

ORDINANCE 177

AN ORDINANCE OF THE CITY COUNCIL OF BETHEL, ALASKA REPEALING ORDINANCES 95 AND 128 AND THE CORRESPONDING CHAPTER OF THE BETHEL MUNICIPAL CODE AS CODIFIED, CHAPTER 6.04, IN THEIR ENTIRETY AND ESTABLISHING A NEW CHAPTER 6.04 OF THE BETHEL MUNICIPAL CODE ENTITLED LICENSING AND IMPOUNDMENT.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF BETHEL, ALASKA, THAT ORDINANCES 95 AND 128 AND THE CORRESPONDING CHAPTER OF THE BETHEL MUNICIPAL CODE AS CODIFIED, CHAPTER 6.04, ARE REPEALED IN THEIR ENTIRETY AND A NEW CHAPTER 6.04 OF THE BETHEL MUNICIPAL CODE ENTITLED, LICENSING AND IMPOUNDMENT, IS HEREBY ENACTED TO READ AS FOLLOWS:

6.04
LICENSING AND IMPOUNDMENT

SECTIONS:

- 6.04.010 DEFINITIONS
- 6.04.020 CARE AND RESTRAINT OF DOGS
- 6.04.030 ANIMALS AT LARGE
- 6.04.040 ANIMAL CONTROL SHELTER
- 6.04.050 DOG LICENSING
- 6.04.060 DOG KENNEL
- 6.04.070 IMPOUNDMENT
- 6.04.080 EMERGENCY ANIMAL CONTROL
- 6.04.090 PENALTIES

6.04.010 DEFINITIONS

- A. "Animal" means all domestic or domesticated members of the animal kingdom, classes Mammalia and Aves.
- B. "Animal Control Agent" means a salaried City employee under the direction of the Chief of Police who shall be responsible for the licensing of animals, rabies control of impounded animals, investigation of animal bites and complaints, maintaining the Animal Control Program and the City animal impoundment center, and the destruction and disposal of unwanted animals. The Animal Control Agent may participate in public education efforts concerning animal control and safety.
- C. "Dog" means any member of the mammalia family Canidae commonly called dogs, but not fox, wolf or other game species the taking of which is regulated by the state. Any game species kept as a pet must have a valid state permit.
- D. "Animal Control Shelter" means a City-maintained impoundment with pens for dogs and other animals.
- E. "Kennel" means a premises or property where four or more dogs six (6) months of age or older are kept.

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 restrained 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. All owners or keepers shall provide for the 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 impoundment and possible impoundment of dog.

D. 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.

6.04.030 ANIMALS AT LARGE Any loose dogs or other animals in the City of Bethel, wandering at large and captured by the Animal Control Agent, shall be impounded.

6.04.040 ANIMAL CONTROL SHELTER

The City of Bethel shall maintain an Animal Control Shelter under the direction of the Chief of Police.

6.04.050 DOG LICENSING

A City of Bethel dog license shall be required for all dogs six (6) months of age or older. The license shall expire on December 31 of each year. A valid rabies immunization certificate shall be required before the dog license will be issued. The City Council, no later than November 31 of each year, shall establish a fee schedule for licensing of animals. If the City Council does not establish a fee schedule by November 31 of any year, then the fee schedule in existence shall continue to be the fee schedule for that year.

6.04.060 DOG KENNEL

A. All kennels within the City of Bethel shall be licensed. Application for a kennel license shall be made to the Animal Control Officer. The application for a kennel license shall contain the following information:

1. the name and address of the applicant
2. the number and breed(s) of dogs to be kept at kennel.
3. proof of a current rabies vaccination for each dog kept at the facility.

B. All dogs shall be maintained in a safe and sanitary manner. All kennel owners or keepers shall provide for the adequate care and feeding of the animals within the kennel. Failure to properly maintain a kennel or to provide adequate care or feeding of the animals within a kennel will result in a citation being issued and the owner or keeper subject to a fine and possible revocation of the kennel license.

C. A kennel license shall be issued for one calendar year. All kennel licenses shall expire on December 31 of each year. An application for renewal of the kennel license shall be on a form provided by the Animal Control office. Kennel fees shall be four (4) times the cost's of a single license fee.

D. A person who fails to comply with the provisions of this section for licensing and maintenance of kennels shall be subject to all penalties established under 6.04.090.

6.04.070 IMPOUNDMENT

A. Any animal impounded within the City Animal Control Shelter shall be held a minimum of four (4) days including Saturday, Sunday and holidays, during which the pound is open at least two (2) hours.

B. Any impounded animal suspected of having rabies or that has unprovokingly bitten a person shall be impounded in isolation for a minimum of ten (10) days. An animal impounded for the second time for biting a person unprovoked shall be destroyed after the ten (10) day holding period.

C. Any animal not released after the four (4) day impoundment holding period may be destroyed or disposed of at the discretion of the Animal Control Officer.

D. The City Council shall set, no later than January 31 of each year, an impoundment fee schedule. The schedule shall provide for an escalated schedule of fees for repeated impoundment during a 12 month period.

