

## ORDINANCE NO. 443

AN ORDINANCE ESTABLISHING THE NUMBER OF DOGS TO BE MAINTAINED ON PREMISES WITHOUT KENNEL LICENSES AND THE PROVISIONS ESTABLISHING COMMERCIAL KENNEL LICENSING WITHIN THE CITY OF POLSON, MONTANA.

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

SECTIONS TWENTY (20) AND TWENTY-ONE (21) OF CHAPTER THREE (3) TITLE SIX (6) OF THE CITY CODE OF POLSON SHALL READ AS FOLLOWS:

6-3-20 NUMBER OF DOGS: It is unlawful for any person, persons or family to keep, harbor or maintain in or on the same premises more than three (3) dogs over six (6) months of age without first obtained a kennel license as provided in Section 6-3-21.

6-3-21 COMMERCIAL KENNEL:

A. License: A commercial kennel license will be required by any person, persons or family who wish to maintain more than three (3) dogs over the age of six (6) months or for purposes of training or breeding.

1. Inspection: The intended facilities must be inspected by an agent of the City, such inspections to include the physical facilities as well as the effect on the neighborhood.

2. Recommendation: Following the inspection, the agent making the inspection will recommend to the licensing authority either approval or disapproval of the application.

3. Fee: The applicant must pay an annual commercial kennel fee of fifty dollars (\$50.00) which shall cover a full year from the date of license approval.

4. Consent: Anyone wishing to establish a commercial kennel must obtain the written consent of at least seventy five percent (75%) of the adjoining neighbors within 100 feet.

5. Rabies Certificates: The operators must maintain and present to the agent of the City upon demand certification of rabies vaccination for all dogs over six (6) months of age.

6. Renewals: Licenses must be renewed within thirty (30) days of the expiration date or the application will be treated as a new application.

7. Penalty: Failure to obtain a license before opening any facility covered in this section shall result in a fine of one hundred dollars (\$100.00).

8. Exclusions: No fee may be required of any veterinary hospital, animal shelter or governmental zoological park.

B. License Revocation: All kennel licenses will expire one year from the date of issuance unless sooner revoked. An agent of the City will investigate all complaints concerning improperly operated kennels, and may recommend revocation of the license if it is deemed necessary. The licensee will be given at least ten (10) days written notice of such recommendation during which time he may appeal the agent's recommendation. The licensing authority will make the final judgment as to action.

C. Compliance: All kennels in operation prior to January 1, 1987 shall have one year to comply with all provisions of this ordinance.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict

herewith are hereby repealed.

PASSED AND APPROVED this 17th day of November, 1986.

Patricia DeVries  
MAYOR

ATTEST:

King L. Cox  
City Clerk