

AMENDMENT NO. ____

TO

SUBSTITUTE ORDINANCE NO. BL2023-1688, AS AMENDED

Mr. President –

I hereby move to amend Ordinance No. BL2023-1688 by amending Section 1, proposed Metropolitan Code of Laws Section 8.04.120 as follows:

8.04.120 Animals at large.

A. Any animal found running at large may be seized by the proper authorities of the health and police departments of the metropolitan government.

B. No person owning or having possession, charge, care, custody, or control of any animal shall cause, permit, or allow the animal to stray or in any manner to run at large.

C. Any person owning or having possession, charge, care, custody, or control of any animal which destroys or desecrates public or private property, chases persons, livestock, cars, or other vehicles, or otherwise causes a disturbance while running at large on public or private property shall be deemed to have committed a violation of this chapter.

D. Every person owning or having possession, charge, care, custody, or control of any animal shall keep such animal exclusively upon the person's ~~his~~ own premises; provided, however, that such animal may be off such premises only if it is restrained by the owner or such animal is accompanied by the owner and the owner has ~~full command of~~ physical control of the animal.

E. Subsections A and B of this section shall not apply to a dog on a hunt or chase, a dog in training, a dog guarding or driving stock, a police dog, a working dog, cats, or any animal participating in an organized field competition, or as otherwise authorized by law.

~~F. Every owner of a female dog is required to confine the same during the time she is in heat. The confinement required by this section shall be such that other dogs may not get to the female dog. It is unlawful for any owner of a female dog not to so confine such dog as required by this section.~~

F. The penalties for violation of this section shall be as follows:

1. First Violation. The penalty for the first violation of this section shall be fifty dollars per animal in violation. This penalty may be waived by the court upon proof in the form of a certificate from a licensed veterinarian verified by the metropolitan health department that each animal in violation has been spayed or neutered.

2. Second Violation. The penalty for the second violation of this section shall be fifty dollars for each animal in violation.

3. Third Violation. The penalty for the third violation of this section shall be fifty dollars for each animal in violation. Further the court shall order that any outside area of the owner's premises in which the animal or animals may be kept shall be enclosed by a fence.

4. Fourth Violation. The penalty for the fourth violation of this section shall be fifty dollars for each animal violation and the court shall order that any outside area of the owner's premises in which the animal or animals might be kept or placed even if on a temporary basis shall be enclosed by fencing that is verified as secure by the metropolitan health department.

5. Fifth Violation. The penalty for the fifth violation of this section shall be a penalty of fifty dollars and the animal or animals may be seized and impounded by the metropolitan health department, and may not be released to the owner, and may otherwise be disposed of in the manner provided by this chapter.

Sponsored by:

Russ Bradford
Member of Council