

ORDINANCE NO. 213
CARE AND CONTROL OF DOMESTIC ANIMALS

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ORDINANCE NO. 213
CARE AND CONTROL OF DOMESTIC ANIMALS

AN ORDINANCE OF THE CITY OF CLARK FORK, BONNER COUNTY, IDAHO REGULATING THE CARE AND RESPONSIBILITIES OF OWNERSHIP OF DOMESTIC ANIMALS; ESTABLISHING THE PURPOSE OF THE ORDINANCE; DEFINING TERMS AS USED IN THE ORDINANCE; PROVIDING RESPONSIBILITIES ASSOCIATED WITH THE DISEASE OF RABIES CONCERNING ANIMALS; PROVIDING CARE AND CONTROL PROVISIONS AND PROCEDURES REGARDING VICIOUS ANIMALS; RESTRICTING MAINTENANCE OF MULTIPLE ANIMALS WHERE A NUISANCE MAY EXIST; PROVIDING SEVERABILITY OF ORDINANCE PROVISIONS; PROVIDING MISDEMEANOR CRIMINAL PENALTIES FOR VIOLATION IN ADDITION TO CIVIL REMEDIES; REPEALING ORDINANCE #207; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the City of Clark Fork as follows:

SECTION 1: Statement of Purpose and Ordinance Name

Section 1.01: Statement of Purpose

It shall be the purpose of this Ordinance to provide standards and procedures for care and ownership of domestic animals within the City of Clark Fork, Bonner County, Idaho. While this Ordinance does not address all aspects of animal ownership, it establishes minimum standards for animal care, control, and treatment in the interest of public safety and animal welfare. The responsibility for actions and behavior of domestic animals remains with the owner.

Section 1.02: Ordinance Name

This Ordinance shall be referred to as Clark Fork City Animal Control Ordinance.

SECTION 2: Definitions

For the purpose of this Ordinance the following definitions shall apply:

- a. Abatement Causing an animal to be destroyed or requiring an animal to be taken out of the City of Clark Fork at the officer's discretion or upon specific direction of the Mayor or City Council of the City of Clark Fork in order to further the public safety in Clark Fork.
- b. Adult dog or cat Means any dog or cat more than six (6) months of age.
- c. Altered Means a full ovario hysterectomy in the case of the female and a complete removal of the testicles in the male. A vasectomized male dog does not qualify as an altered animal.
- d. Animal Shall include but not be limited to birds, fish, reptiles, mammals and non-human primates.
- e. At large Means being on any private property without permission of the person who owns or has a right to possess or use the property; or being unrestrained by a leash or secure chain on public or private property or being allowed to roam in any manner which presents substantial risk of interference with animal or public safety or welfare.
- f. Attack Shall mean biting, attempted biting or aggressively pursuing with the present ability to bite or injure a person.
- g. City Council Means the city Council of Clark Fork, Bonner County, Idaho.
- h. Dog Means canis familiarsis of either sex, altered or unaltered, or any other member of the canis genis if owned, kept or harbored.
- i. Hunting dog Means any dog of the hunting type breeds which is actively engaged in lawful hunting pursuant to regulations established by the Idaho Department of Fish and Game.
- j. Leash Means any rope, leather strap, chain, or any other material not greater than six (6) feet in length, being held in the hand of a person capable of controlling or actually controlling the animal to which it is attached.
- k. Officer Means any police officer, sheriff, sheriff's deputy or law enforcement officer or such other person as may be identified, nominated, appointed or designated by the Mayor and/or City Council of the City of Clark Fork, Bonner County, Idaho.

