

ORDINANCE NO. 903

AN ORDINANCE AMENDING SECTIONS 6.08.020, 6.08.030, 6.08.040, 6.08.090, AND 6.08.100 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO, TO PROVIDE FOR THE TATOING OF DOGS, TO CHANGE THE LICENSE FEE FOR DOGS, TO PROVIDE FOR THE DESTRUCTION OF UNLICENSED DOGS, AND TO PROVIDE FOR DELIVERY OF DOGS APPREHENDED TO THEIR OWNER.

Be It Ordained by the Mayor and Council of the City of Payette, Idaho, that Chapter 6.08 of the Municipal Code of the City of Payette, Idaho, be amended as follows:

6.08.020 License - Fees - Payment Penalties - Nontransferability - Lost Tag.

A. Fees. The Clerk is authorized to issue a license and tag to any person applying therefor upon the payment of five dollars for each and every neutered dog, and ten dollars for each and every dog that is not neutered, commencing January 1, 1979 February 29, 1980. All licenses, except for the year 1980, must be dated from the first of the calendar year in which they were granted; the actual issuance date is also to be noted on the license.

B. Due Date. The ~~shape~~ ^{color} of the tag issued shall be changed each year and shall have stamped thereon the year for which such tag is issued and a number that will correspond with the number on the license. Such license fees shall be due and payable on January 1st of each and every year, except for the year of 1980 when such license fees shall be due on or before February 29, and except as hereinafter provided.

C. Penalty and Exceptions. If any license fee is not paid on or before January 31st of each year, the clerk shall within thirty days thereof there-
after, collect a penalty in addition to said license fee in the sum of one dollar; provided, however, that Any dog born subsequent to January 1st of any year the due date for the license fee shall be licensed by the payment of the appropriate license fee, without penalty, within three months after its birth and thereafter the penalty shall be added as set forth in this subsection, and any dog brought into the City subsequent to January 1st of any year the license fee due date shall be licensed by the payment of the appropriate license fee without penalty, within thirty-days immediately after being brought into the City and thereafter the penalty shall be added as set forth in this subsection.

D. Term. All licenses and tags issued under this Chapter shall be non-transferable and shall be for the calendar year beginning with January 1st, and expire expiring on December 31st of each year.

E. Lost Tag. A duplicate or replacement tag shall be issued by the Clerk upon payment of fifty cents one dollar for each tag so issued to replace the original tag which was lost or destroyed.

6.08.030 License Tags - Wearing required - Removal prohibited - Tattooing.

A. Except as otherwise provided herein, every owner shall be required to provide each dog with either a collar or harness to which the license tag are constantly worn. Show dogs during showing are exempted from wearing the collar and tag.

B. No person shall remove or cause to be removed the collar or tag from any licensed dog without the consent of the owner, keeper or harborer thereof.

C. Each and every owner has the option, at his own expense, of causing one of his dog's ears to be permanently tattooed, and having the tattoo number recorded with the city clerk. In such event the owner's dog is not required to wear a tag.

6.08.040 Kennel license - Required when - Application procedure Limiting

Number of Dogs Kept

A. It is unlawful to keep, maintain, harbor or possess upon any one premise more than three dogs, unless the owner or person in charge thereof has obtained a kennel license. Application for a kennel license shall be made to the city clerk and must be accompanied by the written consent of at least seventy-five percent of all persons in possession of premises within three hundred feet of the premises upon which said kennel is to be maintained, and must be accompanied by a deposit or a license fee of twenty-five dollars.

B. The license shall be valid until the end of the calendar year and may be renewed for another calendar year by paying the fee of twenty-five dollars on or before the first day of January of the year the kennel license is desired.

A license shall not be required by any individual dog kept in such kennel. C. All dogs covered by any such kennel license shall be maintained and kept within the kennel or under leash at all times, provided, however, that this section shall not apply to dogs under three months of age.

6.08.090 Running at large or rabid - Impoundment or disposal.

A. 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 or delivered to its owner; provided, however, that if any dangerous or vicious dog so found at large cannot be safely taken up and impounded, such dog may be slain forthwith.

