

C. No person shall beat, cruelly ill treat, torment, overload, overwork, or otherwise chase any dog/cat or cause or permit any dog/cat fight or other combat between animals and dogs/cats.

D. No owner or person whom has been charged with a dog/cat's care shall abandon a dog/cat. Abandonment consisting of:

1) leaving a dog/cat for a period in excess of 48 hours without providing for someone to feed, water and check on the dog's/cat's condition. In the event that a dog/cat is found so abandoned, such dog/cat may be taken by the Dog Warden, (Police or Human Officer) and impounded in the Animal Control Center. Such dog/cat if taken from private property, shall be kept for not less than five (5) days with the same procedure otherwise to be followed as in Section 2 (Impounding).

2) leaving a dog/cat by a roadside or other public area.

3) leaving a dog/cat on either public or private property without the property owner's consent.

D. No person shall place any poisonous substance which may be harmful to a dog/cat as described herein in any location where it may be readily found and consumed by any such dog/cat.

E. All owners shall maintain a clean and healthful living area free of accumulated waste and debris so that the dog/cat shall be able to walk or lie down without coming into contact with such waste.

SECTION 7: RESTRAINT.

A dog/cat shall be restrained.

SECTION 8: VICIOUS DOGS.

The owner of any dog determined under the provisions of KRS 258.235 to be a vicious dog by the Dog Warden, shall be required to purchase a permit of \$100.00. This permit fee shall go to Nelson County. This dog, after being determined to be a vicious dog, is required to be contained in an enclosed fence with a height of at least 8 feet.

SECTION 9: PENALTIES.

Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall upon conviction, be punished by a fine of not less than \$10.00 nor more than \$100.00 or be imprisoned for not less than five (5) days nor more than sixty

E. Notwithstanding the holding periods set out above quarantined animals must be held ten days from the date the bite occurred.

F. An owner reclaiming an impounded dog/cat shall pay a fine of \$25.00 to the Dog Warden for the first impoundment and \$50.00 for each subsequent impoundment. The owner shall also pay \$10.00 per day board bill for each day the dog/cat is impounded by the Dog Warden. Proof of vaccination for rabies shall be furnished and current license shall be required before any impounded dog/cat is released to an owner. The Dog Warden may cite any owner reclaiming an impounded dog/cat, for any violation of this Ordinance.

SECTION 3: CITATIONS.

The Dog Warden, or any law enforcement officer, shall be authorized to issue citations for any violation of this ordinance.

SECTION 4: CONFINEMENT OF DOGS/CATS WHEN IN HEAT.

Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog/cat cannot come into contact with another dog/cat except for planned breeding.

SECTION 5: NUISANCE.

No owner shall fail to exercise proper care and control of his dog or cat so as to prevent the following actions by them: excessive continuous, or untimely barking or howling; molesting of passerby; attacking other domestic animals; trespassing upon school grounds; trespassing upon private property; or damaging of property of any nature. Such nuisance shall be subject to fine as provided under Section 9.

SECTION 6: HUMANE TREATMENT OF DOGS/CATS

A. No owner shall fail to provide his dog/cat with good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment. If any dog/cat is restrained by a chain, leash, or similar restraint, such chain is restrained shall be designed to prevent the animal from choking or strangling itself.

B. No person shall crop a dog or cat's ears or tail unless such person is a licensed Veterinarian.

OWNER – Any person, partnership, or corporation or other individual or entity that owns, keeps, harbors a dog/cat referred to herein or anyone who feed and/or cares for such dog/cat for fifteen (15) consecutive days

QUARANTINE – Humane confinement of an animal for the observation of symptoms of rabies in a secure enclosure which prevents the animal from coming into unplanned contact with any other animal or human for a period of ten days from the date the dog/cat bit or scratched a person.

RESTRAINED – A dog/cat shall be deemed to be restrained if kept upon the premises of its owner or if accompanied by a responsible person off of the owners premises and kept under that person's control;

UNCLAIMED DOG/CAT – Any dog/cat that is abandoned and/or confined at the Animal Control Center for five (5) days and unclaimed by owner or owner not located.

SECTION 2: LICENSES AND IMPOUNDMENT

A. Every person having a dog/cat in Nelson County shall purchase a dog/cat license at the cost of \$5.00.

B. Every dog/cat kept on the premises in the County, or within subdivisions, and areas of high population density of Nelson County, shall be restrained. Any un-restrained dog/cat found within such areas of Nelson County may be taken by the Dog Warden or any law enforcement officer to the Animal Control Center.

C. Any dog/cat so taken shall be confined in a humane manner not less than five (5) days, unless claimed by the owner. If the owner can be identified and/or located, the Dog Warden shall immediately make a reasonable effort to notify such owner to reclaim the impounded dog or cat. If said dog/cat is not claimed by the owner within five (5) days, it shall be humanely destroyed or placed for adoption through the Humane Society. All dogs/cats adopted from the Animal Shelter shall be surgically altered to prevent breeding.

D. If an impounded dog/cat has an injury, illness, or condition causing severe pain or distress, to the extent that the usual holding period would be inhumane, the dog/cat may be immediately euthanized. Feral cats, because of the psychological stress of confinement, may fall into this category.

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED
DOG/CAT CONTROL, ORDINANCE A-1-94
NELSON COUNTY, KENTUCKY

WHEREAS, the Court held a first reading on June 20, 2000, and after due advertisement held a second reading and adoption on August 1, 2000, and after due consideration,

UPON MOTION OF Amos Gritton, SECONDED BY Raymond Greer, AND A VOTE BEING HAD AND THE COUNTY JUDGE ANNOUNCING THAT THE MOTION CARRIED,

NOW THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF NELSON COUNTY, COMMONWEALTH OF KENTUCKY:

An Ordinance providing for control of dogs/cats on premises, within county wide, incorporated cities, subdivisions, and areas of high population density for the protection of the public; penalties for violation.

SECTION 1: DEFINITIONS.

ANIMAL CONTROL CENTER – Any premises designated and operated by the Dog Warden under the authority of the County for the purpose of impounding and caring for dogs and cats held under the provisions of this ordinance;

AREA OF HIGH POPULATION DENSITY – Any area which contains a cluster of five (5) or more adjacent residences.

DOG/CAT – A member of the canine or feline family, six (6) months of age or over;

DOG WARDEN – The officer employed, appointed, and authorized by the County Fiscal Court to primarily enforce the dog, animal and livestock laws of the Commonwealth and this Ordinance, and to maintain and operate the Animal Control Center of Nelson County;

FERAL CATS – Wild, untamed, unsocialized cats, unaccustomed to human contact. These animals fall within a special category and may require exception to the usual holding period.

HUMANE SOCIETY – Any organization of the Commonwealth organized for the purpose of preventing cruelty and inhumane treatment of animals;

(60) days, or both so fined and imprisoned. If any violation is continuous, each day's violation shall be deemed a separate violation.

SECTION 10: CONFLICT.

All Ordinances in conflict herewith are repealed to the extent of such a conflict.

In the event, any part of this Ordinance is construed to be in conflict, abate or abridge any Kentucky Revised Statute, then the more restrictive construction shall be applicable.

SECTION 11: EFFECTIVE.

This Ordinance shall become effective immediately after its passage and publication as required by law.

Adopted this 1st day of August, 2000, by 6 ayes and 0 nays.

NELSON FISCAL COURT

County Judge/Executive

ATTEST:

Nelson County Court Clerk