- l. Owner Means any person who is the legal owner or any person who lawfully keeps, harbors or possesses any animal.
- m. Rabies Certificate Form Means a rabies certificate form issued by a licensed veterinarian. To serve as a valid rabies certificate form, it must show:
- {1. The animal owner's name, address, and telephone number.
 - {2. The animal's name, species, breed, color, sex and age.
 - {3. The type, lot number and manufacturer of the rabies vaccine.
 - {4. The date of the vaccination.
 - {5. The date on which the vaccination expires.
 - {6. The signature of the veterinarian who vaccinated the animal or other signature authorized by the veterinarian administering the vaccination.
- n. Rabies tag Means a piece of metal or other durable material evidencing vaccination against rabies inscribed with a date and number which has been issued by a veterinarian.
- o. Severe Injury Means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.
- p. Stock dog Means any dog of the herding type breeds which is actively engaged in the herding of livestock while under the control of the owner of the dog.
- q. Vaccinated Animal Means any animal inoculated with a rabies vaccine and wearing a current rabies tag indicating proof of such vaccination. Such rabies vaccine must be approved by the State of Idaho and administered by a licensed veterinarian.
- r. Vicious Animal Means any animal which:
- {1. Has twice bitten within a forty-eight (48) month period, attacked or otherwise caused injury to a person engaged in lawful activity or,
 - {2. Has once attacked or bitten a person engaged in lawful activity causing death or severe injury.

SECTION 3: Rabies Vaccination Required For Dogs, Certificates, Tags, Exemptions

- a. Dog owners shall obtain a rabies vaccination for each dog they own, keep, harbor, or possess, within thirty (30) days after it becomes six (6) months of age, or within thirty (30) days after obtaining any dog over six (6) months of age. It shall be unlawful for any person to keep, harbor or possess any dog, unless such dog has a current rabies vaccination, administered by a licensed veterinarian, with a rabies vaccine approved for use in a dog. Such vaccinations shall be repeated at such intervals as determined by the type of vaccine used and licensing requirements of said vaccine.
- b. Any veterinarian who vaccinates a dog for rabies shall so certify by properly completing a rabies certificate form.
- c. Every dog owner shall securely affix the current rabies tag to the collar or harness of the dog for which it was issued, and shall ensure that the dog wears such rabies tag at all times.
- d. A rabies tag issued for one (1) dog shall not be transferred or attached to another dog.
- e. No person, other than the dog's owner shall remove a rabies tag or identification tag from such dog.
- f. Notwithstanding any other provision of this Chapter, a dog need not be vaccinated for rabies during an illness, if a licensed veterinarian has examined the dog, and has certified in writing that such vaccination should be postponed. Said temporary exemption shall be valid only for the duration of the illness or other medical condition for which it is granted. Any owner of a dog which has not been vaccinated for medical reasons shall retain written evidence of such exemption and shall produce it to the City upon demand.

SECTION 4: Reporting suspected cases of rabies

- a. Any owner of an animal which shows symptoms of rabies or which acts in a manner which would lead to a reasonable suspicion that the animal may have rabies shall notify the City and the Panhandle Health District.
- b. Upon the order of the City or the Panhandle Health District, a suspected rabid animal shall be isolated in strict confinement under the proper care and observation of a licensed veterinarian, in a veterinary hospital, animal shelter or other facility approved by the City or the Panhandle Health District.

Section 4.01: Reporting of bites

All persons bitten, and parents or guardians of minor children bitten, by a dog, cat, skunk, fox, coyote, bobcat, or other animal of a species subject to rabies shall notify the City and the Panhandle Health District as soon as possible thereafter. Physicians treating such bites, and other persons having knowledge of such bites, shall notify the City and the Panhandle Health District when the bite occurs within the City.

Section 4.02: Isolation of biting animals

Any animal subject to rabies which bites shall be isolated in strict confinement in a place and manner approved by the City or the Panhandle Health District for at least fourteen (14) days after the date of the bite. Dogs or cats shall be so isolated and observed for at least ten (10) days after the infliction of the bite or exposure. Dogs and cats which have been isolated under the immediate supervision of a licensed veterinarian may be released on the fifth day if, upon examination by the veterinarian, the veterinarian certifies in writing that no clinical signs or symptoms of rabies exist. Notwithstanding all of the foregoing provisions, the Mayor, City Council or officer, with or without the permission of the owner of the animal if known, may authorize the euthanasia of the animal for the purposes of laboratory examination. Prior to involuntary euthanasia, a dog's owner shall be notified, if possible, and accorded an opportunity to be heard prior to the abatement of the owner's dog. Such opportunity shall be provided as promptly as possible but in no case later than the onset of the need to administer anti-rabies vaccine. In such instance the protection of public health shall take priority over the hearing prescribed herein.

