

TITLE 9

ANIMALS

Chapters:

9-5 Animals

Chapter 5

ANIMALS

Sections:

9-5-100	Definitions
9-5-110	Animals Running at Large Prohibited
9-5-120	Rabies Vaccination Required for Dogs and Cats
9-5-130	Certain Animals Prohibited
9-5-140	Keeping of Livestock is Restricted Within Town of Ranchester
9-5-145	Domestic Fowl
9-5-150	Registration and Licensing Dogs
9-5-160	Prohibiting and Keeping of Vicious Dog or Noisy Dog
9-5-170	Impounding and Disposition of Unclaimed or Infected Animals
9-5-180	Commercial Kennels and Breeding Services Prohibited
9-5-190	Cruelty Forbidden
9-5-200	Removal of Dead Animals
9-5-210	Dumping of Dogs and Cats
9-5-220	Interference With Officer
9-5-230	Right of Entry
9-5-240	Killing or Injuring Animals Belonging to Another Person
9-5-250	Jurisdiction
9-5-260	Penalties

9-5-100. Definitions. The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed as follows:

- (a) "Animal" means any living creature, domestic or wild
- (b) "Animal Control Officer" means any officer of the Town designated by the governing body to enforce the provisions of this title.
- (c) "At Large" means off the premises of the owner, and not controlled either by leash, cord, chain or otherwise.
- (d) "Dog" means every canine, male or female.
- (e) "Owner" means any person owning, keeping, harboring, maintaining or having custody of or being in charge of a dog or other animal.
- (f) "Vicious Dog" means any dog which attacks or rushes, bites, snaps, growls or snarls at or otherwise menaces persons, other animals or vehicles, in any public or private place

outside the premises of its owner or keeper, or shows disposition to do any of the foregoing without provocation or excuse.

(g) "Pit Bull" means any and all of the following dogs:

(1) The Staffordshire Bull Terrier breed of dogs

(2) The American Staffordshire Terrier breed of dogs

(3) The American Pit Bull Terrier breed of dogs, and

(4) Any mixed breed of dog which has the appearance and characteristics of being predominately of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier.

(h) "Wolf or Wolf breed" means any dog which contains Wolf as an element of it's breeding. (Ord. 207, 2001; Ord. 93 §1, 1977)

9-5-110. Animals Running at Large Prohibited.

(a) No animal shall be permitted to run at large within the Town of Ranchester. Any such animal found running at large in the town is hereby declared to be a nuisance. Any person being found guilty of such offense shall be punished by a fine of not more than \$750.00.

(b) It shall be the duty of the animal control officer or town marshal to confine or impound any animal running at large in a secure pen, pound, or other place provided for that purpose.

(c) No animal so impounded shall be released until the owner or person in charge of such animal running at large within the town has either been acquitted of such offense or been convicted and paid any fine or penalty imposed upon such conviction.

(d) It shall be lawful for any person to take up any animal running at large in the town and deliver or cause such animal to be delivered to the Animal Control Officer or marshal, who shall confine or impound such animal.

(e) Upon a third conviction for violations of this section, the owner of the offending animal shall remove the offending animal from the Town of Ranchester, or the Animal Control Officer may take up the offending animal for purposes of disposing of the offending animal in the most humane way possible.

(Ord. 207, 2001; Ord. 150 §15, 1984; Ord. 93 §15, 1977; Ord. 4 §1, 1911)

9-5-120. Rabies Vaccination Required for Dogs and Cats.

(a) Every owner, keeper or harbinger of any cat or dog within the Town of Ranchester shall cause any such animal to be vaccinated against rabies and shall maintain a current and valid rabies vaccination at all times. Such owner or harbinger of such animals shall cause to be securely fastened about the neck of such animal at all times a band or strap to which shall be securely fastened evidence of such rabies vaccination in addition to any other license or proof which may be required. Any person being found guilty of such offense shall be punished by a fine of not more than \$750.00. Each day any violation of this section continues shall constitute a separate offense punishable by fine as set forth above.

(b) No owner, keeper or harbinger shall permit or allow any animal to wear or to be displayed on any animal a tag or anything else issued for another animal which received a rabies vaccination or for which a license was issued. (Ord. 207, 2001; Ord. 93 §10, 1977)

9-5-130. Certain Animals Prohibited.

(a) No person shall harbor keep or possess a fox, coyote, raccoon, or skunk within the Town of Ranchester.

