

## ORDINANCE NO. 442

AN ORDINANCE AMENDING CHAPTER THREE OF TITLE SIX OF THE CITY CODE OF THE CITY OF POLSON, MONTANA, BY ADJUSTING LICENSE FEES, IMPOUNDING FEES, PROVIDING FOR LICENSE AGENTS AND SPECIFYING THE IMPOUNDMENT OF VICIOUS DOGS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

SECTIONS ONE (1), FOUR (4), NINE (9), AND THIRTEEN (13) OF CHAPTER THREE (3) TITLE SIX (6) OF THE CITY CODE OF POLSON SHALL READ AS FOLLOWS:

6-3-1 LICENSE FEE: (a) Each owner or keeper of a dog within the City limits shall cause the same to be registered, numbered, described and licensed in the office of the Clerk of this City. Such licensing shall be for a whole year ending on the thirty-first day of December of each year. Such licenses must be obtained on or before the fifteenth day of February of each year, or prior to the dog's becoming six (6) months of age, or within thirty (30) days of the time the dog is newly brought into the City, as the case may be. Such owner or keeper shall pay for such license a fee of five dollars (\$5.00) for each neutered male and spayed female dog, and fifteen dollars (\$15.00) for each unneutered male or unspayed female dog. After February 15 or after the dog is in the city for thirty days the fee shall increase to ten dollars (\$10.00) for each neutered male and spayed female dog and twenty dollars (\$20.00) for each unneutered male and unspayed female dog.

(b) Each owner or keeper of a licensed unneutered male or unspayed female dog who shall cause the same to become neutered or spayed during the license year is entitled to a refund of the license fee for that year only. The owner or keeper must present to the city clerk a copy of the license receipt and a veterinarian certificate authenticating the neutering or spaying.

6-3-4 LICENSE AGENTS - APPOINTMENT: The licensing authority shall appoint additional license agents as may be deemed necessary or expedient. The City will provide an allowance of one dollar (\$1.00) from the license fee to reimburse additional license agents for the costs incurred in performing licensing duties for the City. License agents will settle accounts with the City periodically as determined by the licensing authority.

6-3-9 VICIOUS DOGS: (a) Whenever affidavit shall be made before the Police Magistrate of the City that any dog has bitten a person or an animal in the City, and that the person so bitten was not at the time the possessor of said dog, the Police Magistrate shall issue an Order directing the owner or possessor of said dog to deliver possession of said dog to a designated veterinary clinic for clinical observation of rabies. Upon the failure of the owner to do so, the poundmaster or the City policeman then on duty shall be directed by said Order to deliver said dog to the designated clinic for said clinical observation of rabies.

(b) The period of clinical observation shall be determined by the licensed veterinarian in charge of the clinic, but shall in no event be for a period less than ten (10) days.

(c) At the conclusion of the clinical observation period the dog may be destroyed in as humane a manner as possible by the veterinarian in charge of the clinic.

(d) The cost of impounding, keeping, observing, testing, destroying and other related expenses shall be paid by the owner of the biting dog to the City Clerk within ten (10) days following the date that the same shall be billed by the Clerk to the owner thereof.

(e) The failure on the part of the owner of a dog to immediately respond to the order provided for in subsection (a) hereof shall be deemed a misdemeanor and shall be punishable by a fine of not less than fifty dollars (\$50.00) or by imprisonment in the county jail for a period not exceeding five (5) days or by both such fine and imprisonment.

6-3-13 FEES FOR IMPOUNDING: The fee for impounding animals shall be as follows:

Licensed dogs as follows:

1st offense in a 1 year period	\$25.00
2nd offense within 1 year of 1st offense	\$50.00
3rd offense within 1 year of 1st offense	\$75.00

Unlicensed dogs as follows:

1st offense in a 1 year period	\$35.00
2nd offense within 1 year of 1st offense	\$70.00
3rd offense within 1 year of 1st offense	\$100.00

Upon the fourth offense for either a licensed or unlicensed dog within a one year period, the dog shall be declared a public nuisance and its disposal ordered by the Judge at the expense of the owner.

(1) the above fees do not include the cost of keeping the animals once impounded.

AN OFFENSE SHALL OCCUR EACH TIME AN INDIVIDUAL PARTY HAS A DOG IMPOUNDED.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed and approved this 1st day of December, 1986.

Patricia DeVries  
Patricia DeVries, Mayor

ATTEST

Kathy Cox  
Kathy Cox, City Clerk