

TITLE 8
ANIMALS

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Chapter 8.02 REGULATION OF ANIMALS

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8.02.010 Animals Running at Large Prohibited. It shall be unlawful for the owner or person in charge of any horses, mules, sheep, goats, cattle, chickens, turkeys, ducks, geese, or other fowl or livestock to permit such livestock or fowl to run at large within the town limits.

Any person in charge of any fowl shall keep such fowl securely impounded in a sufficient enclosure to prevent them from running at large.

It shall be permissible for the owner or person in charge of any animals to stake such animals for the purpose of grazing within the town limits; provided, however, that such staking shall not create a nuisance by creating hazards in roadways or problems for neighboring residents. (Ord. 124, 2021)

8.02.020 Keeping of Hogs and Swine Prohibited.

It shall be unlawful for any person to keep or maintain any hogs or swine within the town limits any closer than two hundred feet (200') from the nearest neighboring dwelling.

8.02.025 Female Chickens

Chicken hen(s) shall be provided with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chicken hens, designed to be easily accessed, cleaned and maintained by the owners.

No Chicken house, outdoor chicken enclosure, or chicken hen shall at any time be located closer than 10 feet to any public right of way, sidewalk, or neighboring property line other than the chicken owner, custodian, or keeper.

The chicken hens shall be shut into the chicken house at night, from sunset to sunrise.

Stored feed must be kept in a rodent- and predator-proof container.

It is unlawful for the owner, custodian, or keeper of any chicken hen to allow the animal(s) to be a nuisance to any neighbors, including but not limited to noxious odors from the animals or their enclosure and noise of a loud and persistent and repetitious nature. (Ord. 124, 2021)

8.02.030 Permit for Keeping Animals.

It shall be unlawful or any person to keep any cattle, horses, sheep, mules, goats, or similar animals within the town limits of Bainville without first having obtained a permit to do so from the town council.

No permit shall be issued to any person to keep more than two (2) of any such animal at one time, unless the applicant shall be equipped to furnish necessary shelter and pen or enclosure of not less than fifty (50) square feet for each one animal, which shelter, pen or enclosure shall not be less than two hundred feet (200) from any neighboring dwelling.

Said permit shall provide that the permit will be revoked if premises are not kept clean and quiet to the satisfaction of the town council or its representative. (Ord. 124, 2021; Ord., 1983)

8.02.040 Cruelty to Animals.

It shall be unlawful for any person to wantonly or cruelly injure, beat, abuse, or torture any animals within the town limits.

8.02.050 Keeping Vicious Animals Prohibited.

It shall be unlawful for any person to keep, feed, harbor, or allow to stay about the premises occupied by him within the town limits, any vicious, unruly, or ferocious animal.

8.02.060 Violations; Penalty.

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as provided in Section 1.08.010 of this Code.

Chapter 8.04 Dogs

Sections:

8.04.005	Definitions
8.04.010	Repealed
8.04.020	Destruction of Dogs Attaching Livestock
8.04.030	Immunization of Dogs
8.04.040	Repealed
8.04.050	Stray Dogs
8.04.060	Notice to Owner; Reclaim
8.04.070	Control of Pets
8.04.080	Quarantine
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8.04.005 Definitions

“DOG” “DOG” means male and female canines, whether neutered or spayed.

“OWNER” “OWNER” means any person owning or having custody or responsibility for the care of a dog.

“AT LARGE” “AT LARGE” means off the premises of the owner, and not under control of the owner or a responsible party either by leash, cord, chain or other physical restraint. Any dog enclosed within an automobile or other vehicle of its owner or custodian shall be deemed to be upon the owner’s or custodian’s premises.