(b) No person shall own, keep, maintain, or harbor a vicious dog or other animal within the Town of Ranchester. No person shall own, keep, maintain, or harbor any pit bull, wolf, or wolf breed dog within the Town of Ranchester.

(c) Nothing in this section may be construed to prohibit any certified service animal with proper documentation. (Ord. 251, 2012; Ord. 207, 2001; Ord. 179 §1, 1996; Ord. 163 §1, 1991)

9-5-140. Keeping of Livestock is Restricted Within Town of Ranchester. It shall be unlawful and is hereby declared to be a nuisance for any person to corral, pen, or pasture livestock within 50 feet of any residence in the developed areas of the Town of Ranchester. The definition of livestock includes, but is not limited to, cattle, horses, mules, donkeys, sheep, goats, pigs, llamas, chickens, ducks, geese and turkeys. The Town of Ranchester shall permit temporary corralling of such animals for purposes of exhibition, classes, bona fide educational purposes, demonstrations, recreational activities, provided, however, the corralling of the livestock is limited to only one day. Further, the keeping, corralling, penning, or pasturing of any such animal mentioned above pursuant to the exceptions mentioned above, those being educational purposes, exhibitions, classes, demonstrations, and recreational activities, shall also be unlawful and declared a nuisance of such animals are kept in such a way that creates unsanitary, unhealthy, or malodorous conditions. Any person being found guilty violating this section shall be punished by a fine of not more than \$750.00. Each day any violation of this section continues shall constitute a separate offense punishable by fine as set forth above. (Ord. 207, 2001; Ord. 120, 1979)

9-5-145. Domestic Fowl

(a) Domestic fowl will be allowed within the Town of Ranchester by permit only with a limit of six (6) per residence. Roosters or male domestic fowl will not be allowed.

(b) The permit shall be issued for a \$25 fee after the permittee agrees within the permit process to maintain the following:

- 1) Domestic fowl shall be contained in a non-conspicuous location at the rear of the residence as viewed from the street curb.
- 2) Indoor and outdoor containment shall be provided.
- 3) Coop and outdoor run must contain domestic fowl from all sides including top and bottom and be set back ten (10) feet from all property lines.
- 4) Coop shall provide minimum four (4) square feet per bird and run shall provide a minimum of ten (10) square feet per bird.
- 5) Feed shall be kept indoors and within an enclosed container and not be allowed to attract other animals.

(c) Permits are not transferrable upon sale of residence.

(d) If any violation continues after a two week notice is given to the permit holder by the animal control officer the permit may be revoked by the animal control officer and a fine of \$100 per week will be assessed until the domestic fowl are removed. If the Ranchester Town Council receives neighborhood complaints, the permit may be brought up for review at a regular Council meeting and the Council may revoke the permit if any violation of ordinances exists. (Ord. 252, 2013)

9-5-150. Registration and Licensing of Dogs.

(a) No household or person shall be allowed to keep, harbor or maintain more than three dogs over six months old at any time within the Town of Ranchester.

(b) It shall be unlawful for any person to keep, harbor or maintain any dog more than six months old in the Town of Ranchester, with the exception of seeing eye dogs or dogs used in aiding the handicapped, unless he shall register and license the dog annually, no later than February 1st of each and every year, with the Town Clerk and pay to the clerk the following license fee for each dog or dogs kept or maintained by him within the Town of Ranchester, to-wit:

- (1) Male Dogs and Spayed Female Dogs \$3.00
- (2) Unspayed Female Dogs \$5.00

(c) At the time application is made for such license, the owner shall inform the Town Clerk in writing of his name and address, as well as the name, breed, color and sex of each dog owned or kept by him.

(d) Upon payment of the license fee, the Town clerk shall issue a receipt therefore and a tag for the current year which tag must be worn by the dog at all times. In case a dog tag is lost or destroyed, a duplicate will be issued by the Town Clerk upon presentation of a receipt showing the payment of the license fee for the current year, and payment of \$.50 for such duplicate tag. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license because of the death or the owner's leaving before the expiration of the license.

(e) After the license fee has been paid, the Town Clerk shall register the dog in a book kept for that purpose, which book shall describe each dog by tag, number, name, and breed, color and sex as well as designating the name and address of the dog owner.

(f) Each dog license shall expire on the 30th day of June, each year, and shall be renewed and a license and tag issued on or before said date each year. A new license may be issued at any time during the year for the license fee set forth in the subparagraph (b) of this section. Licenses are due upon the day the owner or person caring for the dog takes up residence within the Town of Ranchester.

