

AN ORDINANCE PURSUANT TO SECTIONS 49-1113 and 49-1114 IDAHO CODE ANNOTATED
RELATIVE TO POUNDS AND THE PREVENTING OF ANIMALS RUNNING AT LARGE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF CLARK
FORK, IDAHO:

Section 1. The village trustees shall maintain a village pound in Clark
Fork, Idaho, and shall appoint a poundmaster whose powers, duties, fees and
other compensation shall be as hereinafter provided.

Section 2. It shall be unlawful for any swine, horses, asses, mules,
sheep, oxen, goats, cows and other cattle to run or be at large in any public
street, lane, alley or other public place within the city.

Section 3. It shall be the duty of the Village poundmaster and it shall
be lawful for any other person of legal age and discretion to seize and take
into his custody any animal or animals which may be trespassing upon premises
owned by such person or which may be running or be at large contrary to the
preceding section; and whenever such officers or person shall seize and take
into his custody any animal or animals, as aforesaid, it shall be the duty of
such officers and other persons to take and deliver the same into a public
pound of said Village. It shall be the duty of the Village poundmaster, upon
such delivery, to receive into the pound and properly keep, care for and feed
therein any such animal until redeemed or disposed of according to law and the
provisions of this Ordinance.

Every such officer and other person for every such seizure shall be
entitled to receive, from the Village poundmaster, one-half ($\frac{1}{2}$) of the following
fees - the balance to be paid into the Village Treasury when collected, to-wit:

For every horse, ass, mule and head of cattle - \$4.00

For every swine, sheep or goat - - - - - \$2.00

Section 4. The poundmaster shall be entitled to demand and receive the
following fees and expenses, to-wit :-

For receiving and discharging every horse, ass, mule, cow and
other cattle - - - - - \$2.00

For keeping and feeding the same, each day - - - - - .50

For giving notice of sale and selling the same - - - - - \$2.00

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1 The poundmaster shall not deliver any animal so impounded to the owner
2 thereof until such owner shall pay his fees and expenses as aforesaid.

3 Section 5. Any person who shall resist or hinder or shall rescue or attempt
4 to rescue any animals set forth herein, after being seized by any officer or any
5 person shall be punished as hereinafter provided.

6 Section 6. Whenever any animal shall be impounded under any of the
7 provisions of this Ordinance, the Village poundmaster shall, within twenty-four
8 hours thereafter, give notice thereof in writing to the owner and person having
9 the care and control of such animal, if known, and living in said Village, which
10 notice shall be delivered to such owner or such other person and left at his
11 residence and shall contain a description of the time, place and cause of such
12 impounding. But if no owner or other person can be found, who shall be
13 entitled to such notice and his residence be not known, the poundmaster shall,
14 within forty-eight hours from the time of such impounding, cause to be posted
15 in three of the most public places in said Village a written notice containing
16 such description and statement.

17 Section 7. If the sum or sums for which any animal impounded, as herein
18 provided, have not been paid to the Village poundmaster within three (3) days
19 after the notices provided for in the last preceding Section shall have been
20 posted, the poundmaster shall proceed to sell any such animal at auction, for
21 cash, first advertising the sale by posting a notice thereof describing the
22 animal. Whenever such sale is made, the proceeds thereof, after paying all fees
23 and expenses, as provided in this Ordinance, shall be deposited in the Treasury
24 of the Village for the use of the owner of such animal in case he shall
25 substantiate his claim thereto within one (1) year of the time of sale.

26 Section 8. If any animal which has been lawfully impounded shall escape
27 or be rescued the poundmaster or other person who delivered such animal in the
28 pound may, at any time within the week thereafter, re-take the same and may
29 hold or dispose thereof as if no escape or rescue had taken place or may proceed
30 to recover his damages as hereinafter provided.

31 Section 9. If any person shall rescue any animal, restrain or impound any
32 animal, he shall be liable, in an action for damages to be brought by the pound-
master on behalf of the Village or by an individual who has lawfully taken

possession of said animal, pursuant to the provision of this Ordinance.

Section 10. It shall be unlawful for any swine, horses, asses, mules, sheep, oxen, goats, cows or other cattle to be staked out or placed on a picket rope or line or tied in any street, alley, or public place within the confines of the Village of Clark Fork, Idaho, and any person who shall do so contrary to the terms of this Ordinance shall be punished as herein provided.

Section 11. The Village poundmaster shall be appointed by the Village Trustees and shall keep a record of all transactions relative to this Ordinance.

Section 12. All persons convicted of a violation of this Ordinance shall be punished by fine or not more than one hundred (\$100.00) dollars with costs and for default of payment may be confined in jail at hard labor upon the streets of the Village for the benefit of the City until said fine shall be served out at the rate of two (\$2.00) per day.

Section 13. All Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 14. This ordinance shall be in force and effect for and after its passage, approval and publication in the Sandpoint Bulletin as required by law.

Passed and approved under suspension of the rules and statutes this 1st day of May, 1944.

Chairman

ATTEST:

Village Clerk