Section 4.03: Injuries and diseases, responsibility, cost and fees

- a. No person shall knowingly harbor or keep any animal with a serious injury, or inflicted with mange, ringworm, distemper or any other contagious disease, unless such animal is being given adequate treatment for such disease or injury supervised by a licensed veterinarian.
- b. The City may take immediate possession of a diseased or injured animal, not being adequately treated, or not responding to treatment, and transport the animal to a place of safe custody or a veterinarian's office, or humanely destroy the animal if such animal is beyond recovery, unless the owner places such animal under the control and treatment of a veterinarian forthwith.
- c. The owner of such animal in the possession of the City for injury or disease, shall pay all fees and expenses related to treatment, including but not limited to any transportation, confinement, board, veterinary care and

associated treatment cost and any protective impoundment fees, including all fees authorized or paid by the City in aid of the animal. Failure to pay said costs and fees shall preclude return of the animal to its owner, except as set forth at paragraph (d) below. City officials are authorized to expend public funds for purposes set forth herein.

- d. The City may waive all or part of any costs and fees when such costs and fees would create an undue hardship upon the owner and when such waiver would serve the best interests of the animal. The City may also make arrangements for return of the animal to the owner and postpone the payment of all or part of any costs and fees when such arrangement would serve the best interests of the animal.

SECTION 5: Animal Control

- a. Dog owners shall at all times prevent their dogs from being at large, either on a leash in the control of someone capable of controlling the dog or tied or fenced on their owner's or caretaker's property. Failure of an owner or handler to comply shall be in violation of this ordinance. However, dogs may be free from a leash while participating in organized field and obedience trials, while actively being engaged in herding livestock, while assisting a peace officer engaged in law enforcement duties, or while hunting pursuant to Idaho Fish and Game regulations. Every dog shall wear a collar or harness displaying a current license and rabies tag except when engaging in otherwise authorized activities. Dog owners shall securely confine their female dogs within an enclosure while in season.
- b. No person shall allow an animal in his/her care to become objectionable to neighboring property owners due to odor, noise, or accumulation of fecal matter. It shall be unlawful for any person to allow a dog subject to his care or control to bark continuously for a single period in excess of thirty minutes or intermittently for periods in excess of ten minutes such that peaceful enjoyment of neighboring properties is materially diminished. If, after written notice of excessive barking has been transmitted to the owner or caretaker by the City, a dog is allowed to bark in excess of the limits established hereby, such conduct shall constitute a violation of this ordinance, punishable as provided hereby.
- c. No person shall treat an animal in a cruel or inhumane manner or willfully or negligently cause or permit any animal to suffer unnecessary torture or pain.
- d. No person shall abandon any animal on any public or private property, or allow any animal to be without potable water at any time, or allow the animal to be without the quantity of food necessary to maintain a healthy body weight, except an animal under the care of a licensed practicing veterinarian.

- e. No person shall willfully administer any poisonous substance to an animal on the property of another, or place any poisonous substance where it would attract an animal, with the intent that the poison shall be taken, ingested or absorbed by such animal, except that the provisions of this section shall not apply to the poisoning of rodents, vermin or declared agricultural pests conducted in accordance with the laws and rules covering such animals.
- f. Violation of any of the provisions of paragraphs (a) through (e) shall be guilty of a misdemeanor punishable by a fine of up to \$300 per occurrence or by imprisonment for up to 180 days, or by both such fine and imprisonment. Every day of a violation may constitute a separate offense.

Section 5.01 Vicious animals.