(g) No dog license shall be issued under the provision of this ordinance unless the applicant therefore shall have obtained and exhibited to the Town Clerk a certificate issued by a licensed veterinarian showing that the dog sought to be licensed has a valid rabies vaccination good for at least the current calendar year.

(h) It shall be unlawful for any person to remove from a dog any tag or collar to which is fastened or attached a licensed tag.

(i) Any dog more than six months old found within the town without a current and valid dog license as required in this section is hereby declared to be a public nuisance, and is hereby made the duty of the animal control officer or any other administrative official to pick up and confine such dog in accordance with § 9-5-170. Any person being found guilty violating this section shall be punished by a fine of not more than \$750.00. Each day any violation of this section continues shall constitute a separate offense punishable by fine as set forth above.

(Ord. 207, 2001; Ord. 93 §2-§10, 1977; Ord. 36 §2, 1916; Ord. 7 §2, 1911)

9-5-160. Prohibiting Keeping of Vicious or Noisy Dog.

(a) It shall be unlawful to allow any dog, which is vicious, noisy, or a nuisance within the corporate limits of the Town of Ranchester.

(b) The term “vicious dog” includes any dog which attacks, rushes, bites, snaps, growls or snarls, or otherwise menaces persons, other animals, or vehicles in any public or private place outside the premises of its owner or keeper or shows a disposition to do any of the foregoing, without provocation or excuse.

(c) The term “noisy dog” includes any dog, which habitually, constantly, or frequently disturbs the sleep, peace, or quiet of any neighborhood or person at any time.

(d) Every noise dog and every dog which chews, tears, digs or scratches, litters up or soils, destroys, or in any other manner injures any clothing, washing, garbage containers, gardens, flower beds, lawns, tree or shrubbery, or any other public or private property, real or personal, shall be deemed a nuisance, and the owner or keeper of such animal shall be liable as the author of a nuisance and the person owning or harboring such dog shall be subject to the penalties hereinafter provided, except that before any prosecution is brought, it shall be necessary for the complaining party to file a written complaint with the animal control officer that the dog is creating a disturbance and nuisance by its continuous barking, howling, yelping, or otherwise violating the provisions of this section and ordinance, and unless said nuisance is abated within five days after receipt of such notice from the Town, a complaint will be filed. Upon conviction, the owner of such dog shall be punished by a fine of not more than \$750.00 for such offense.

(e) Any animal, which attacks a person in a vicious manner, may be destroyed and/or the owner or responsible person for the animal may be fined up to \$750.00. Proof of the fact that the animal has bitten or attacked any person in a place where the person was entitled to be at the time of the attack is evidence that the animal is vicious. The town may destroy any vicious animal found at large that cannot be safely taken up.

(f) The owner of any animal deemed vicious by the definitions of this chapter shall have 24 hours to remove the animal from the Town of Ranchester. If the animal is not removed in 24 hours the Animal Control Officer shall impound the animal, or if the animal is too vicious to safely take up, may destroy the animal. (Ord. 207, 2001; Ord. 93 §§7, 17, 18, 1977; Ors. 179 §1-§3, 1996; Ord. 163 §1-§3, 1991)

9-5-170. Impounding and Disposition of Unclaimed or Infected Animals.

(a) It shall be the duty of the animal control officer or town marshal to apprehend any animal, other than a cat, running a large or any dog found without a current rabies vaccination tag, contrary to the provisions of §§ 9-5-110, 9-5-120, 9-5-130, and 9-5-140, hereof, and to impound such animal or dog or cat at the dog pound or other suitable place. The officer upon receiving any animal or dog or cat shall make a complete registry, entering the breed, color and sex of such animal or dog or cat and if a dog, whether the dog is licensed. if licensed, he shall enter the name and address of the dog owner and the number of the license tag.

(b) No later than two days after the impounding of animal or dog or cat, the owner shall be notified if he can be identified and found. Notice by mail shall be sufficient and such notice shall be deemed to have been served when it is deposited in the mail, postage prepaid, and bearing the last known address of the owner. The owner of any impounded animal or dog or cat may reclaim such animal within three days after it has been impounded, upon payment of the license fee, if unpaid, and all costs and charges incurred by the town in connection with the

impounding, care, and maintenance of said animal or dog or cat. A fee of \$15.00 shall be paid to the Town clerk or animal control officer for impounding any animal or dog or cat for each 24 hour period or fraction thereof, that the animal in question shall have been in the pound.