B. Any dog suspected of having rabies shall be seized and impounded for a period of ten days. The health officer shall be so notified and the animal disposed of only under his direction. A complete registry shall be kept of every dog so impounded, entering the breed, color and sex of such dog, whether licensed, and the time and place of taking. If licensed, the name and address of the owner and the number of the license tag and/or tattoo shall be entered.

6.08.100 Impoundment - Notification of owner - Reclamation requirements.

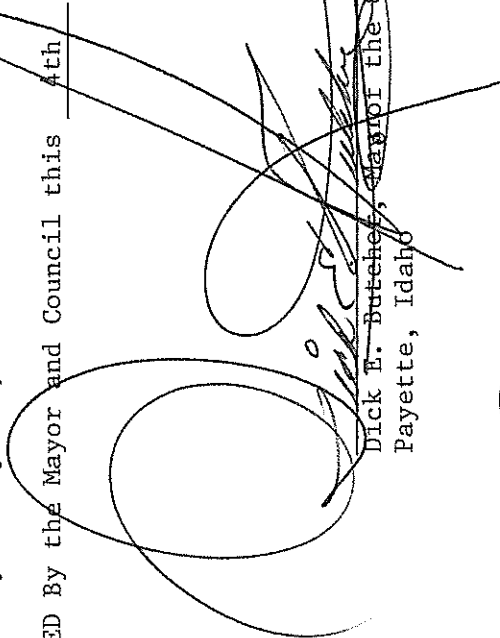
A. Not later than twenty-four hours after any licensed dog with a tag and/or tattoo has been apprehended by a city employee, the dog shall be delivered to the owner if the owner can be found. If the owner cannot be found, the dog shall be impounded. Not later than twenty-four hours after the impounding of any dog, the owner thereof shall be notified of such impounding as provided in this section. Before any action is taken for the sale or destruction of such dog as provided in Section 6.08.110, such notice shall be given in writing served personally on the owner, or if personal service cannot be made, then such notice shall be sent to such owner by registered or certified mail, return receipt requested, to the then known address of such owner, or, if unknown, to the address given by such owner on the license application form for the year immediately preceding such impounding. Such owner shall be deemed to have received actual notice four days following the day upon which such notice shall have been deposited in the mail, as provided in this section. In the event the fourth day falls upon a Saturday, a Sunday or a legal holiday, the time period shall run until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday. If the apprehended dog has neither a tag displayed,


nor a tattoo number recorded with the city clerk, and the owner thereof is unknown, the dog shall be immediately destroyed in a humane manner. If the owner of the dog is unknown and if he has not made a license application form in the clerk's office covering the year in which the dog is impounded, or the year immediately preceding such impounding, the written notice shall be posted four

~~full days at the place where the dogs are impounded, and at the city service center; such notice to describe the dog and the time and the place of taking. In the event the fourth day of posting falls upon a Saturday, a Sunday or a legal holiday, the time period for posting shall extend until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday.~~

B. The owner of any dog so impounded may reclaim such dog upon the procural of a license, if lacking, and the payment of all costs and charges incurred by the city of impounding and maintaining such dog, and by signing an affidavit of ownership of said dog. Such affidavit shall contain a full description of the dog to include breed, sex, color, height and weight plus other information as shall be required by the chief of police. ~~For the first~~ For such occurrence of impounding a dog running at large, the owner thereof shall pay to the city a sum of fee of fifteen dollars for the taking up of such animal, plus two five dollars per day or portion thereof for the costs and charges for keeping the dog. For the second occurrence within the same calendar year of impounding a dog running at large, the owner thereof shall pay to the city a fee of fifty dollars for taking up of such animal, plus two dollars per day for keeping the dog. ~~For any third or subsequent occurrence within the same calendar year of impounding a dog running at large, the owner thereof shall pay to the city a fee of one hundred dollars for the taking up of such animal for each such occurrence, plus two dollars per day for keeping the dog; provided, however, there shall be no charge for giving notice, and keeping the dog on any day that is a Saturday, a Sunday or a legal holiday.~~ That this ordinance shall take effect and be in force from and after its publication in the Independent Enterprise, a newspaper of general circulation in the City and County of Payette, Idaho.

PASSED and APPROVED By the Mayor and Council this 4th day of February, 1980.

ATTEST:

Dick E. Butcher, Mayor of the City of Payette, Idaho


Barbara A. Millard, Clerk of the City of Payette, Idaho