- a. For the purpose of the imposition of the restrictions contained in this Chapter, a "Vicious Animal" shall be deemed to include any animal which:
 - 1. Has twice, within a forty-eight month period, bitten, attacked or otherwise caused injury to a person engaged in lawful activity; or
 - 2. Has once attacked or bitten a person engaged in a lawful activity, causing death or severe injury.
 - 3. No animal shall be deemed vicious if any injury or damage is sustained by a person who, at the time of the injury or damage was sustained, was committing a trespass or other tort upon the premises occupied by the owner or keeper of the animal, or was tormenting, abusing, or assaulting the animal, or was committing or attempting to commit a crime.
 - 4. No animal shall be deemed vicious if the animal was protecting or defending a person from a physical attack or assault.
- b. Any person owning or having custody or control of a vicious animal shall be deemed to have violated this ordinance if, as a result of that person's failure to exercise reasonable care, the animal injures any other person or animal engaged in lawful activities. A vicious animal, within the meaning of this section, shall be deemed a public nuisance and shall be subject to the provisions of this Ordinance for the remainder of its life.
- c. Any person who possesses, harbors, keeps or owns a vicious animal within the meaning of this ordinance shall:
 - 1. Keep such animal restrained in a manner which prevents any further attacks or bites.

2. Notify the City in the following manner and provide accordingly:
Owners of a vicious animal who sell or in any way transfer the ownership, custody, care or residence of the animal to a resident of Clark Fork shall, at least fourteen (14) days prior to the sale or transfer of ownership or residence, inform the City in writing of the name, address and telephone number of the new owner or custodian or new residence location within the City of Clark Fork. Said notification shall include the name and description of the animal. The owner shall, in addition, notify the new owner, in writing, of the detail of the animal's record and the terms and conditions of the animal's maintenance. Prior to placement of the vicious animal at its new home, the City of Clark Fork shall be called to inspect the premises. If the premises do not conform to the standards set by this Ordinance, the vicious animal shall not assume residence. Failure to accord with these requirements shall constitute a violation of this Ordinance.
3. While on the owner's property, a vicious animal must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of, or intrusion by young children and designed to prevent the animal from escaping. Such pen or structure for an animal must have minimum dimensions of five (5) feet by ten (10) feet and must have secure sides and a secure top. If the structure has no bottom secured to the sides, the sides must be embedded into the ground no less than two (2) feet. The enclosure must also provide adequate protection from the elements for the animal. Each such enclosure must be surrounded by a secondary fence or other barrier which would prevent a child or others from reaching the vicious animal by any foreseeable means.
4. The owner or keeper shall display a sign on his or her premises warning that there is a vicious animal on the property. This sign shall be legible from the nearest public access. In addition, the owner shall conspicuously display a sign with a symbolic warning for children indicating the presence of the vicious animal.
5. The owner or keeper of the vicious animal shall at any time allow the City of Clark Fork, its agents or assigns, or any peace officer to inspect the premises where the vicious animal is located to ensure compliance with this Ordinance and any order of a court respecting the keeping of the vicious animal.
6. The vicious animal, male or female, shall be altered within ten (10) days of having been declared vicious, unless clinically advised otherwise by a licensed veterinarian. The cost of alteration shall be borne by the owner or keeper of the vicious animal.

7. The owner or keeper of any vicious animal shall pay a special license fee of \$75.00 per year. Said fee shall offset the cost of annual inspection of the premises by the City of Clark Fork.
8. No animal which has been declared vicious pursuant to this Ordinance shall be taken into any public place, other than to a veterinarian's office, regardless of the control measures undertaken by the animal's handler.

Section 5.02 Vicious animals - Exceptions.

- a. The owner of a declared vicious animal shall notify the City Clerk and control officer immediately in the event the animal escapes. The owner shall make every possible effort to recapture such animal immediately and to warn others of its release.

SECTION 6: Animals in unattended vehicles.

- a. No person shall leave an animal in any unattended vehicle, trailer, or conveyance without adequate security to protect the public, or without adequate ventilation, or in any manner as to subject the animal to extremes of temperature which could adversely affect the health or welfare of the animal.
- b. Upon discovery of an animal so confined and adversely affected, or posing an immediate threat to the safety of the public, the sheriff, any peace officer or animal control officer, or any City Official, is hereby authorized to use the minimum effective force to open such vehicle, trailer or conveyance to rescue such animal, take possession of such animal in a protective impoundment and/or immediately transport such animal to a licensed veterinarian for care.

