

CHAPTER 1

ANIMAL CONTROL

ARTICLE A. DOGS

SECTION:

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5-1A-1: **DEFINITIONS:**

AT LARGE: Either on or off the premises of the owner, and not under the control of the owner or a member of his immediate family either by leash, cord, chain or other similar device, or confined in an enclosure.

CONFINED ON THE PREMISES: That condition in which a dog is securely and physically confined and restrained on and within the premises of the owner by means of walls, fences, ropes, chains, leashes or other devices of such strength and size as is physically required to prevent the same from leaving the premises.

DOG: Any member of the canine species, both male and female.

OWNER: Any person owning, possessing, keeping or harboring a dog.

VICIOUS DOG:

A dog disposed to attack persons or other animals and with such fierceness as to cause a reasonable person to fear for the physical well-being of the person or animal attacked. A vicious dog may be shot in the course of taking said animal, in the discretion of the person attempting said capture. (Ord. 87-4, 4-27-1987)

5-1A-2: **DOG AT LARGE AFTER COMPLAINT:** It shall be unlawful for any person, after complaint has been made by any person to the sheriff or animal control officer designated by the board of county commissioners, who shall serve a notice of said complaint upon such person complained of, to wilfully or negligently permit any dog owned, possessed or harbored by him to be, or run, at large without a competent and responsible attendant or master, in the vicinity of any farm, pasture, ranch, dwelling, house or cultivated lands of another, or to fail to keep any such dog securely confined on his own premises when not under the immediate control and care of a competent and responsible attendant or master. (Ord. 87-4, 4-27-1987)

5-1 A-3: **IMPOUNDMENT:** The county sheriff and such persons as the board of county commissioners may designate are hereby directed to pick up all vicious dogs or dogs found at large after a complaint in violation of the provisions of this chapter and confine them in the Burley animal shelter or at any other place the board of county commissioners may designate. (Ord. 87-4, 4-27-1987)

5-1A-4: **HOLDING OF DOGS:** Every dog seized under the provisions of this chapter shall be held for seventy two (72) hours. If such dog has a collar or a tag, the owner whose name is found on the tag shall either be notified, or reasonable attempts made to notify the owner. The owner may regain possession of the dog by paying to the county the sum of fifty dollars (\$50.00) for taking up the animal, plus the regular fees and charges of the Burley animal shelter. (Ord. 87-4, 4-27-1987)

5-1A-5: **DESTRUCTION OF DOGS:** If the dog is not claimed by the owner within seventy two (72) hours, the dog shall be sold, destroyed or otherwise disposed of. (Ord. 87-4, 4-27-1987)

5-1A-6

5-1A-7

5-1A-6: **VICIOUS DOGS:**

- A. Running At Large Prohibited: It shall be unlawful for the owner of any vicious dog to knowingly or unknowingly allow such dog to be or run at large within the county.
- B. Authority To Kill: A vicious dog may be shot in the course of taking said animal in the discretion of the person attempting capture of the animal. (Ord. 87-4, 4-27-1987)

5-1 A-7: **PENALTY:** Any person violating or failing to comply with any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined as set forth in section 1-4-1 of this code. (Ord. 87-4, 4-27-1987; amd. 2003 Code)

CHAPTER 1

ANIMAL CONTROL

ARTICLE B. RABIES CONTROL

SECTION:

- 5-1B-1: Vaccination Of Dogs
- 5-1B-2: Dog Bites
- 5-1B-3: Penalty

5-1B-1: **VACCINATION OF DOGS:** The owner of any dog over the age of four (4) months shall, within thirty (30) days after the dog attains the age of four (4) months, cause such dog to be vaccinated for rabies. The person administering an antirabies vaccination to any dog within the county shall deliver to the owner of such dog, at the time of vaccination, his certificate stating the name of the owner of the dog, a description of the dog, the date of the vaccination and the type of vaccine used. (Ord. 87-4, 4-27-1987)

5-1 B-2: **DOG BITES:**

- A. Impoundment: Whenever the owner of any dog has knowledge that such dog has bitten a human being, he shall immediately inform the sheriff's department and deliver it to the Burley city animal control officer or a veterinarian of his choice to be held for a period of ten (10) days, and a failure to do so is unlawful and punishable as provided below. Whenever the sheriff's department is informed that a dog has bitten a human being, and the owner has failed to do either of the things required, it shall be their duty to impound said dog in the Burley animal shelter at the expense of the owner for the period of observation.
- B. Observation: If it appears that the dog has rabies, after examination by a veterinarian or other qualified person, the sheriff's department shall cause the dog to be destroyed. If at the end of such period of observation it appears that the dog does not have rabies, it shall be released to the owner upon the payment of an impoundment fee of fifty dollars (\$50.00) and costs of impoundment determined by the Burley animal shelter.

- C. Confinement On Premises: If in the determination of the sheriff's department, the public health or safety will not be impaired by confinement upon the premises of the owner of the dog, the animal control officer may allow confinement for the prescribed period of time in lieu of confinement in a pound or other location.
- D. Confinement In Pen: In the event any dog has, on a second occasion, bitten a human being, the owner shall comply with this section, but the dog must thereafter at all times be confined in a secure pen, in such a manner that it cannot escape, and the pen must be inspected and approved by the sheriff's department. The dog shall not be released until the sheriff's department has examined and approved the pen. If the owner of the dog refuses to provide the pen, the dog shall be destroyed forthwith. (Ord. 87-4, 4-27-1987)

5-1 B-3: **PENALTY:** Any person violating or failing to comply with the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished as set forth in section 1-4-1 of this code. (Ord. 87-4, 4-27-1987; amd. 2003 Code)