

AN ORDINANCE REGULATING DOGS AND OTHER ANIMALS WITHIN THE TOWN LIMITS; REPEALING ALL ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY EXISTS AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNDANCE, CROOK COUNTY, WYOMING:

SECTION 1: PURPOSE

This ordinance is enacted for the purpose of regulating dogs and other animals within the Town of Sundance.

SECTION 2: DEFINITIONS

Except as otherwise provided, as used in this ordinance:

- (1) "Owner or keeper" means any person, group of persons, association of persons or corporation who shall own, keep for another or harbor any dog or other animal, or permit the same to habitually remain on or about such owners premises.
- (2) "At large" means any dog or other animal off the premises of its owner and not under restraint by a person physically able to control it.
- (3) "Restraint" means a dog or other animal within the property limits of its owner or keeper or under actual physical control of the owner or keeper, or when in the immediate company of the owner or keeper and is obedient to that persons command.
- (4) "Kennel" means any facility maintained upon one property for the purpose of keeping and caring for five or more dogs or other animals.
- (5) "Police Officer" means a person employed by the Town of Sundance for the purpose of policing or enforcing any law or ordinance in the Town of Sundance.
- (6) "Nuisance" means any animal, including dogs, which trespasses upon public or private property; is "at large", damages, soils, defiles or defecates on private or public property other than that of its owner or keeper; causes garbage which has been placed in a garbage container to be strewn or deposited on private or public property; habitually, constantly or frequently disturbs the sleep, rest, tranquility or peace of any neighborhood or person by barking or howling; chases pedestrians, bicyclists or motor vehicles; attacks other domestic animals; any dog or other animal in heat which is

not confined; any dog or other animal which creates offensive odors disturbing to any neighborhood or person.

(7) "Vicious animal" means any animal which has attacked, menaced or bitten any person without reasonable provocation or any animal which has behaved in such a manner that the owner knows or should reasonably know that the animal is possessed of a tendency to attack, menace or bite persons without reasonable provocation.

SECTION 3: RUNNING AT LARGE PROHIBITED

It shall be unlawful for any owner or keeper of any dog or other animal to allow a dog or other animal to run at large within the town limits of the Town of Sundance.

SECTION 4: KEEPING ANIMAL CONSTITUTING NUISANCE PROHIBITED

It shall be unlawful to own or keep any dog or other animal which is a nuisance within the town limits of the Town of Sundance.

SECTION 5: KEEPING ANIMAL CONSTITUTING A VICIOUS ANIMAL PROHIBITED

It shall be unlawful to own or keep any animal which is a vicious animal within the town limits of the Town of Sundance.

SECTION 6: NOTIFICATION TO OWNER OF DOG OR OTHER ANIMAL CONSTITUTING A NUISANCE

Before any prosecution is brought for a violation of Section 4 of this ordinance, it shall be necessary for the complaining party or a law enforcement officer of the Town of Sundance to notify the owner or keeper of the dog or other animal that the dog or other animal is creating a nuisance and, unless the nuisance is abated within seven days after receipt of notice, a complaint may be filed. Notification, if by the complaining party, shall be by certified mail, return receipt requested and shall be deemed completed upon deposit of the notice in the United States Mail, postage prepaid and properly addressed. If notice is by a law enforcement officer, it shall be complete upon personal notification by the officer. Any officer who shall give notice of a nuisance pursuant to this ordinance shall keep a record of the date, time and place notification was given to the owner or keeper.

SECTION 7: IMPOUNDMENT OF DOGS OR OTHER ANIMALS RUNNING AT LARGE

Police Officers of the Town of Sundance shall have authority to impound dogs or other animals found running at large, either licensed or not licensed, and may do so without making or requiring a complaint and shall, after complying with Section 8 of this ordinance, place or dispose of the dog or other animal in accordance with the provisions of this ordinance.

