

CITY OF PALMER, ALASKA

ORDINANCE NO. 277

AN ORDINANCE AMENDING TITLE 6 OF THE PALMER MUNICIPAL CODE BY REPEALING CHAPTERS 6.04, 6.08, 6.12, AND 6.16 RE: ANIMALS AND ADOPTING NEW CHAPTERS 6.04, 6.08, 6.12, AND 6.16.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions of this ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Repeal of Chapters. That Chapters 6.04, 6.08, 6.12 and 6.16 are hereby repealed.

Section 4. Adoption of New Chapters. That Chapters 6.04, 6.08, 6.12 and 6.16 are hereby adopted as follows:

Chapter 6.04 - Definitions

Sections:

- 6.04.010 Generally.
- 6.04.020 Animal.
- 6.04.030 Animal shelter.
- 6.04.040 At large.
- 6.04.050 Kennel.
- 6.04.060 Owner.
- 6.04.070 Restraint.
- 6.04.080 Vicious dog.

6.04.010 Generally. The terms defined in this chapter, as used in this title, have the meanings set forth in this chapter.

6.04.020 Animal. "Animal" means all domestic or domesticated members of the Animalia Kingdom.

6.04.030 Animal shelter. "Animal shelter" means any premises designated by the city manager for the purpose of impounding or caring for animals found at large or otherwise existing in violation of this code.

6.04.040 At large. Any animal is deemed to be "at large" when it is off the property of its owner and not under restraint.

6.04.050 Kennel. "Kennel" means the place where an owner breeds, buys, sells, keeps or boards three or more dogs over the age of six months, whether for profit or not.

6.04.060 Owner. "Owner" means any person, group of persons or corporation owning, keeping or harboring an animal or animals.

6.04.070 Restraint. An animal is under "restraint" if it is controlled by a leash, at heel beside a competent person and obedient to that person's command, or within a vehicle being driven or parked on the street.

6.04.080 Vicious animal. Means any animal which has attacked or bitten a person or other animal without provocation or while off the owner's property.

Chapter 6.08 - Animal Regulations.

Sections:

- 6.08.010 Cruelty prohibited
- 6.08.020 Livestock restrictions.
- 6.08.030 Depositing poison prohibited.
- 6.08.040 Keeping diseased animals prohibited.
- 6.08.050 Barking dogs.
- 6.08.060 Annoyance.
- 6.08.070 Leaving secured animal unattended prohibited.
- 6.08.080 Dead animal disposal.
- 6.08.090 Confinement required when.

ORDINANCE NO. 277 - Continued

6.08.010 Cruelty prohibited. No person shall be cruel to any animal; cruelty includes, but is not limited to, abandoning or inhumanely beating, underfeeding, or overloading any animal.

6.08.020 Livestock restrictions. A. No person shall keep or harbor any pigs or swine, raise livestock or poultry, herd or keep any cattle, horses, mules, sheep, goats, llamas, in the corporate boundaries of the City of Palmer.

B. No persons shall tie, stake or fasten any animal within the traveled portion of any street, alley or public place, or in such a manner that the animal has access to the traveled portion of any street, alley or public place.

6.08.030 Depositing poison prohibited. No person shall throw or deposit any poisonous substance on any exposed public or private place where it may endanger any animal.

6.08.040 Keeping diseased animals prohibited. No person shall keep or harbor animals affected with a contagious or pestilential disease.

6.08.050 Barking dogs. It is unlawful for any person to permit any animal of which he is the owner or custodian to cause annoyance to any person by barking, howling, or making other sounds common to its species. For the purpose of this chapter, annoyance shall be defined as an actual interference with the sleep, work or reasonable right to peace or privacy of one or more persons by means of repeated or continued noise. Barking, howling or making other sounds common to its species is specifically prohibited from 10 P.M. to 7 A.M.

6.08.060 Annoyance. No person shall allow his premise to be the source of offensive or objectionable odors which are not confined to the premise.

6.08.070 Leaving secured animal unattended prohibited. Except as provided by the city camper park regulations, no persons shall tie, stake or secure any animal and leave it unattended on public property, including public buildings, streets, parks and parking areas.

6.08.080 Dead animal disposal. Bodies of dead animals shall be transported, buried and disposed of in accordance with regulations promulgated by the city manager and approved by the health officer.

6.08.090 Confinement required when. A. The owner shall confine within a building or secure enclosure every vicious animal and not take such animal out of such building or secure enclosure unless the animal is leashed and securely muzzled.

B. Every female dog or cat in season shall be confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that such female dog or cat cannot come in contact with another animal except for planned breeding purposes.

C. No wild animal may be kept within the city limits, provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos, and educational institutions in accordance with such regulations as shall be established by the city manager.

D. Any court may order the humane disposal of any vicious animal found at large.

Chapter 6.12 - Licensing.

