

CITY OF PALMER, ALASKA
ORDINANCE NO. 88

AN ORDINANCE PROVIDING FOR THE LICENSING OF DOGS, KENNELS, IMPOUNDMENT OF DOGS AND OTHER ANIMALS, REDEMPTION OF IMPOUNDED ANIMALS, IMPOUNDMENT FEES, CONFINEMENT OF VICIOUS DOGS AND OTHER ANIMALS, RABIES CONTROL, QUARANTINE OF ANIMALS, FIXING PENALTIES AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALMER:

Section 1. Definitions.

The following terms as used in this ordinance shall have the following meanings:

- (a) Owner: Any person, group of persons, or corporation, owning, keeping or harboring a dog or dogs.
- (b) Kennel: Any person, group of persons, or corporation breeding, buying, selling, keeping or boarding three or more dogs over the age of six months whether for profit or not.
- (c) At large: Any dog shall be deemed to be at large when he is off the property of his owner and not under control of a competent person.
- (d) Restraint: A dog is under restraint within the meaning of this article if he is controlled by a leash, at "heel" beside a competent person and obedient to that person's command, on or within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper.
- (e) Spayed females: Any bitch which has been operated upon to prevent conception.
- (f) Vicious dog: Any dog which when unprovoked has ever bitten or attacked a human being shall be deemed vicious.
- (g) Animal shelter: Any premises designated by action of the enforcement agency for the purpose of impounding and caring for all animals found running at large in violation of this article.

Section 2. Licensing.

(a) No person shall own, keep or harbor any dog within the city limits unless such dog is licensed as herein provided. Application for such license shall be made to the City Clerk-Treasurer or such agents of the City Clerk-Treasurer as shall be designated, and shall state the name and address of the owner and the name, breed, color, age and sex of the dog. The license fee shall be paid at the time of making application, a numbered receipt given to the applicant, and a numbered metallic tag shall be issued to the owner.

(b) The yearly license fee shall be two dollars for each male or spayed female dog over the age of six months and five dollars for each female dog over the age of six months; provided, however, in addition to the fees hereinabove required, failure to comply with any provision of this Ordinance shall constitute a misdemeanor and be punished accordingly.

(c) Every person, group of persons, or corporation, for profit or not, keeping a dog kennel, shall pay an annual license fee of ten dollars plus two dollars per dog over three; provided, however, that any person operating such kennel may elect to license individual dogs as provided in subsection (b) above.

Upon receiving an application for a kennel license, the City Clerk shall, within two days thereafter, notify the Health Officer and the Chief of Police of said application. The Health Officer shall inspect or cause to be inspected, the kennel for the purpose of determining whether the kennel constitutes a health hazard. The Chief of Police shall inspect, or cause to be inspected, the said kennel for the purpose of determining whether said premises are a public nuisance, and whether the dogs may be safely kept thereat.

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Provided, dog kennels may not be kept or maintained within the city except where such kennel exists as a non-conforming use under vested rights established prior to the adoption or extension of the zoning ordinances or regulations of the City.

(d) All licenses required by this Ordinance shall be issued for a term of one year beginning January first of each year.

(e) No person shall use any dog license receipt, or license tag issued for another dog.

Section 3. Tag and collar.

(a) Upon complying with the provisions of Section 2 of this Ordinance, there shall be issued to the owner a metallic tag stamped with the number and the year for which issued.

(b) 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 or fenced.

(c) In the event that a metallic license tag issued for a dog shall be lost, the owner may obtain a duplicate tag upon the payment of twenty-five cents.

Section 4. Impoundment - Procedure.

(a) The owner shall keep his dog under restraint at all times and shall not permit such dog to be at large off the premises or property of the owner unless under the control of a competent person.

(b) Un licensed dogs, found running at large shall be taken up by the Police Department or Health Officer and impounded in the shelter designated as the area animal shelter, and there confined in a humane manner for a period of not less than seventy-two hours, and may thereafter be disposed of in a humane manner if not claimed by their owners, or held for adoption. Provided, however, licensed dogs found running at large shall be taken up and impounded for not less than one hundred and twenty hours and if not claimed by the owner or held for adoption, shall then be disposed of in a humane manner.

(c) When a dog is found running at large, and its ownership is known to the enforcement agents, such dog need not be impounded, but the agent may cite the owner of the dog to appear in magistrate's court to answer to a charge of violation of this Ordinance.

(d) Immediately upon impounding dogs, the enforcement agents shall make reasonable effort to notify the owners 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) Unspayed female dogs: No unspayed female dog which has been impounded by reason of its being a stray shall be allowed to be adopted from the animal shelter unless the prospective owner shall agree to have such female spayed.

(f) All dogs deemed to be vicious dogs by the Police Department shall be impounded whenever possible.

(g) Animals other than dogs shall be impounded when found running at large, and shall be disposed of.

Section 5. Same - Impoundment fees.