E. No animal shall be released from the animal control shelter until all licensing, impoundment, vaccination and adoption fees are paid.

F. Any person adopting an animal from the animal control shelter shall pay any and all impoundment and vaccination fees in addition to an adoption fee as set by the City Council.

6.04.080 EMERGENCY ANIMAL CONTROL

A. Whenever there exists a substantial problem of unconfined and free-roaming dogs and this problem shall be of such nature as to exceed the ability of the animal control officer to safely and adequately deal with such loose dogs, the City Council may declare an emergency dog control program into effect. In determining whether an emergency program shall be declared, the City Council shall consider:

1. The number of citizen complaints;
2. The nature of citizen complaints;
3. The existence of reported rabies cases or other contagious diseases carried by dogs;
4. The ability of the City dog pound to safely care for additional animals;
5. Other relevant factors.

B. If an emergency dog control program is declared, such emergency program shall be announced by posting notice in at least three places within the City, by announcing such program at least once daily on local radio or television, and by noticing such program in a newspaper of local circulation at least once.

C. At the conclusion of seven (7) days after such announcement has first been noticed, the City Council may order the destruction of free-roaming dogs by specified public safety personnel and/or the animal control officer. Such emergency control program shall be in effect for no more than thirty (30) days, and may be extended only by resolution of the Council, after public hearing.

6.04.090 PENALTIES

A. A person who fails to comply with the provisions of this chapter shall be issued a citation for ordinance violation by the animal control officer. The citation shall impose a penalty of \$15.00 dollars for the first violation, \$50.00 dollars for the second violation, and \$100.00 dollars for each succeeding violation.

B. Each working day that an animal is kept in violation of a citation issued under this chapter shall constitute a separate violation.

C. The City may seek injunctive relief to enforce compliance with this chapter.

D. It is a violation of this chapter for any person or persons to open a vehicle being used to transport dogs or other animals to the City dog pound or the doors of the City dog pound with the intent of allowing impounded dogs or other animals to escape. Such person or persons upon conviction shall be subject to the penalty established in Chapter 1.08 of this Code.

6.04.100 BETHEL DOG RESTRAINT BOUNDARIES

Description: Commencing at Intersection 9D, hence North to intersection 9C, hence west to intersection 8C, hence north to intersection west to intersection 2A, hence south to intersection 2D, hence west to intersection 1D, hence south to intersection 1F, hence east to intersection 6F, hence to intersection 9D. That area encompassed by the above description constitutes the Bethel Dog Restraint Boundaries as shown on attached map.

EFFECTIVE DATE THIS ORDINANCE: DECEMBER 15, 1987

PASSED AND APPROVED THIS 15th DAY OF December, 1987

ATTEST:

Diane Carpenter
Diane Carpenter, Mayor

Anna McGowan
Anna McGowan, Acting City Clerk

AMENDMENT #1
to
ORDINANCE #177

AN ORDINANCE AMENDING ORDINANCE #177, ENTITLED ANIMAL CONTROL ORDINANCE AND THE CORRESPONDING CHAPTER 6.04 OF THE BETHEL CODE OF ORDINANCE AS CODIFIED.

BE IT ORDAINED BY THE CITY COUNCIL OF BETHEL, ALASKA, THAT ORDINANCE 177 AND THE CORRESPONDING CHAPTER OF THE BETHEL MUNICIPAL CODE, CHAPTER 6.04, ARE AMENDED AS FOLLOWS:

add Section 6.04.010, Item F.

6.04.010 DEFINITION: Item F. Cat - Any domestic member of the family Felidae, commonly referred to as a cat.

add separate Section 6.04.045

6.04.045 VACCINATION AGAINST RABIES

All dogs and cats be vaccinated against rabies from age 3 months on.

PASSED AND APPROVED THIS 29 DAY OF November, 1988.

Clara Kelly
Clara Kelly, Mayor

ATTEST:

Anna McGowan
Anna McGowan, City Clerk

AMENDMENT #2
TO
ORDINANCE #177

AN ORDINANCE AMENDING ORDINANCE #177 ENTITLED ANIMAL CONTROL
ORDINANCE AND THE CORRESPONDING CHAPTER 6.04 OF THE BETHEL
MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF BETHEL, ALASKA THAT
ORDINANCE #177 AND THE CORRESPONDING CHAPTER OF THE BETHEL
MUNICIPAL CODE, CHAPTER 6.04 IS AMENDED AS FOLLOWS:

Add under Section 6.040.010, Item G.

Section 6.040.010 (G)--"Adequate Care" means to provide daily
amounts of food and water.

In Section 6.040.020 (C) add the wording "Shelter shall be
provided as needed."

Section 6.04.020 (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 the 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
dog.

In Section 6.04.090 (A) change fifteen dollars to twenty-
five dollars.

Section 6.040.090 (A)--A person who fails to comply with the
provisions of this chapter shall 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.

INTRODUCTION: March 24, 1992
PUBLIC HEARING: April 14, 1992

PASSED AND APPROVED THIS 14th DAY OF April, 1992.

James H. Feaster III
James H. Feaster III, Mayor

ATTEST:

Jane Elam
Jane Elam, City Clerk