Section 6.01: Authorization for protective impoundment and fees.

- a. The City of Clark Fork or its animal control officer, or the sheriff or his designee is hereby authorized to place any injured, diseased, cruelly or inhumanely treated animal in protective impoundment, and transport such animal to a licensed veterinarian for care. Such protective impoundment and transportation shall be indicated for any animal known or suspected to have suffered an injury, accidental or deliberate, and exhibiting such signs as shock, temperature fluctuation, tremors, swelling, broken bones, open wounds, inability to eat, drink or stand, blistering, irregular or abnormal breathing, partial or total paralysis, irrational behavior, orificial discharge or bleeding or similar indications of injury, disease, abuse or neglect.
- b. The sheriff or any City official is hereby authorized to place any animal in protective impoundment when the animal's owner is incarcerated or incapacitated and the animal would otherwise be left without care.

- c. The owner of an animal placed in protective impoundment shall be responsible for payment of the "humane pickup" fee, for each animal placed in such protective impoundment and transported for care. The "humane pickup" fee shall be in the amount of:
1. Thirty dollars (\$30.00) for animal weighing under fifty (50) pounds.
 2. Forty dollars (\$40.00) for animal weighing from fifty (50) pounds to one hundred (100) pounds.
 3. Fifty dollars (\$50.00) for animals weighing over one hundred (100) pounds but less than five hundred (500) pounds.
 4. Seventy dollars (\$70.00) for animals weighing five hundred (500) pounds or more.

Section 6.02 Release of animals from protective impoundment.

- a. Any owner may obtain the release of an animal placed in protective impoundment, where no other violation of this Title has occurred, by paying the full cost of all veterinary care, any costs of feed, shelter or custodial care, and the humane pickup fee upon certification by a licensed veterinarian that the animal has returned to health.
- b. Any animal placed in protective impoundment which remains unclaimed by the animal's owner for a period of two (2) weeks after the animal is certified to have returned to health, and any animal placed in protective impoundment whose owner refuses to pay the amounts specified at Section 6.01 (c) above, shall become eligible for placement with an animal shelter for adoption, sale or auction at the discretion of the City upon a determination of the best interests of the animal.
- c. The City may waive all or part of any costs and fees when such costs and fees would create an undue hardship upon the owner and when such waiver would serve the best interest of the animal. The City may also make arrangements for return of the animal to the owner and allow postponement of the payment of all or part of any costs and fees when such arrangement would serve the best interests of the animal.

Section 6.03 Liability of owner for humane pickup fees.

The humane pickup fee set forth in this Chapter shall be deemed a fee for service rendered and remain the responsibility of the owner of the animal, even in the instance where such owner refuses to redeem such animal, or in the instance where a court delivers custody of the animal to any person other than the owner. The City may institute appropriate proceedings to recover such fee(s) as a separate action or as a part of any prosecution for violation of this Ordinance.

SECTION 7: Impounded animals.

- a. Any peace officer, animal control officer or any other person authorized by the City of Clark Fork may seize and impound any animal without a collar or harness bearing evidence of current license or vaccination as required by this Ordinance, and any and all dogs and other animals found running at large upon the public streets, alleys or other public places or on private premises without the permission of the owner of said premises, or any and all vicious animals. An owner of a dog or dogs which is impounded as a result of running at large or which is without the required harness, collar, license, or evidence of vaccination shall be liable for the service fees authorized by this ordinance. Animal care and compliance is the responsibility of the dog owner. Cumulative violations of this ordinance are the source of increased costs to the city, therefore multiple violations within a calendar year shall be subject to enhanced service fees.

