

# DOGS

## § 96.40 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL CONTROL OFFICER.** For the purpose of this chapter, any police officer of the City and any animal control or code enforcement officers employed or contracted for in such capacity by the City, County of Campbell or by any joint venture between the City and any other local government organizations.

**AT LARGE.** On or off the premises of the owner and not under the immediate effective control of the owner or custodian either by leash, cord or chain, or effectively confined within a fenced area on the owner's premises.

**CITY LICENSE.** The license issued by the City or its designated agent by appropriate municipal order and required to be worn as hereinafter stated.

**DOG.** Any member of the canine family, 6 months of age or over, male or female.

**HARBORING.** Any person who shall permit any dog to remain, be lodged or maintained and fed within his or her home, yard, place of business or enclosure.

**INOCULATED.** The administration by a veterinarian or qualified person of anti-rabic vaccine approved by and administered in accordance with the regulations of the Cabinet for Human Resources.

**OWNER.** Every person having a right of property in the dog and every person who keeps, maintains or harbors the dog or has it in his or her care or permits it to remain on or about the premises owned or occupied by him or her. If a dog is owned by a family, all adult members of the family, individually and jointly, shall be deemed owners of the dog for the purposes of this subchapter.

**QUALIFIED PERSON.** A person granted a permit by the Cabinet of Human Resources to vaccinate animals against rabies and may include owners or operators of licensed kennels.

**STATE LICENSE.** The license and/or tags required by KRS 258.

**VETERINARIAN.** Any person licensed to practice the profession of veterinary medicine in the commonwealth or in any other state in which the standards and requirements therefor are equal or superior to those in the commonwealth.

## ***VICIOUS OR DANGEROUS DOG.***

(1) Any dog which constitutes a physical threat to human beings or other animals by virtue of a known or displayed propensity to endanger by pursuing, wounding or attacking any other domestic animal or human being;

(2) Any dog that has exhibited a tendency to do any act which might endanger the safety, health or well-being of any person or other animal without sufficient provocation for such act;

(3) Any dog trained, owned or harbored for the purpose, primarily or in part, of animal fighting;

(4) Any animal which has been trained to attack persons independently or upon oral command, excepting animals owned by public law enforcement agencies; or

(5) Any dog which is recognized by the American Kennel Club as either an American Staffordshire Terrier or Staffordshire Bull Terrier; is recognized by the United Kennel Club as an American Pit Bull Terrier; conforms to either of the standards of the American Kennel Club for the American Staffordshire Terrier or Staffordshire Bull Terrier, which is published with an example photograph in the current edition of the Complete Dog Book; or has predominant physical characteristics which are those of either the American Staffordshire Terrier or the American Staffordshire Bull Terrier indicated in the standards of the American Kennel Club, which is published with example photograph in the current edition of the *Complete Dog Book* and any breed or mixed breed of dog having any part of the standards or characteristics thereof.

(1995 Code, § 6.08.010) (Am. Ord. O-2008-017, passed 7-14-2008)

## **§ 96.41 GENERAL REGULATIONS.**

(A) *Control by owner outside premises.* It is unlawful for any owner of any dog, regardless of the dog's age, licensed or unlicensed, to permit the dog, at any time, to leave or be beyond the premises upon which the dog is usually kept, except when accompanied and controlled by the owner or some responsible person acting for the owner; and when so accompanied, the dog must be secured by means of a collar or harness, with chain or leash attached thereto, and held by the owner or person acting for the owner.

(B) *Running at large prohibited.*

(1) Every owner, harbinger or person having the custody, control or possession of any dog shall keep the dog confined to the premises and property of the owner, harbinger or custodian, except as hereinafter provided.

(2) No owner, harbinger or person having the custody, control or possession of any dog shall permit, allow or suffer the dog:

(a) To run or be at large as hereinbefore defined; and/or

(b) To go about or on the premises or property of any other person within the City without the permission of the person.

(C) *Vicious or dangerous dog regulations.*

(1) Owners of dangerous or vicious dogs who maintain their animals out of doors must do so in a pen, kennel or other enclosure out of which the animals cannot climb, dig, jump or otherwise escape on their own volition. The pen, kennel or other enclosure must be of adequate size to humanely confine the dogs. The pen, kennel or other enclosure may not share common fencing with the area or perimeter fencing of the property upon which it is maintained. The pen, kennel or other enclosure must have a secure top attached to all sides, and the gate of the pen, kennel or other enclosure must be locked in a manner that only the owner of the dangerous or vicious dog can open and close the gate.

(2) Except when being transported and securely confined within a vehicle, no dangerous or vicious dog shall be permitted off the property of its owner, except when it is restrained by a secure leash and harness, the length of which shall not exceed 6 feet, and securely muzzled so as to prevent the dangerous or vicious dog from biting another individual or animal.

(D) *Harboring.*

(1) No person shall be permitted to own, possess, maintain or harbor any dog on or about their premises in a manner as to create unsanitary or unhealthy conditions, obnoxious odors and/or other nuisances.

(2) It is unlawful for any person to harbor or keep any dog which by constantly or habitually barking, howling or yelping shall cause annoyance or disturbance to the neighborhood.

