollar (\$5.00) fee for pick up of any animals.

There shall be a five-dollar (\$5.00) per day fee for boarding of animals impounded.

These fees are due and payable prior ot the release of the animal from the pound.

8.06.040 LICENSE REQUIRED: Any dog that is impounded, that does not have a current dog license issued by the Town of Ennis, must be licensed prior to release from the kennel. If the owner cannot verify that the animal has had a Rabies Shot, this will be required prior to releasing the animal.

License fees shall be paid prior to the release of the dog.

8.06.050 LENGTH OF IMPOUNDMENT AND UNCLAIMED ANIMALS: The maximum length of time an animal will be held will be four (4) days. If an animal is unclaimed in that period of time, the animal shall be transported to the Humane Society in Bozeman.

If the owner of the unclaimed nuisance animal is known, such owner shall be liable for the pick up fee, boarding fee, transporting to Bozeman and for the \$2.00 donation fee required by the Humane Society for placing the animal up for adoption and shall be billed for such.

8.06.060 PENALTIES AND FINES: For the first offense of a nuisance animal the owner shall be responsible for the pick up fee, boarding fee and will be issued a warning citation.

For the second offense the owner shall face a \$15.00 fine, plus pick up fees and boarding fees.

For the third offense and each offense thereafter, the owner shall face a fine of \$25.00 plus pick up fees and boarding fees. On aggressive animals or biting animals destruction of the animal may be requested.

On the fourth offense for aggressive animals and biting animals mandatory destruction will be required.

Incase of destruction of the animal, the animal will be transported to the Bozeman Humane Society for destruction. The owners shall be required to pay the cost of transporting the animal to Bozeman, the pick up fees and the cost of destroying the animal.

All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

This ordinance shall be in full force and effect thirty (30) days after its adoption by the Ennis Town Council and public has been duly notified.

Passed and adopted by the Ennis Town Council this 12th day of April, 1964.


RANDY KIRTLEY MAYOR

ATTEST: 
VICKI J MANNING, TOWN CLERK