1st failure to comply - \$25.00 service fee (pay to city clerk)

2nd failure to comply - \$50.00 service fee (pay to city clerk)

3rd failure to comply - \$100.00 service fee (pay to city clerk)

More than two violations of the licensing, rabies vaccination, or collar/harness requirements of this ordinance, or any single violation of any other provision of this ordinance, shall be punishable as a misdemeanor, subject to a possible \$300 fine and/or 180 days in jail. No dog which has been impounded shall be released to its owner until the service fees required by this ordinance and any reasonable veterinary charges incurred have been paid in full or until satisfactory alternative arrangements for payment have been made with the city clerk.

- b. Any peace officer or animal control officer or other person designated by the City of Clark Fork is authorized to enter private property to take possession of and impound any animal whenever the peace officer or other authorized person is in fresh pursuit of an animal which is in violation of a provision of this Ordinance at the time the animal enters onto private property or non-enclosed non-dwelling buildings.
- c. Any person who shall hinder, delay, interfere with or obstruct the animal control officer or any peace officer or person authorized by the City of Clark Fork to enforce this Ordinance, in the capture, securing or taking to an animal shelter any animal to be impounded, or who shall open or in any manner directly or indirectly aid, counsel or advise the opening of any animal control cage, ambulance, wagon or other vehicle used for the collection or conveyance of animals to the animal shelter shall be deemed to have violated this Ordinance.

- d. All unidentified impounded animals shall be held for a minimum of three (3) working days after which time they become the property of the shelter. All identified impounded animals shall be held for five (5) working days after which they become the property of the animal shelter. A notice of impoundment may be mailed by the shelter to the last known address of an identified owner. Such animals may be disposed of by the shelter or offered for sale by the shelter in an amount to be determined by the shelter.
- e. Animals may be adopted from the shelter once they have been resident at the shelter for the time periods specified in Section 7 (d). The shelter may charge an adoption fee and refundable deposit sufficient to cover the cost of vaccination and alteration. The new owner shall submit proof to the shelter within thirty (30) days or within thirty (30) days of the animal becoming six (6) months of age., that a rabies vaccination has been obtained and the animal has been altered. Upon such proof the shelter will refund the deposit and issue a certificate of compliance.

Section 7.01: Abatement proceedings - habitual offender.

- a. Any animal that has been impounded for more than three (3) times in any one-year period of time, or whose owner has been charged more than three (3) times in any one-year period of time for misdemeanor violation of this Ordinance for which he was held to have violated said ordinance, or any combination of impoundments and/or misdemeanor violations more than three (3) times in any one-year period of time, may be abated by the City of Clark Fork.
- b. The City of Clark Fork, its control officer or assigns shall notify the owner of an animal to be abated for being a habitual offender of its intent to do so. Notification shall be attempted by certified mail to the owner's last known address, in addition to notice by first class mail. The owner shall have ten (10) working days to request a hearing before the City Council. In the event the owner fails to request such a hearing, the declaration shall become effective at the end of the ten (10) day period. In the event the owner of the animal requests such a hearing, the City Council shall hold such a hearing within fourteen (14) days or in any case as soon as possible. During such a hearing the owner of the animal may present evidence regarding the facts of the case. The City of Clark Fork shall present all pertinent information during such a hearing. The hearing shall not exceed one hour in length. The City Council shall advise the owner of the animal of its findings within ten (10) days of the hearing. In the event the animal has been impounded in this time period the owner shall pay all boarding fees, impound fees, medical treatment cost, and quarantine fees regardless of the outcome of the hearing.

SECTION 8: Maintenance of multiple animals.

- a. Any person who owns , harbors, keeps or maintains more than three (3) adult dogs or more than three (3) adult cats, on any single parcel or aggregated parcels of real property shall be deemed to be maintaining multiple animals.
- b. The maintenance of multiple animals shall be conducted in compliance with the terms of this Chapter, and shall not result in the creation of a public nuisance due to odor, noise, or collection of fecal matter.
- c. A kennel license shall be required for anybody keeping multiple animals, including boarding, grooming, and or animal care services, excluding licensed veterinarians. Kennel license fees shall be as established by resolution of the City Council.

Section 8.01: Standards for maintenance of multiple domestic animals.

