

ORDINANCE NO.1538

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 6 ANIMALS, CHAPTER 6.08 DOGS BY AMENDING SECTION 6.08.105 IMPOUNDMENT PROCEDURES, TO ADD TEN (10) DAY IMPOUNDMENT WHEN A DOG ATTACKS ANY OTHER DOMESTIC ANIMAL; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

BE IT ORDAINED BY THE PAYETTE CITY COUNCIL AS FOLLOWS:

Section 1. Payette Municipal Code Title 6 ANIMALS, Chapter 6.08 DOGS, Section 6.08.105 is hereby amended to:

**6.08.105: IMPOUNDMENT PROCEDURES**

A. Impounding: Any dog found running at large contrary to the provisions of this chapter may be apprehended by any designated city employee and shall be impounded; provided, however, that if any dog so found at large cannot be safely taken up and impounded, such dog may be slain forthwith. Such dog shall be impounded and disposed of in accordance with provisions in this chapter. Any action taken by a police officer, ordinance officer, or other designated city employee, in the performance of his duties, that requires the death, injury, or destruction of a dangerous or vicious dog found running at large, shall not be considered to be cruel or inhumane treatment of the animal.

B. Period Of Confinement; Records: Any dog which bites any person and causes a break in the skin of that person, regardless if the bite is provoked or unprovoked, or is suspected of having rabies, shall be seized and impounded for a period of ten (10) days as required by Idaho state law. Any dog which attacks any other domestic animal, causing traumatic injury requiring the medical attention of a veterinarian, or death, may be impounded for a period of ten (10) days, to ensure the safety of the community and allow time for a complete investigation of the incident. The chief of police and health department shall be so notified and the animal disposed of only under their direction. A complete registry shall be kept of every dog so impounded, entering the breed, color and sex of such dog, whether licensed, and time and place of taking. If licensed, the name and address of the owner and the number of the license tag shall be entered.

C. Impoundment Fees: For impounding a dog running at large, the owner thereof shall pay to the City a fee as set by resolution for the taking up of such animal. Said impoundment fees shall be paid to the City Clerk's Office. Prior to the release of any dog impounded for running at large, the owner shall provide proof that he has possession of a current City of Payette license tag for said dog.

D. Care Of Impounded Animals: Any animal impounded under the provisions of this chapter shall be provided with proper care, food, and water while so confined.

**Section 2.** This Ordinance may be published in summary form allowed by Idaho Code.

**Section 3.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

**Section 4.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 5.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 16<sup>th</sup> day of October, 2023.

CITY OF PAYETTE, IDAHO

BY Craig L. Jensen  
Craig L. Jensen, Mayor

ATTEST:

Sarah Skelly

Sarah Skelly, Deputy City Clerk

