

**ORDINANCE NO. 885**

**THIS IS AN ORDINANCE TO AMEND PORTIONS OF TITLE 5 POLICE REGULATIONS, CHAPTER 5 ANIMAL CONTROL, ARTICLE B CONCERNING DOGS AND TO REMOVE ANY REFERENCES TO THE AMOUNTS OF FEES AND FINES FOR CHAPTER 5 IN THE RED LODGE CITY CODE.**

**WHEREAS**, it is the intent of the City Council to provide for and protect the health, safety and welfare of the citizens of Red Lodge, promote residential harmony, and ensure the well-being of its animals through effective animal regulations; and

**WHEREAS**, with the increase in incidents involving law enforcement and the increase in the City's pet population, it is necessary to ensure registration of animals and enforcement of fines to deter repeat problems associated with animals at large and nuisance behavior; and

**WHEREAS**, the Chief of Police and the Council have reviewed the schedule of fees and fines pertaining to animal control in the City limits that currently includes dogs only; and

**WHEREAS**, these measures encourage responsible pet ownership which will ensure that Red Lodge remains a clean, healthy, and considerate community; and

**WHEREAS**, the fees for registration and fines for violations of offenses are included in the Red Lodge City Code and should be removed to allow the Council to set them by resolution in the future; and

**WHEREAS**, there are other minor changes that could improve 5-5-5B at this time while keeping in mind that there is a larger effort underway with the County and Beartooth Humane Alliance for a countywide approach; and

**WHEREAS**, the City Council has determined that adopting the following suggested amendments is in the best interest of the City of Red Lodge:

**5-5B-2: LICENSE:**

- A. Required: It shall be unlawful for a resident of Red Lodge to have a dog within the corporate limits of the city unless the dog is licensed as herein required.
- B. Owner Responsibility: Term of License: Every owner of a dog in the city shall obtain a license for such dog from the City Clerk. All licenses shall expire on March 31 of each year.
- C. Fee: The City Council by resolution shall establish from time to time the fees to be charged.
- D. Certificate of Veterinarian: Prior to issuing a dog license, the City Clerk shall require a veterinarian certificate as described in subsection 5B-4(B) of this chapter and the payment of the license fee. Dogs under the age of six (6) months may be licensed without a veterinarian's certificate; provided, that the owner of the dog certified to the City Clerk show the age of the dog. Thereafter, the owner shall have his dog inoculated or vaccinated for rabies and shall acquire a veterinarian's certificate and present the same to the City Clerk prior to the time that the dog reaches seven (7) months of age. It shall be unlawful for failure to do so.

- E. Information Required: An applicant for a license shall provide the City Clerk, in addition to the above requirements, the applicant's name and address and the name, breed, description and sex of the dog. In applying for a license, evidence shall be provided whether the animal is spayed or neutered.
- F. Issuance Tag: After being presented with all the information required, the City Clerk shall issue a license to the applicant, which shall state the date of issue, date of expiration, fee paid, name and address of license and the name, breed, description and sex of the dog. The City Clerk shall furnish a metal tag with each license, which shall be stamped with the number of the license and year in which such license was issued. The metal tag provided shall be attached to a collar which shall be placed upon and remain upon the neck of the dog so licensed.
- G. Time Limitation for Obtaining License: An owner of a dog shall have thirty (30) days after bringing a dog within the corporate limits of the city in which to obtain a license from the city; provided, that such dog is, at the time it is brought within the city, currently licensed and bearing such license tag issued by another licensing authority. All other owners must obtain a license upon bringing a dog into the corporate limits of the city.
- H. Duplicate Tag: In the event the tag is lost, a duplicate tag shall be obtained from the City Clerk who shall issue such duplicate upon payment of a fee. The City Clerk shall keep a duplicate record of licenses issued and shall record all of the facts herein required. (Ord. 807, 5-14-1996)

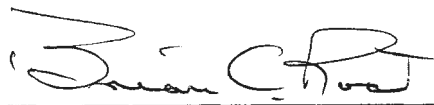
5-5B-8: PENALTY: Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by the fines set by City Council Resolution. The fines for the first three offenses shall be listed in the Resolution. The penalty for the fourth offense shall not be deemed to have occurred unless the first offense shall have occurred less than two (2) years prior thereto. (Ord. 806, 4-23-1996; amd. 2005 Code)

Be It Ordained By the Council Members of the City of Red Lodge:

First Reading by the Council on the 8th day of June, 2010.

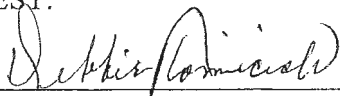
Second Reading by the Council on the <sup>22<sup>nd</sup></sup> day of ~~June~~, 2010.

**PASSED and APPROVED** by a majority of the elected members of the Red Lodge City Council this <sup>22<sup>nd</sup></sup> day of ~~June~~, 2010.



Brian C. Roat, Mayor

ATTEST:



Debbie Tomicich, City Clerk