(3) Any person who shall allow any dog to remain and be lodged and be fed within his or her home, store, enclosure or elsewhere on his or her premises shall be considered to be harboring the animal within the terms and meaning of this chapter.

(E) *Inoculation.*

(1) (a) It shall be the duty of every person who owns or harbors a dog in the City to have the dog inoculated with anti-rabic vaccine by a veterinarian or other qualified person within 6 months of birth, and to have the dog inoculated again at the time of the expiration of the previous administration of an anti-rabic vaccine.

(b) Failure to so have the dog inoculated shall constitute and be deemed a misdemeanor and shall be subject to punishment as hereinafter provided. Furthermore, it shall be unlawful for any person to own, keep or harbor a dog in the City unless the dog shall have been inoculated with anti-rabic vaccine as aforesaid.

(2) It shall be the duty of each veterinarian or other qualified person, after every inoculation of a dog with anti-rabic vaccine, which dog is owned or controlled by a resident of the City, to furnish the person with a certificate in which shall be recorded the name and address of the owner or keeper, name and age of the dog and the date upon which the inoculation was administered.

(3) It shall be the responsibility of the owner to maintain and produce the inoculation certificate upon demand of an animal control officer.

(F) *Number of vicious or dangerous dogs per household.* It is unlawful for any person or persons to keep or harbor more than 1 vicious or dangerous dog, as defined by this chapter, in or on the premises, residence or apartment of the owner or of any person who has custody of such a dog.

(G) *Liability insurance requirement.*

(1) The owner of any vicious or dangerous dog, as defined herein, or the owner of any dog involved in a biting incident of record with any police agency or health department, shall be required to obtain and keep in force, liability insurance or homeowners' or renters' insurance coverage, in an amount of not less than \$100,000, protecting against any injury or death caused by such dog. Proof of such insurance coverage shall be provided to any police or code enforcement officer upon request.

(2) In the event the owner shall be a minor, the minor's parent or guardian shall be required to provide such insurance coverage on the minor owner's behalf.

(3) Each owner shall be required to obtain such insurance coverage within 30 days of locating within the City or from the date of purchase or acquisition of any such dog covered hereunder.

(4) Any owner found to be in violation hereof shall have such dog confiscated and impounded until the provisions hereof are met.

(H) *Pet microchip requirement.*

(1) The owner of any vicious or dangerous dog, as defined herein, or the owner of any dog involved in a biting incident of record with any police agency or health department, shall also be required to obtain and embed into such dog a pet microchip which shall contain the owner's name, address and dog identification code thereon. Such pet microchip shall provide for better management and control of such dog, permit easy identification of the owner, allow for identification and enforcement of the provisions of this chapter against irresponsible dog owners and to assess damages against such owner to any injured party which may be caused by such dog.

(2) In the event the owner shall be a minor, the minor's parent or guardian shall be required to obtain the pet microchip for such dog on the minor owner's behalf.

(3) Each owner shall be required to obtain such pet microchip within 30 days of locating within the city or from the date of purchase or acquisition of any such dog covered hereunder.

(4) Any owner found to be in violation hereof shall have such dog confiscated and impounded until the provisions hereof are met.

(1995 Code, §6.08.020) (Am. Ord. O-2008-017, passed 7-14-2008) Penalty, see [§ 96.99](#)

## **§ 96.42 LICENSE AND REGISTRATION REQUIREMENTS.**

(A) All vicious or dangerous dogs, as defined herein, kept, harbored or maintained in the City, within 6 months of its birth, shall be licensed and registered with the City or its agents designated by appropriate municipal order.

(B) (1) Dog licenses shall be issued by the City upon payment of the applicable license fee, for each neutered male, spayed female or any unneutered male so long as written proof by a licensed veterinarian is presented to the Finance and Administration Department that the male dog cannot medically be neutered. There is no requirement that male dogs be neutered until after 9 months of age.

(2) Any person 65 years of age or older, who resides in the City, shall be exempt from the payment of the license fee stated herein and shall instead only be required to pay a license fee of \$1 per annum, for any dog to be licensed.

(C) (1) The owner shall state at the time application is made for the license and upon forms provided for such purposes by the Finance and Administration Department, his or her name and address and the name, breed, color and sex of each dog owned or kept.

(2) The owner shall also provide proof that the dog has received its anti-rabic inoculation.

(D) Upon receipt of the properly executed application and payment of the license fee, the City shall issue to the owner a license certificate and a metallic tag for each dog so licensed, as provided by the Finance and Administration Department.

(E) The tag shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate.

(F) Every owner shall be required to provide each dog with a collar to which the license tag and rabies tag must be affixed and shall see that the collar and tags are constantly worn on the dog.

(G) In case a dog tag is lost, stolen or destroyed, a duplicate or substitute tag will be issued by the City upon presentation of the receipt or registration showing payment of the license fee for the current year and the payment of the applicable license fee for the duplicate or substitute tag.

(H) Dog tags shall not be transferable from 1 dog to another and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the City before the expiration of the license period.

(I) If there is a change of owners of a dog during the license period, the new owner may have the current registration transferred to his or her name upon the payment of a transfer fee of the applicable license fee.