- a. In addition to the requirements of this Ordinance for the health, control and care of all animals, the owner of multiple animals shall be responsible for compliance with the following standards for the maintenance of multiple animals.
- b. Food shall be wholesome, palatable, and free from contamination. Food shall be provided in sufficient quantity and be of adequate nutritive value to maintain all animals. All water receptacles shall be kept clean and sanitary, be of appropriate design and size for the animal, and be positioned or affixed to prevent spills.
- c. Both indoor and outdoor enclosures shall receive cleaning as necessary to remove excreta, dirt, debris, so as to minimize disease hazards, odor and danger to animals and the public.

Section 8.02: Standards for maintenance of multiple animals in outdoor enclosures.

The owner of multiple animals kept in outdoor enclosures shall be responsible for compliance with the following standards:

- a. Space available to animals shall be usable, maintained in a safe and healthful manner and have a dry resting or loafing area, free of accumulated waste and debris. Where animals are kept in permanent enclosures, pens, kennels, etc. the minimum space available for each animal shall be:

No of animals*	Small (to 25lbs)	Medium (25-30lbs)	Large (over 50lbs)
1	3'x7' (21 sq ft)	6'x10' (60 sq ft)	8'x10' (80 sq ft)
2	4'x8' (32 sq ft)	8'x10' (80 sq ft)	8'x12' (96 sq ft)
3	5'x9' (45 sq ft)	8'x12' (96 sq ft)	10'x14' (140 sq ft)
4	8'x10' (80 sq ft)	10'x12' (120 sq ft)	12'x16' (192 sq ft)

*Number of animals kept in the individual enclosure.

Dimensions are advisory, square footage is required. Ratio of length to width of enclosure must be within 10% of the ratio required hereby.

- b. All animals kept in outdoor enclosures shall have access to shelter that provides protection from inclement weather conditions (wind, rain, snow) and shade from the sun during hot weather. Shelter shall be well constructed and appropriate for the species, age, physical condition and hair coat of the animals.

Section 8.03: Standards for maintenance of multiple animals in cages.

The owner of multiple animals kept in cages shall be responsible for compliance with the following standards:

- a. Caging for small animals and rodents, such as guinea pigs, rabbits, and hamsters shall be of size sufficient to permit normal activity levels, contain a place to burrow or nest and space or apparatus necessary for the animal to exercise.
- b. Cats confined in cages must be provided with litter pans and litter material. Litter pans shall be cleaned and litter materials changed as necessary to prevent odor and accumulation of urine and fecal matter.
- c. Cage confinement of dogs and cats should not compromise the health and well-being of the detained animal, except upon veterinary advice, transport or enforced rest to promote healing of an injury, disease, or medical condition.
- d. Dogs confined in cages shall be exercised outside of the cage with sufficient frequency to maintain their health and fitness, with cages to be kept free of urine and fecal matter.

- c. Cages in which birds, amphibians, reptiles, and fish are kept shall be sufficient size to permit normal levels of activity for the confined animal.

SECTION 9: Licensing requirements.

- a. On or before January 1 of each year, the owner or keeper of dogs more than six (6) months old within the City of Clark Fork shall procure from the City Clerk or the City's animal enforcement officer a tag for each dog and pay a license fee annually thereafter. The proceeds shall be paid into the fund designated by the City Council.
- b. The City Council of the City of Clark Fork shall, by resolution, establish a license fee to be charged and assessed for each dog subject to licensure. Thereafter, the City Council of Clark Fork shall periodically, by resolution, amend and modify the amount of such license fee and such other charges and fees as may be established or authorized by this ordinance. Each such license fee or modified or amended license fee shall be effective from the first day of January of such year until the 31st day of December of that year. A certificate of a veterinarian certifying that the dog has been neutered shall be presented at the time of obtaining the license to qualify for the reduced rate. If no certificate is available, other suitable proof will be required. Proof of rabies vaccination must be shown before a license can be given. License fee will be prorated quarterly for any partial years. Dogs providing services for the disabled and police dogs shall not be obliged to pay the required license fee.
- c. It shall be the duty of the City Clerk to procure at the expense of the City such a number of suitable tags properly numbered, bearing the date thereof, properly stamped and marked thereon as may be deemed necessary. Upon payment of the sum specified by resolution of the City Council which may be adopted or amended periodically hereafter, the City of Clark Fork shall issue a receipt through the City Clerk or animal control officer which will show the name of the person paying the license fee, the name and description of the dog for which the license is paid and the number of the tag issued. In event of loss of license tag, a duplicate, so stamped, shall be provided the owner by the City, at a reasonable cost to the owner for each duplicate tag.
- d. Owners and keepers of dogs visiting within the City of Clark Fork for less than sixty (60) days shall not be required to license their dog. They must show proof of rabies vaccination on request and abide by all other provisions of this Ordinance.