Any animal impounded hereunder may be reclaimed as herein provided upon payment by the owner to the Police Department of the sum of three dollars for each dog licensed or four dollars for each unlicensed dog, plus the additional sum of one dollar for each day such dog is kept; one dollar for each cat, and the additional sum of fifty cents for each day such cat is kept; and five dollars for any other animal excepting rabbits, poultry and birds, plus

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the additional sum of two dollars for each day such animal is kept. Impoundment fees set forth herein shall be collected for the City and retained by it to help defray the cost of keeping such animals for the period set forth herein.

Section 7. Confinement of vicious dogs and other animals.

(a) The owner shall confine within a building or secure enclosure, every fierce, dangerous or vicious dog, and not take such dog out of such building or secure enclosure unless such dog is securely muzzled.

(b) Every female dog or cat in season shall be kept 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, except under such regulations and conditions as shall be fixed by the Police Department, 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 Police Department.

Section 8. Rabies control.

(a) Every animal which bites a person shall be promptly reported to the Police Department and Health Officer, and shall thereupon be securely quarantined at the direction of the Health Officer for a period of ten days, and shall not be released from such quarantine except by permission of the Health Officer. In the discretion of the Health Officer, such quarantine may be on the premises of the owner, at the shelter designated as the area animal shelter, or at the owner's option and expense, in a veterinary hospital of his choice. In the case of stray animals, or in the case of animals whose ownership is not known, such quarantine shall be at the shelter designated as the area animal shelter.

(b) The owner, upon demand made by the Police Department or Health Officer, shall forthwith surrender any animal which has bitten a human and which is suspected as having been exposed to rabies, for supervised quarantine which expense shall be borne by the owner and may be reclaimed by the owner if adjudged free of rabies and not vicious, upon payment of fees set forth in Section 6 of this Ordinance.

(c) When an animal under quarantine has been diagnosed as being rabid, or suspected by a licensed veterinarian as being rabid, the Police Department shall immediately send the head of such animal to the Health Officer for pathological examination.

(d) When one or both reports give a positive diagnosis of rabies, the Health Officer shall recommend an area-wide quarantine for a period of thirty days, and upon the invoking of such quarantine, no animal shall be taken into the streets, or permitted to be in the streets, during such period of quarantine. During such quarantine, no animal may be taken or shipped from the City without written permission of the Health Officer.

(e) During such period of rabies quarantine as herein mentioned, every animal bitten by an animal adjudged to be rabid shall be forthwith destroyed, or at the owner's option and expense, shall be treated for rabies infection by a licensed veterinarian, or held under thirty days' quarantine by the owner in the same manner as other animals are quarantined.

(f) In the event there are additional positive cases of rabies occurring during the period of the quarantine, such period of quarantine may be extended for an additional six months.

(g) No person shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or any animal biting a human, except as herein provided, nor remove same from the area limits without written permission from the Health Officer.

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(h) The carcass of any dead animal exposed to rabies shall upon demand be surrendered to the Health Officer.

(i) The Health Officer shall direct the disposition of any animal found to be infected with rabies.

(j) No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when demand is made therefor by the Police Department or Health Officer.

Section 9. Reports of bite cases.

It shall be the duty of every physician, or other practitioner of medicine to report to the Police Department and Health Officer the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

Section 10. Responsibilities of veterinarians.

It shall be the duty of every licensed veterinarian to report to the Police Department his diagnosis of any animal observed by him as a rabies.

Section 11. Exemptions.

(a) Animal hospitals, clinics, and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this Ordinance, except where such duties are expressly stated.

(b) The licensing requirements of this Ordinance shall not apply to any dog belonging to nonresidents of the area and kept within the City for not longer than thirty days, providing all such dogs shall at all times, while in the City, be kept within a building enclosure or vehicle, or be under restraint and control of the owner.

Section 12. Interference.

No persons shall interfere with, hinder or molest any agent of the Police Department or Health Officer in the performance of any duty of such agent, or seek to release any animal in the custody of the Police Department or Health Officer or his agents, except as herein provided.

Section 13. Records.

(a) It shall be the duty of the Police Department to keep or cause to be kept, accurate and detailed records of the licensing, impoundment and disposition of all animals coming into its custody.

(b) It shall be the duty of the Police Department to keep or cause to be kept, accurate and detailed records of all bite cases reported to it, and its investigation of same.

(c) It shall be the duty of the Police Department to keep or cause to be kept, accurate and detailed records of all moneys received, which records shall be open to inspection at reasonable times by such persons responsible for similar records, and shall be audited annually.

(d) All moneys collected hereunder by the Police Department shall be transferred into the General Fund of the City.

Section 14. Penalty.

Any person violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor and punished by a fine of not more than three hundred dollars or by imprisonment for not more than thirty days or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.

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This Ordinance shall take effect and be in force from and after its final reading and passage by the City Council and approval by the Mayor.

First Reading: April 28, 1959

Second Reading: May 12, 1959

Third Reading: May 26, 1959

PASSED by the Common Council and Approved by the Acting Mayor of the City of Palmer this 26th day of May 1959

APPROVED:

/s/ Wm. T. Zahradniczek
WILLIAM T. ZAHRADNICEK, ACTING MAYOR

ATTEST:

Emilie St. Pierre
/s/ Emilie St. Pierre
EMILIE ST. PIERRE, CITY CLERK