(c) Any impounded animal or dog or cat, not claimed by the owner within three days, may be given away to any person, may be redeemed or sold to any person for the redemption price, or if the animal or dog or cat is not given away or redeemed, then it shall be destroyed in the most humane manner available. Any unlicensed dog required by law to be licensed, or any animal which is vicious or which appears to be suffering from rabies or affected with hydrophobia, mange, or other infectious or dangerous disease shall not be released but may be destroyed, provided an animal which is vicious or suspected of rabies shall be held for at least two weeks before destruction. An animal which is seriously injured need not be released, and may be destroyed if the owner of such animal cannot be determined.

(Ord. 207, 2001; Ord. 179 §2, 1996; Ord. 150 §20, 1984; Ord. 93 §§20, 22, 1977; Ord. 70, 1973; Ord. 34 §1, 1915; Ord. 7 §3, 1911; Ord. 4 §4, 1911)

9-5-180. Commercial Kennels and Breeding Services Prohibited. It shall be unlawful for any person to maintain or operate a commercial dog kennel for breeding, boarding and grooming service within the Town of Ranchester. A commercial kennel is defined as any household or person harboring or keeping more than three dogs over six months of age. Any owner or caretaker of a commercial kennel shall, upon conviction, be punished by a fine of not more than \$750.00. (Ord. 207, 2001; Ord. 93 §19, 1977)

9-5-190. Cruelty to Animals Forbidden.

- a) No person shall commit cruelty to animals.
- b) A person commits cruelty to animals if, without lawful authority, he or she knowingly:
 - 1) Overrides, overdrives, overloads, drives when overloaded, overworks, tortures or torments an animal or deprives an animal of necessary sustenance;
 - 2) Unnecessarily or cruelly beats, injures, mutilates or kills an animal; or
 - 3) Carries an animal in a cruel or inhumane manner.
- c) A person commits cruelty to Animals if he has the charge and custody of any animal and unnecessarily fails to provide it with the proper food, drink or protection from the weather, or cruelly abandons the animal, or in the case of immediate, obvious, serious illness or injury, fails to provide the animal with appropriate care.
- d) Nothing in this section may be construed to prohibit:
 - 1) The use of dogs in the management of livestock by the owner of the livestock, his employees or agents or other persons in lawful custody of the livestock;
 - 2) The use of dogs or raptors in hunting;
 - 3) The training of dogs or raptors or the use of equipment in the training of dogs or raptors for any purpose not prohibited by law;
 - 4) A person from humanely destroying an animal;
 - 5) The use of commonly accepted agricultural and livestock practices on livestock; or
 - 6) Rodeo events, whether the event is performed in a rodeo, jackpot or otherwise. (Ord. 246, 2011; Ord. 207, 2001)

9-5-200. Removal of Dead Animals. It shall be the duty of every person who is the owner of any animal which shall die within the town or who is the owner of any property or premises on which the carcass of any dead animal lies promptly to remove and dispose of the

carcass of the animal beyond the corporate boundaries of the town. Any failure to do so is unlawful and punishable as provided in § 9-5-260. (Ord. 207, 2001)

9-5-210. Dumping of Cats and Dogs. If any person shall dump or abandon any cat or dog to stray upon streets or public ways within the town, such person shall be guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in §9-5-260. (Ord. 207, 2001)

9-5-220. Interference With Officer. It is unlawful for any person to hinder or interfere with any officer of the town in the discharge of his duties as provided in this title. (Ord. 207, 2001)

9-5-230. Right of Entry. In the enforcement of any of the provisions of this title, officers of the town are authorized to enter the premises of any person and take possession of any licensed or unlicensed animal, when in fresh pursuit of such animal, at the time the animal goes on to private property. The officers are authorized to enter the premises of the owner of any animal to ascertain and secure compliance with the provisions of this title. (Ord. 207, 2001)

9-5-240. Killing or Injuring Animals Belonging to Another Person. It shall be unlawful for any person in the Town of Ranchester to poison or otherwise kill or injure any animal belonging to another person. (Ord. 207, 2001)

9-5-250. Jurisdiction. This ordinance is applicable to and shall be enforceable within all areas of the Town of Ranchester where taxes accruing to the town are assessed, levied and paid as reflected upon the books and records of the office of the County Assessors for Sheridan County, Wyoming. (Ord. 207, 2001)

9-5-260. Penalties. Any person found guilty of any offense under this ordinance for which no other penalty is provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$750.00 for each offense. (Ord. 207, 2001; Ord. 184B §1, 1997; Ord. 93 §21, 1977; Ord. 36, 1916; Ord 7, 1911, Ord. 4, 1911)