

ORDINANCE NO. 1881

AN ORDINANCE AMENDING CHAPTER 3 (ANIMALS) ARTICLE III (DOGS) OF THE CODE OF ORDINANCES FOR THE CITY OF DANVILLE, KENTUCKY.

WHEREAS, the Board of Commissioners deems it necessary and appropriate to amend its existing ordinance pertaining to dogs due to the Boyle Fiscal Court's enactment of comprehensive measures pertaining to animal control, protection and licensing, being Boyle Fiscal Court Ordinance Number 842.0; and

WHEREAS, the City of Danville worked in conjunction with the Boyle Fiscal Court to develop said comprehensive measures through joint meetings in an effort to create a single set of rules and regulations for the entire County to aide in uniform enforcement and prosecution of offenders, which is the primary responsibility of the Boyle Fiscal Court;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DANVILLE, KENTUCKY, as follows:

SECTION ONE:

Article III of the City of Danville Code of Ordinances, titled "Dogs", is hereby deleted in its entirety with the exception of Section 3-33 ("Control of all Dogs"), which shall remain as amended below:

Every owner of a dog shall have the duty to ensure that the dog is kept under control and that reasonable care and precautions are taken to prevent the dog from leaving, while unattended, the real property limits of tis owner, possessor, or custodian, and that:

- (1) The dog is securely and humanely enclosed within a house, building, fence, pen or other enclosure (as used in this section, the word "enclosure" shall be defined in its ordinary sense) ~~and shall not be defined as set forth above in section 3-31, it being the intent of this article that the definition of enclosure as set forth in this section 3-31 be applicable only to "dangerous dogs"~~ out of which it cannot climb, dig, jump or otherwise escape on its own volition; and such enclosure must be securely latched at any time the dog is left unattended; or
- (2) The dog is securely and humanely restrained ~~as set forth in section 3-31~~ by chain, cable or trolley, braided leather, nylon or manila lead or leash, or other tether of sufficient strength having a minimum tensile strength of three hundred pounds (300 lbs.) and not exceeding ten (10) feet in length, to prevent escape and; or
- (3) The dog is on a lead or leash as described in subsection (2) above and under the control of a competent person; or is off lead or leash and obedient to that person's command and that person is present with the animal any time it is not restrained as provided for in subsections (1) and (2) above while on the owner's property.

SECTION TWO: This ordinance is effective upon its publication.

SECTION THREE: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

GIVEN FIRST READING AND PASSED _____.

GIVEN SECOND READING AND PASSED _____.

PUBLISHED IN THE *ADVOCATE-MESSENGER* _____.

APPROVED:

G. MICHAEL PERROS, MAYOR

ATTEST:

DONNA PEEK, CITY CLERK

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