

ORDINANCE NO. 02- 2

ORDINANCE TO MAKE IT UNLAWFUL TO ALLOW A DOG TO CREATE A DISTURBANCE BY MAKING LOUD NOISE, AND PROVIDING A PENALTY FOR A VIOLATION THEREOF

BE IT ORDAINED by Hughes County for the purpose of controlling the noise made by dogs within the County.

SECTION 1. Allowing Dog to Create a Disturbance by Making Loud Noise Prohibited.

The owner or custodian of any dog shall not allow such dog to create a disturbance by making loud noises so as to be a nuisance to a neighbor or neighbors at any time of the night or day.

SECTION 2. Prohibition only Applicable In Certain Parts of the County.

The provisions of this Ordinance shall apply only in those areas within Hughes County, including the extra territorial limits of the City of Pierre (except areas of the county where incorporated places have exerted jurisdiction pursuant to statute), that are not zoned Agriculture A or Agriculture B.

SECTION 3. Enforcement by Animal Control Officer.

The animal control officer shall have the authority to enforce the provisions of this ordinance.

SECTION 4. Impounding of Dog Authorized.

The animal control officer or any county law enforcement officer may remove and impound any dog that is creating a disturbance by making loud noises so as to be a nuisance to a neighbor or neighbors when the owner or custodian of the dog cannot be located. A notice advising the owner or custodian of the dog of the impoundment must be left on the premises.

SECTION 5. Maximum Penalties for Allowing Dog to Create a Disturbance by Making Loud Noise.

Violations of this County ordinance shall be deemed a class 2 misdemeanor.

Section 6. Appointment of Animal Control Officer.

The Hughes County Board of County Commissioners is authorized to appoint a person or enter into a contract with a person or entity whose duty it shall be to enforce the provisions of this Ordinance. Said person shall be designated the Animal Control

Officer. Any county law enforcement officer shall be authorized to perform the duties of the animal control officer set forth in this Ordinance.

SECTION 7. No Effect on Animal Control Ordinance.

The provisions of this ordinance dealing with allowing a dog to create a disturbance by making loud noise does not effect the continued application of the Ordinance for Animal Control in Hughes County (Hughes County Ordinance 95-6).

ADOPTED by vote and approval of the Hughes County Board of County Commissioners on this 19th day of March, 2002, at Pierre, South Dakota.

//S//
Wallace Larsen, Chair
Hughes County Board of County
Commissioners

ATTEST:

//S//
Hughes County Finance Officer

(SEAL)