

*(C. Marshall)*

AN ORDINANCE PROHIBITING ANIMALS, EXCEPT DOGS AND CATS, FROM RUNNING AT LARGE, MAKING IT UNLAWFUL TO HERD ANIMALS THROUGH THE STREETS WITHOUT BEING UNDER CONTROL UNLESS DRIVEN OR HAULED; EXCEPTING DRIVING HERDS THROUGH STREETS UNDER CERTAIN CONDITIONS AND PROVIDING LIABILITY FOR DAMAGES BY STOCKMEN WHILE BEING DRIVEN; PROVIDING IT UNLAWFUL TO ALLOW POULTRY OR FOWL TO RUN AT LARGE; PROVIDING THAT ANIMALS SO RUNNING AT LARGE TO BE TAKEN UP AND CONFINED BY THE CITY MARSHALL UNTIL OWNERS PAY CERTAIN COSTS OF IMPOUNDING, SERVICES AND KEEP AND PERCENTAGE OF SALES AND THAT SAID MONEYS GO TO THE CITY TREASURY; PROVIDING IF OWNERS OF ANIMALS SO IMPOUNDED DO NOT PAY CHARGES WITHIN FIVE DAYS, THAT CITY MARSHALL POST NOTICES IN CERTAIN PUBLIC PLACES FOR GIVEN TIME AND SERVE OWNERS OF PUBLIC AUCTION SALE OF SAID ANIMALS AND FOR REDEMPTION OF SAID ANIMALS UPON PAYMENT OF DESIGNATED COSTS PRIOR TO SALE; PROVIDING REVENUES FROM SALES OF SAID ANIMALS EXCEED FEES AND CHARGES SUCH MONEYS IN EXCESS WITHIN DESIGNATED TIME LIMITS BE PAID TO OWNERS UPON CLAIM AND PROOF OF OWNERSHIP; MAKING IT UNLAWFUL TO FREE OR ASSIST IN FREEING ANIMALS SO CONFINED AND IMPOUNDED UNDER THIS ORDINANCE WITH INTENT TO RELEASE; PROVIDING FURTHER NO PERSON WITHIN CITY LIMITS SHALL MAINTAIN PLACE OF KEEPING ANIMALS IN A FILTHY CONDITION OFFENSIVE TO PERSONS OR INJURIOUS TO HEALTH; PROVIDING THAT BETWEEN THE 1ST DAY OF MAY AND THE 1ST DAY OF NOVEMBER NO PERSON SHALL PERMIT ACCUMULATIONS ON OR NEAR THEIR PREMISES OFFENSIVE TO THE PUBLIC NOR ALLOW AT ANY TIME MANURE TO ACCUMULATE ON ANY WAY, LOT OR PREMISES, OR NEAR BUILDINGS, UNLESS IN A SECURELY COVERED RECEPTACLE WHICH SHALL BE CLEANED AND CONTENTS REMOVED NOT LESS THAN ONCE A WEEK; PROVIDING PERSONS VIOLATING THIS ORDINANCE TO BE GUILTY OF A MISDEMEANOR AND ON CONVICTION TO BE FINED NOT LESS THAN \$5.00 NOR MORE THAN \$100.00; PROVIDING FOR REPEAL OF ORDINANCES NO. 22 and NO. 95 AND FOR EFFECT UPON PUBLICATION IN THE SANDPOINT NEWS BULLETIN.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CLARK FORK, IDAHO:

Section 1. ANIMALS RUNNING AT LARGE PROHIBITED: No Animal, except a dog or a cat, shall be permitted at large in the City at any time during the year; and it shall be unlawful for anyone to herd or drive any animal through the streets without having said animal under control by means of rope, strap or other device by which they may be led, unless such animal is being driven

in harness or hauled; provided that this Ordinance shall not be construed as prohibiting stockmen from driving herds through the City when necessary to transfer them from one pasture to another or for the purpose of shipping, but such stockmen so driving stock through the City shall be liable to property owners for all damages done to their property by such stock while being driven through said City, whether such damage is caused by the negligence of the said stockmen or his agents or not. Such stock shall be driven through the City in as short a time as possible.