## SECTION 8: ASCERTAINING OWNERSHIP

In the event a dog or other animal is impounded pursuant to this ordinance, the Town of Sundance, by and through its Police Officers and other personnel, shall make reasonable efforts to ascertain the ownership of the dog or other animals impounded. The owner or keeper, if known, shall be notified by phone, by mailing a written notice to the last known address of the owner or keeper, or notified in person, that the dog or other animal has been impounded. If ownership of the dog or other animal is unable to be ascertained within two days after impounding and after placing a description of the dog or other animal in the Sundance Town Hall, the dog or other animal may be given to anyone who will secure a license and pay all fees. Any dog or other animal not claimed within three days after notice is provided to the owner or keeper, or within two days after posting a description of the dog or other animal in the Sundance Town Hall when the owner or keeper is unknown, may be put to death by Police Officers or other authorized personnel employed by the Town of Sundance.

## SECTION 9: CLAIMING IMPOUNDED DOGS OR OTHER ANIMALS

The owner or keeper of an impounded dog or other animal may reclaim the animal provided the owner or keeper of the dog or other animal shall have paid the required license fee and complied with all other ordinances relating to vaccination and licensing. Any person reclaiming a dog or other animal shall pay to the Town of Sundance all costs and charges incurred by the Town including, but not limited to, all costs of food, shelter and veterinary care.

## SECTION 10: ENFORCEMENT OF THIS ORDINANCE AND ENTRY UPON PRIVATE PREMISES

In the enforcement of any provision of this ordinance, any Police Officer or other personnel authorized by the Town of Sundance to enforce this ordinance, is/are authorized to enter the premises of any person and take possession of licensed or unlicensed dogs or other animals when in pursuit of such dog or other animal at the time when such dog or other animal goes upon private property.

## SECTION 11: UNLAWFUL TO DEPRIVE OF COLLAR OR KILL ANY DOG OR OTHER ANIMAL

It shall be unlawful for any person other than the owner or keeper of a dog or other animal to deprive any dog or other animal of its collar, license or tag or to purposely kill or cause to be killed any dog or other animal without the consent of the owner or keeper.

## SECTION 12: LICENSE REQUIRED

All dogs kept, harbored or maintained in the Town of Sundance shall be licensed and registered if over three months of age. Dog licenses shall be issued after payment of all license fees which shall be set from time to time by resolution of the Town Council.

Application shall be made to the Town of Sundance for a license and shall include the name and address of the applicant, the name, breed, color and sex of each dog owned and kept by the applicant. The provisions of this section shall not be deemed to apply to dogs whose owners are non-residents, temporarily within the town, nor to dogs brought into the town for the purpose of participating in any dog show, nor to "seeing eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons. The Town of Sundance, its agents and employees, shall not issue a license until and unless the owner of the dog shall exhibit and produce a certificate from a duly licensed and practicing veterinarian certifying that the dog has been vaccinated against rabies for the licensing period.

#### SECTION 13: PAYMENT OF FEES AND ISSUANCE OF LICENSE

Upon payment of the license fee, the owner of the dog shall receive from the Town of Sundance a license certificate and a metallic tag for each dog so licensed. The license tag shall have stamped thereon, the year for which it was issued and the number corresponding to the necessary certificate. All licenses shall expire at midnight, December 31, of each and every year and the owners of dogs shall procure a new license each and every year between January 1 and the last day of February of the year following the date of expiration of the license. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee because of the death of the dog or because the owner or keeper of the dog shall have moved from the corporate limits of the Town of Sundance.

#### SECTION 14: DISPLAY OF TAG

Every owner or keeper of a dog shall attach the tag issued by the Town of Sundance to the collar or harness of the licensed dog and the collar or harness shall be worn by the dog at all times.

