

## **ORDINANCE NO. 95-6**

### **ORDINANCE FOR ANIMAL CONTROL. IN RURAL HUGHES COUNTY**

Be it ordained by Hughes County for the purpose of controlling animals and protecting the public in those areas located entirely outside of a municipal boundary, yet within Hughes County, the following animal control ordinance is hereby adopted in revision of Hughes County Ordinance No. 93-6 adopted June 15, 1993.

#### **ARTICLE 1. Running at Large Prohibited**

The owner of an animal should not permit such animal to run at large. An animal shall be deemed to be running at large whenever such animal is off the premises and not under the immediate physical control of its owner, possessor, keeper, agent, servant or a member of the immediate family thereof. Whenever an animal is found running at large, the same shall constitute prima facie evidence that the owner permitted it to run at large.

#### **ARTICLE 2. Vicious Animals**

An animal is declared to be vicious within the meaning of this Ordinance when a propensity to attack or bite human beings or other animals shall exist and is known or ought reasonable to be known to the owner. No vicious animal shall be allowed off the premises of its owner or a member of the owner's immediate family over sixteen (16) years of age.

#### **ARTICLE 3. Rabies Control-Vaccination Required**

Every dog, cat or other animal held as a domestic pet in the area, described above, six (6) months of age or older, is hereby required to be vaccinated against rabies by a licensed veterinarian or other qualified person. It shall be the animal owner's responsibility to secure the required vaccination

#### **ARTICLE 4. Keeping Rabid Animals Prohibited**

No person shall knowingly harbor or keep any animal infected with rabies or an animal known to have been bitten by an animal known to have been infected with rabies.

#### **ARTICLE 5. Appointment of Animal Control Officer**

The Hughes County Commission is authorized to appoint a person or enter into a contract with a person or entity whose duty it shall be to impound any animal or animals, running at large, contrary to the provisions of this Ordinance. Said person shall be designated as the Animal Control Officer.

#### **ARTICLE 6. Unlawful to Interfere with Enforcement Officer**

No person shall hinder, delay, obstruct or tamper with traps set by the Animal Control Officer, his assistants, or any law enforcement officer when engaged in capturing, securing or impounding any animal or animals.

#### **ARTICLE 7. Contract for Enforcement of Ordinance**

The Hughes County Commission may enter into a contract with a person, association or humane society to establish, operate and maintain an animal shelter or pound in and for the County for the enforcement of this ordinance for the impounding, destroying and disposal of animals. The Hughes County Sheriff shall have access to such shelter or pound at all times for purposes of inspection of the impounded animals, buildings and facilities.

#### **ARTICLE 8. Treatment of Impounded Animals - Notice to Owners of Tagged Animals**

All animals captured and conveyed to the animal shelter or pound, whether operated and maintained by the County or by a contractor shall be kept with humane treatment and supplied with sufficient food and water for a period of at least five (5) days unless sooner reclaimed by the owner or person in charge thereof. The owners of all animals having current rabies tags shall be notified within twenty-four (24) hours thereof of the capture and impoundment of said animal.

#### **ARTICLE 9. Fees for Release from Impoundment**

When the owner or claimant of any animal so impounded shall desire to reclaim such animal, such animal may be released upon payment to the Hughes County Sheriff, the sum of \$50.00 for the first offense, \$75.00 for the second offense, and \$85.00 for the third offense. No previous offense occurring more than two years prior to the date of the offense being charged, shall be used to determine that the offense being charged is a second or third subsequent offense.

#### **ARTICLE 10. Procedures for Disposal of Unclaimed Animals**

Any animal impounded under the provisions of this Ordinance and not reclaimed by its owner within five (5) days may be humanely destroyed by the Animal Control Officer or authorized agent or placed in the custody of some person deemed to be a responsible person to be the owner of such animal. The Animal Control Officer or authorized agent may destroy any sick or injured animal which has been impounded without holding it for five (5) days if its condition is such as makes its earlier destruction necessary.

#### **ARTICLE 11. Sanctions**

Violations of the County Ordinance shall be deemed a Class 2 Misdemeanor.