Sections:

6.12.010 License required when--Application--Immunization--Term--License Transfer.

6.12.020 Fees.

6.12.030 Tag and collar

6.12.010 License required when--Application--Immunization--Term--License Transfer.

A. Application. Application for a license for a dog shall be to the Police Chief of the City of Palmer or his designated subordinate in accordance with this title, and shall state:

For a dog, the name and address of the owner, the name, breed, color, age and sex of the dog.

B. Immunization. No license or tag for a dog shall be issued unless it is shown that the dog for which the license is sought, and all dogs covered by an application for license, have received immunization for rabies within the past twelve months. Immunization for rabies within the past twenty-four months shall be sufficient upon proof that the immunization was accomplished by modified live virum. Such proof shall consist of a statement or receipt from a licensed veterinarian.

ORDINANCE NO. 277 - Continued

C. Term. All licenses, required by this chapter, shall be issued for a term of one year.

D. License Transfer. No person shall use a dog license receipt or license tag issued for one dog on another dog.

6.12.020 Fees. A. Dog License. An annual license fee shall be five dollars for each dog over six months old and shall become due January 1 of each year.

6.12.030 Tag and collar. A. Issuance. Upon complying with the provisions of Sections 6.12.010 and 6.12.020 of this title, there shall be issued to the owner for each dog a numbered receipt and a tag stamped with an identification number and the year for which issued.

B. Placement. A tag shall be issued for each dog. Every owner is required to see that the tag is securely fastened to the dog's choke chain, collar or harness, which must be worn by the dog at all times except when kenneled, fenced, in harness, in competition, in training or while hunting.

C. Lost Tag. In the event that the license tag issued for a dog is lost, the owner may obtain a duplicate tag upon the payment of two dollars and fifty cents.

Chapter 6.16 - Impoundment.

Sections:

6.16.010 Impoundment procedure and fees.

6.16.010 Impoundment procedure and fees. A. It is unlawful for any person to submit any animal of which he is the owner or custodian to be at large. Any animal found at large may be impounded and placed in the animal shelter. In their discretion, police officers are authorized to kill any animal at large which, in the officer's judgment, is deemed vicious or deemed to be endangering any person or property.

B. Unlicensed animals found at large may be taken up by the police department or other designated personnel and impounded in the animal shelter. Such animals shall be confined for a period of not less than seventy-two hours and may thereafter be disposed of if not claimed by the owners, or held for adoption; provided, however, licensed dogs found at large may be taken up and impounded for not less than ninety-six hours, and if not claimed by the owner or held for adoption, shall then be disposed of.

C. When a dog is found at large and its ownership is known to the enforcement agents, such dog need not be impounded, but the agent may file a complaint against the owner of the dog.

D. Immediately upon impounding dogs, the enforcement agents shall make reasonable effort to notify the owner of such dogs or other animals so impounded and to inform such owners of the conditions whereby they may regain custody of such animal.

E. Impounded animals may be reclaimed in accordance with regulations established by the city manager and approved by the council.

F. Impoundment Fees. (Offenses per three (3) year period). A. Any animal impounded hereunder may be reclaimed as herein provided upon payment by the owner to the Palmer Police Department a fee in accordance with the following schedule:

Impoundment Fees

Unlicensed Dogs	\$ 25.00 first offense
	50.00 second offense
	100.00 third offense
Licensed Dogs	\$ 20.00 first offense
	40.00 second offense
	80.00 third offense

Daily Board Fees

Dogs	\$ 10.00
Other animals	10.00

ORDINANCE NO. 277 - Continued

Any impounded animal which, by reason of its size, strength, dangerous propensities or any other physical or behavioral characteristic cannot reasonably be kept in the normal animal shelter facilities may be reclaimed upon payment of a twenty-five dollar impoundment fee plus the actual costs reasonably incurred in transporting and keeping such animal.

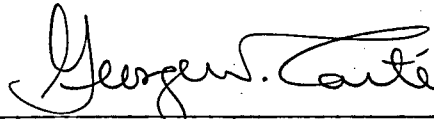
B. Any animal previously impounded hereunder may be reclaimed as herein provided upon payment by the owner to the Police Chief or his designated subordinate the sum provided for in Section 6.16.010(F).

Section 5. Publication and Effective Date. This ordinance shall become effective ten (10) days after its adoption and publication shall be by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its adoption, and it shall be published by being printed and included in the Palmer Municipal Code at its next regular supplementation and printing. A notice of public hearing shall be given by such posting at least five days before final passage.

First Reading: November 22, 1983

Public Hearing &
Second Reading: December 13, 1983

Adopted by the City Council of the City of Palmer, Alaska, this 27th day of December, 1983.



GEORGE W. CARTE', MAYOR

DAVID L. SOULAK, CITY CLERK