SECTION 10: Violation.

Other than the violations of this ordinance which establish liability for a service fee as set forth in Section 7 (a), failure to comply with this ordinance shall subject the violator to a misdemeanor criminal penalty or to a civil remedy intended to prohibit further violation and liability for the City's costs of enforcement.

SECTION 11: Severability.

If any portion of this Ordinance is held invalid, it is the intent of the City of Clark Fork that such part shall be deemed severable and the invalidity thereof shall not affect the remaining portions of this Ordinance.

SECTION 12: Violation misdemeanor or subject to civil remedy.

Any person who violates any provision of this ordinance except those for which a service fee may be charged, is guilty of a misdemeanor punishable as allowed by Idaho Code SS18-113, or may be subject to civil remedy as necessary to assure compliance with this Ordinance.

SECTION 13: Repeal of Ordinances.

This Ordinance hereby repeals Ordinance 207 and all previous ordinances of the City of Clark Fork to the extent of conflict herewith.

SECTION 14: Effective date.

This Ordinance shall take full force and effect following its passage and publication according to law.

APPROVED as an Ordinance of the City of Clark Fork, Idaho this 14th day of October, 1997.


Ambrose V. Martinosky, Mayor

CITY COUNCIL MEMBERS:

Paul McGregor
Art Ratcliff
Linda Reed
Pam Schenck

YES	NO	ABSENT	ABSTAIN
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: 
Elizabeth Parenti, City Clerk

**SUMMARY OF CLARK FORK ANIMAL CONTROL ORDINANCE
ORDINANCE NO. 213**

The City of Clark Fork, Idaho hereby gives notice of the adoption of Clark Fork Ordinance No. 213, an ordinance governing the care and control of domestic animals within the City. The ordinance contains the following provisions: a statement of purpose; definition of relevant terms; requirements for rabies vaccinations; requirements for reporting of animal bites and suspected cases of rabies and associated procedures; prohibits animals running at large; prohibits excessive odor, noise or accumulation of fecal matter; defines vicious animals; requires confinement of female dogs in season; prohibits inhumane treatment of animals; requires standards for control of vicious dogs; prohibits leaving animals in unattended vehicles; authorizes protective impoundment of animals and fees therefore; allows impounding animals not in compliance and provides service fees; establishes procedures and standards for abatement of dogs in persistent violation; establishes requirements for keeping multiple animals; requires licenses and authorizes fees; provides penalties for violation including service fees, misdemeanor criminal penalties, and civil remedies; provides severability; provides repeal of conflicting ordinances; and provides that the ordinance shall be effective following its passage and publication according to law. The full text of the Clark Fork Animal Control Ordinance is available at City Hall in Clark Fork during normal working hours.


Dated the 14th day of October, 1997.

Elizabeth Parenti
City Clerk

CERTIFICATION OF CITY ATTORNEY

I, Jerry Mason, City Attorney for the City of Clark Fork, declare that in my capacity as City Attorney of the City of Clark Fork, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, hereby certify that I have reviewed a copy of the above cited Summary of Ordinance and have found the same to be true and complete and that it provides adequate notice to the public of the contents of Ordinance No 213.

DATED this 15th day of September, 1997.


Jerry Mason, City Attorney