Section 2. POULTRY RUNNING AT LARGE PROHIBITED: It shall be unlawful for any person to keep fowl or poultry unless such fowl or poultry are at all times kept upon his own premises and in enclosures.

Section 3. IMPOUNDING OF ANIMALS: If any animal shall be found running at large contrary to the provisions of this Ordinance, it is hereby made the duty of the City Marshall to take up and confine the same in a secure place or other place provided for that purpose and such animal taken up and confined shall not be released until the owner or person entitled to the possession thereof shall pay to the officer having such animal in keeping the following: In addition to the cost of advertising and keeping each animal taken up under this Ordinance the City Marshall shall collect Three Dollars (\$3.00) for impounding the same, said fee to be retained by him for his services and also <sup>Two</sup> ~~One~~ Dollar <sup>2.00</sup> ~~(\$1.00)~~ for each day he shall have kept the same and ten per cent (10%) of the sales, and the same shall be turned into the treasury.

Section 4. NOTICE AND SALE OF ANIMALS: If the owner or person entitled to the possession of an animal within five (5) days from the time it is so taken custody does not pay the charges and take it away, it shall be lawful for the City Marshall, having such animal in charge, to sell at public auction said animal; having given at least five (5) days notice of the time and place of



said sale by posting the same in five (5) public places in the City, and a copy of said notice shall also be served upon the owner or possessor of said animal, if known, at least five (5) days before the sale, but any such animal may be redeemed at any time before the sale by the payment to the officer or his assistant fees, expenses and charges heretofore provided herein.

Section 5. REVENUE FROM SALE: In case any animal sold pursuant to the provisions of this Ordinance be sold for more than is sufficient to pay the fees and charges aforesaid such excess shall be by the officer or his assistant making the sale, deposited with the Clerk which shall be paid upon an order of the Council to the owner of such animal or animals or to the person entitled to the possession of the same upon claim and proper proof within six (6) months from date of said sale.

Section 6. FREEING IMPOUNDED ANIMALS PROHIBITED: It shall be unlawful to break, open or in any manner, directly or indirectly, aid or assist in breaking open any pen or enclosure with intent of releasing any animal confined therein pursuant to the provisions of this Ordinance.

Section 7. SANITATION; VIOLATION: No person shall within the corporate limits of the City keep or maintain any pen or enclosure, stable or building for cattle, horses or other animals in such a filthy condition as to be offensive to neighbors or passers-by or injurious to the health of the neighborhood, and no person shall permit, between the first day of May and the first day of November, any manure to accumulate in or near their premises in such quantities as to be offensive to the public, and no person shall at any time allow any manure to accumulate on any lot, alley, street or premises, or near any building unless the same be properly kept in some box, can or other receptacle securely covered and free from exposure, and such box, can or other receptacle shall be thoroughly cleaned out and the manure removed from the City at least once each week.

Any person violating any of the provisions of this section shall be guilty of misdemeanor and in conviction thereof shall be fined no less than <sup>Ten</sup> ~~Five~~ <sup>\$10.</sup> Dollars (~~\$5.00~~) nor more than One Hundred Dollars (\$100.00).

Section 8. REPEAL OF ORDINANCES NO. 22 AND NO. 95:


Ordinances No. 22 and No. 95 of the City of Clark Fork are hereby repealed.

Section 9. EFFECT UPON PUBLICATION: This Ordinance shall take effect and be in force from and after its passage, approval and publication in one issue of the Sandpoint News Bulletin, a newspaper of general circulation in the City of Clark Fork, which is hereby designated as the official newspaper of this City for publication of this Ordinance.

Passed under suspension of the rules, and duly enacted as an Ordinance of the City of Clark Fork, Idaho, at a regular meeting of the City Council of said City held on the <sup>11<sup>th</sup></sup> ~~4<sup>th</sup>~~ day of September, 1970.

  
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Mayor

ATTEST:

  
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Clerk