(J) The registration and license period provided for herein shall be July 1 of 1 year to June 30 of the following year and all dogs shall be licensed and registered, as provided herein, on or before July 1 of each year.

(K) The license and registration requirements shall not apply:

(1) To dogs whose owners are non- residents temporarily within the City for a period less than 30 days;

(2) To dogs brought into the City for the propose of participating in any dog show;

(3) To dogs used to assist handicapped persons for the purpose of aiding them going from place to place; and

(L) All dogs which are brought in to the City, except as provided in division (K) above, shall be registered and licensed as herein provided within 30 days of arrival.

(M) The licensing and registration herein required shall be in addition to all licenses, registrations and inoculation requirements of the state or county by law or regulation.

(N) Any dog not bearing a license tag, as herein required, shall prima facie be deemed to be unlicensed and unregistered, and in any proceeding under this chapter, the burden of proof of the fact that a dog has been licensed and registered shall be on the owner of the dog.

(1995 Code, § 6.08.030) (Am. Ord. O-2009-011, passed 11-09-2009) Penalty, see [§ 96.99](#)

### **§ 96.43 ANIMAL CONTROL OFFICER TO TAKE POSSESSION; INSPECTION FOR LICENSE.**

(A) Any and all dogs found at large within the City and not bearing a state license in violation of KRS 258.135 and all dogs not bearing a City license shall be taken into custody by the animal control officer.

(B) An animal control officer shall have specific authority to inspect and check dogs to determine if they are properly licensed (City and state) and to take into custody any unlicensed dog or any dog found at large within the City.

(C) An animal control officer may use any reasonable means and force necessary to take control and possession of dogs found in violation of this chapter including, but not limited to using tranquilizer guns or devices. An animal control officer shall not be liable, civilly or criminally, for dogs that unintentionally are injured or killed in the process of taking control or possession of the animals, as provided herein.

(D) It is unlawful for any person to interfere with, molest, hinder or prevent an animal control officer in the discharge of his or her duties, as herein prescribed.

(1995 Code, § 6.08.040) Penalty, see [§ 96.99](#)

### **§ 96.44 IMPOUNDMENT AND REDEMPTION; FEES.**

(A) Any animal control officer may seize and impound any dog or dogs observed and found off the premises where the dog or dogs should normally be kept, when not accompanied by the owner or agent aforesaid. Any dog which does not bear any identifying tag, may be impounded.

(B) (1) All dogs taken into custody by an animal control officer as herein provided shall be impounded at the Campbell County Animal Shelter, or other suitable facility. Any dangerous, fierce, rabid or vicious dog found at large which cannot be safely taken up and impounded may be slain by any animal control officer.

(2) This section shall not apply to guide or “seeing eye” dogs under the control of a blind person.

(C) (1) Any owner reclaiming an impounded dog shall be required to pay a flat fee of \$25 for the first redemption within the fiscal year, \$50 for the second redemption within the fiscal year and \$75 for the third redemption within the fiscal year, as well as for all subsequent redemptions within the fiscal year, plus the cost of any tag, if necessary, before any impounded dog is released. However, before the dog is released to the owner, he or she must present a valid inoculation certificate or valid tag which shall be evidence of inoculation.

(2) In the event the dog has not been inoculated, the dog shall be released upon payment of the fees set forth above, and the owner shall then have 24 hours to procure and present an inoculation certificate or the dog shall be subject to being impounded again.

(3) The payment of the impounding fees shall not bar the imposition of any fine which may be imposed for the violation of this chapter.

(4) For the purposes herein expressed, the fiscal year commences July 1 and terminates June 30.

(E) If the dog is found on the premises of its owner, but is unlicensed (City or state) or at large, the animal control officer may, in his or her discretion, not impound the dog, but in lieu

thereof, issue a citation to the owner for owning an unlicensed dog or permitting the dog to be at large.

(1995 Code, § 6.08.050)

#### **§ 96.45 REMOVAL OF EXCREMENT.**

(A) No person shall allow a dog under his or her control to be upon public property or upon the property of another, absent the consent of the owner or occupant of the property, without some device for the removal and containment of the dog's excrement; nor shall any person fail to remove any excrement deposited by any dog under his or her control on public or private property.

(B) This section shall not apply to any guide or "seeing eye" dogs under the control of a blind person.

(1995 Code, § 6.08.070) Penalty, see [§ 96.99](#)

#### **§ 96.46 RABID DOGS.**

(A) If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, the dog shall be confined and placed under the observation of a veterinarian at the expense of the owner for a period of 10 days by order of any animal control officer.

(B) It is unlawful for any person knowing or suspecting a dog to have rabies to fail to comply with any of the provisions of this section.

(C) Every owner or other person, upon ascertaining that a dog is rabid, shall immediately notify the animal control officer who shall either remove the dog to the animal shelter or, if the animal control officer is unable to safely remove the dog to the animal shelter, then the animal control officer is authorized to destroy the dog in as humane a manner as practicably possible under the circumstances.

(1995 Code, § 6.08.080) Penalty, see [§ 96.99](#)