

Initiated by: Public Safety Committee
Date: November 16, 1993
Public Hearing: November 23, 1993
Action: Passed
Vote: 5-Yes, 2-No (Metcalfe, Miller)

ORDINANCE #93-35

AN ORDINANCE OF THE CITY COUNCIL OF BETHEL, ALASKA, AMENDING TITLE 6, CHAPTER 6.04.020, ENTITLED CARE AND RESTRAINT OF DOGS, AND CHAPTER 6.04.090(A) ENTITLED PENALTIES, OF THE BETHEL MUNICIPAL CODE.

BE IT ENACTED BY THE CITY COUNCIL OF BETHEL, ALASKA, AS FOLLOWS:

Section 1: Title 6, Chapter 6.04.020 and Chapter 6.04.090(A) of the Bethel Municipal Code is amended.

Section 2: This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the City under any section or provision existing at the time this ordinance is adopted, or as vacating or annulling any right obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in this title.

Section 3: If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4: Ordinance #93-35 amending Title 6, Chapter 6.04.020 and Chapter 6.04.090(A), of the Bethel Municipal Code of Ordinances is hereby adopted as follows:

6.04.020 Care and restraint of dogs. A. All dogs located outside the confines of their owners' or keepers' homes shall be restrained at a safe distance from public streets, public walkways and public parks and playgrounds.

B. All dogs located outside property owned or controlled by their owners or keepers and within the Bethel dog restraint

boundaries (6.04.100), as shown on the attached map, shall be securely restrained by means of a chain, harness or leash. All dogs located outside the Bethel dog restraint boundaries (6.04.100) shall be under voice control.

C. All dogs shall be cared for in a safe and sanitary manner. Shelter shall be provided as needed. All owners or keepers shall provide for adequate care and feeding of the animals. Failure to provide for adequate caring and feeding of the animals will result in a citation being issued and owner or keeper subject to a fine and possible impoundment of the dog.

D. An owner shall prevent the dog from engaging in the following activities: barking, whining or howling in excessive, continuous or untimely fashion.

E. A person who fails to comply with this section for care and maintenance of dogs shall be subject to all penalties established under Section 6.04.090. (Ord. 177(part), 1987)

6.04.090 Penalties A. A person who fails to comply with the provisions of this chapter may be issued a citation for ordinance violation by the animal control officer. The citation shall impose a penalty of twenty-five dollars for the first violation, fifty dollars for the second violation, and one hundred dollars for each succeeding violation within 90 days.

Section 5. This ordinance shall take effect upon passage.

PASSED AND APPROVED THIS 23RD DAY OF NOVEMBER, 1993.



Donna J. Chris, Mayor

ATTEST:



Connie Tucker, Acting City Clerk