Applicability: This ordinance applies to all dogs kept or maintained within the corporate limits of the Town of Bainville. (Ord. 123, 2021; Ord. 116, 2015)

8.04.010 Repealed

(Ord. 123, 2021; Ord. 116, 2015)

8.04.020 Destruction of Dogs Attacking Livestock. Any dog which is found attacking legally kept livestock or fowl within the town limits, or harassing such livestock or fowl to a point of endangering their wellbeing may be destroyed by the town council's representative, as a matter of defense of said legally kept livestock. (Ord. 123, 2021; Ord. 116, 2015)

8.04.025 Licensing: Each owner of a dog in the corporate limits of the Town of Bainville shall obtain a license for it each year from the Town of Bainville. A license must be obtained for all dogs which are six (6) months of age or older, and the license must be current for each year the dog is kept or maintained in Town of Bainville. No license or renewal license shall be issued unless a current certificate of vaccination is presented at the time the license is sought. A reasonable fee for licenses and renewal licenses, established from time to time by each licensing agent, shall be collected when the license is issued if applicable. (Ord. 123, 2021)

8.04.030 Immunization of Dogs. Any person who desires to keep a dog within the town limits and who allows such dog to run at large shall be required to have said dog immunized against rabies and other communicable diseases as determined necessary by a veterinarian. (Ord. 123, 2021; Ord. 116, 2015)

8.04.040 Repealed

(Ord. 123, 2021; Ord. 116, 2015)

8.04.050 Stray Dogs: A) Roosevelt County will utilize the City of Wolf Point’s shelter, or any other approved shelter, for the collection of all unclaimed or unwanted dogs. The shelter shall

provide facilities for the humane destruction of dogs not licensed or vaccinated in accordance with this ordinance.

B) Dogs shall be kept at the shelter for a period of not less than five (5) days before being destroyed. A dog may be claimed by its owner at any time before it is destroyed, and by any other person after the five (5) day waiting period and before it is destroyed. Any person other than the owner may request that a particular dog be reserved for him/her and that he/she be given a chance to claim it before it destroyed if it is not claimed by the owner during the five (5) day period.

C) Before a dog may be removed from the shelter, the claimant shall:

1. Obtain a license if it is not already currently licensed to the claimant.
2. Follow the policy and procedures of the holding shelter.
3. Pay a reasonable board fee, established by the shelter, for each day the dog has been retained at the shelter; and

D) Notwithstanding subsections B) and C) of this Section, any unlicensed stray dog which is a health hazard to the populace of Roosevelt County may be destroyed immediately.

E) This matter must be presented to a court with a sworn affidavit and a 10 day quarantine period must follow a bite before destruction. An owner is entitled to notification of quarantine. Destruction may be ordered even if an owner is unable to be notified if due diligence is used.

F) Upon petition of victim(s), prosecuting attorney or law enforcement, a judge shall consider destruction of any vicious dog for a first offense.

G) Law enforcement must notify local health officials of any biting incident, in order that procedures of ARM 37.114.571 may be followed. (Ord. 123, 2021)

8.04.060 Notice To Owner; Reclaim: Within twenty-four (24) hours after the impounding of any dog, the owner, if known by means of the animal's license, shall be notified. The owner of the dog must reclaim said dog within the five (5) period stated hereinabove. (Ord. 123, 2021)

8.04.070 Control of Pets: All owners of dogs shall be limited to three (3) dogs and shall prevent them from freely roaming from the owner's immediate property. Prevention of roaming shall be achieved by the owner's fencing of their property or directly securing their dog(s) by means of leash or harness, or by any other means which adequately prevents their pets from roaming off the owner's property.

Any dog(s) whether licensed or unlicensed, which roam off the owner's property shall be considered a stray animal, and shall be considered a stray dog as provided hereinabove. (Ord. 123, 2021)

8.04.080 Quarantine: Any animal capable of carrying rabies which is reported to have bitten any person shall be quarantined for a period of not less than ten (10) days with a qualified veterinarian or other approved authority, such as the above-mentioned shelters. Such animal shall not be released without permission from Roosevelt County's Animal Control Officer. The owner, if known, will be responsible for all costs of quarantine. (Ord. 123, 2021)

8.04.090 Enforcement and Penalty: This ordinance shall be enforced by the Roosevelt County Sheriff and the Sheriff's designated agents.

Any owner found guilty of violating any provision hereof shall, upon conviction thereof, be subject to the general penalty provisions of §7-5-109 (1), M.C.A., as may be amended from time to time. (Ord. 123, 2021)