#### SECTION 14: DISEASE CONTROL

- (a) Any person owning or keeping a dog or other animal over the age of three months, shall have such dog or other animal vaccinated against rabies and other diseases by a licensed veterinarian.
- (b) Any person who has been bitten by any dog or other animal or the parent or guardian of such person shall promptly report the incident to the Town of Sundance, which shall in turn immediately notify a Police Officer or other authorized personnel to investigate the incident. The owner or keeper, upon demand made by the Police Officer or other authorized personnel, shall forthwith surrender the dog or other animal which has bitten the person, or which is suspected as having been exposed to rabies or other disease, for quarantine under the supervision of and on the secure premises of a licensed veterinarian or at facilities maintained by the Town of Sundance, at the expense of the owner of the dog or other animal. Failure to surrender upon demand shall be unlawful and punishable according to the penalty provision of this ordinance.

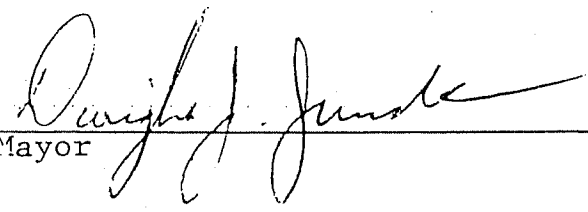
SECTION 17: DECLARING AN EMERGENCY EXISTS AND PROVIDING FOR AN  
EFFECTIVE DATE

Because of the problem of dogs and other animals running at large in the Town of Sundance, the Council finds and declares that an emergency exists, and that this ordinance is for the immediate preservation of public peace, safety and welfare and that it shall be in full force and effect from and after its passage, approval and publication.

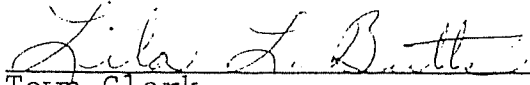
PASSED, ADOPTED AND APPROVED this 12 day of May, 1986.

TOWN OF SUNDANCE

by:

  
\_\_\_\_\_  
Mayor

ATTEST

  
\_\_\_\_\_  
Town Clerk

(c) In the alternative, the mayor of the Town of Sundance, if he/she deems it necessary, shall issue a proclamation to the owner or keeper of the dog or other animal suspected of having been exposed to rabies or other disease, or having bitten any person, to confine such dog or other animal securely on the premises of the owner or keeper. Any dog or other animal ordered to be confined and found to be running at large during the period of time necessary to determine if disease is present, shall be seized and impounded, and it shall be unlawful for the owner or keeper, having received a notice to confine his/her dog or other animal, to allow said dog or other animal to run at large until such time as a period of time necessary to determine if the animal is diseased shall have elapsed and upon conviction thereof shall be subject to the penalty provision of this ordinance.

(d) Upon payment of all expenses for supervised quarantine, and upon being judged free of disease by a licensed veterinarian, the dog or other animal may be reclaimed by the owner or keeper.

(e) Any dog or other animal so noticeably infected with rabies and displaying vicious propensities shall be destroyed by Police Officers or other authorized personnel from the Town of Sundance without notice to the owner or keeper.

(f) If the owner or keeper of a dog or other animal is unknown and said dog or other animal shall have been impounded by employees or agents of the Town of Sundance, the Town of Sundance shall bear all expenses of a supervised quarantine. In the event the owner or keeper of a dog or other animal previously thought to be unknown claims the dog or other animal quarantined, the owner or keeper shall be responsible for all costs and expenses.

(g) When a dog or other animal under quarantine has been diagnosed by a licensed veterinarian as being diseased, the owner or keeper of the diseased dog or other animal shall take every reasonable precaution to prevent the spread of the disease. In no event shall a dog or other animal which has been diagnosed and determined to be diseased be released from quarantine until such time as a licensed veterinarian indicates that the dog or other animal is free of all disease.

#### SECTION 15: AUTHORIZATION TO ISSUE CITATIONS

Police Officers of the Town of Sundance and other authorized personnel are authorized to issue citations to the owners or keepers of any dog or other animal found to be in violation of this ordinance, in lieu of impoundment. If the owner is not identifiable or locatable, the dog shall be impounded.

#### SECTION 16: VIOLATION AND PENALTY

Any owner or keeper of a dog or other animal found violating any provision of this ordinance shall be deemed guilty of a misdemeanor and shall be punished according to the provisions of Ordinance No. 1, 1983.