

Title 7

ANIMALS

Chapters:

- 7.01 General Provisions**
- 7.02 Dangerous Animals**
- 7.04 Animals Running at Large**
- 7.06 Licensing of Dogs**
- 7.07 Rabies Vaccinations**
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Chapter 7.01**GENERAL PROVISIONS**

Sections:

- 7.01.010 Definitions.
7.01.020 Penalties.

7.01.010 Definitions.

“Dangerous animal” means any animal which has ever bitten or attacked a human being.

“Domestic animal” means every kind of animal that is domesticated (not wildlife), including (without limitation) livestock of all kinds, dogs, cats, monkeys, birds and reptiles.

“Livestock” means every kind of domestic animal that is four-footed and ordinarily larger than a dog; and includes (without limitation) cattle, horses, swine, goats, sheep and llamas. [Ord. 245 § 4, 1985.]

7.01.020 Penalties.

A. Any violation of this title shall be punished by the fine established in CMC 1.16.040 if the offense is listed in that fine schedule or by a fine of up to \$300.00 if the offense is not listed in the CMC 1.16.040 fine schedule.

B. If a violation continues, each day’s violation shall be deemed a separate violation.

C. These penalties shall be separate from and in addition to any impound fees or other fees prescribed by this title. [Ord. 670 § 4, 2015; Ord. 383 § 4, 1994; Ord. 267 § 4, 1988.]

Chapter 7.02**DANGEROUS ANIMALS**

Sections:

- 7.02.010 Restraint of dangerous animals.
7.02.020 Impoundment of dangerous animals.
7.02.030 Capture methods.
7.02.040 Emergency situations.
7.02.050 Biting dogs.

7.02.010 Restraint of dangerous animals.

No dangerous domestic animal shall be permitted within the city limits unless kept securely confined at all times within the owner’s premises, so that the animal is unable to leave the premises, and so that the animal cannot reach postmen, delivery boys and others who may have occasion for lawful entry upon the owner’s premises in the course of their work or with the owner’s permission. [Ord. 245 § 4, 1985.]

7.02.020 Impoundment of dangerous animals.

A. The city, by its properly constituted officers, shall impound any dangerous animal when the animal is:

1. Found to be at large or harbored under circumstances constituting a violation of this chapter;
2. Damaging property of a person other than the owner of the animal, except in defense of the property of its owner or members of its owner’s household;
3. Causing bodily harm to any person; or
4. Acting in such manner as to cause reasonable apprehension of bodily harm by persons or animals not within or upon the premises of the dangerous animal’s owner.

B. When an animal believed to be dangerous has been impounded, the chief of police shall give written notice to the animal’s owner, informing him of his opportunity for a hearing before the police chief within five days of receipt of the notice. The police chief shall, if timely requested by the owner, hold a hearing. The police chief shall determine whether the animal is dangerous, as defined by CMC 7.01.010(A) or (in the case of dogs) AS 03.55.020 and 03.55.030. If the animal is determined not to be dangerous, it shall be released to its owner. If the animal is determined to be dan-

gerous, it may be killed by any humane method. [Ord. 245 § 4, 1985.]

7.02.030 Capture methods.

The use of tranquilizer guns and serum is an approved, humane method for the capture of dangerous animals. [Ord. 245 § 4, 1985.]

7.02.040 Emergency situations.

A. If any city police officer has probable cause to believe that any person is in imminent danger of bodily harm because of a dangerous animal, such animal may be slain by the police officer in accordance with AS 03.55.010 and 03.55.020.

B. If any person is confronted with a situation where a dangerous animal is about to attack him, a member of his family or any other person, that person may take such protective measures as may be reasonably necessary to prevent bodily harm to any person, including slaying the animal pursuant to AS 03.55.010 and 03.55.020. Such events shall immediately be reported to the police department.

C. An officer in hot pursuit of an animal known to be or reasonably suspected of being dangerous to persons other than wrongful trespassers upon his owner's premises, may enter the owner's premises and demand possession of such animal. If, after such request, the owner or keeper of the animal refuses to deliver the animal to the officer, and the officer cannot with reasonable safety catch the animal, he may cause the animal to be killed pursuant to AS 03.55.010 and 03.55.020; provided, however, such officer shall not enter the owner's premises without a valid warrant. [Ord. 245 § 4, 1985.]

7.02.050 Biting dogs.

A. Any dog which has twice (at any time in the dog's history) engaged in attacking, fighting with another domesticated pet/animal outside of its household, kills another animal, or chases, runs, or stalks wildlife, or bites a human is hereby declared to be a nuisance, and shall not be kept within the city. If any such dog is found within the city, it shall be impounded and disposed of as an unredeemed dog, and the owner shall have no right to redeem such dog. The method of disposal shall be the same as that in CMC 7.04.060, for dogs impounded over three days. (For purposes of this subsection, the dog shall be considered outside of its household if the dog exits or leaves its owner's

home, household, or premises, under CMC 7.04.010, Running at large prohibited.

B. Upon taking possession of a dog known to have bitten a person or displayed symptoms of rabies, any policeman or authorized city employee shall forthwith convey the dog to the nearest veterinarian or impound the dog in a supervised area, where the dog shall be securely chained or confined for a period of at least 15 days. When the dog is delivered to a veterinarian or impounded, the city shall give notice to the dog's owner concerning the dog's confinement, including the name and location of the veterinarian. Upon receipt of such dog, the veterinarian shall submit to the chief of police a certificate stating that such dog either shows no symptoms of rabies or does show symptoms of rabies. At the expiration of 15 days of confinement and upon release of such dog, the veterinarian shall submit to the chief of police a second certificate stating that the dog does not have rabies and has been released. The cost of transporting the dog to a veterinarian and maintaining of the dog in the veterinarian's care shall be borne by the dog's owner, except where the owner cannot be ascertained, and then the city shall pay for such observation and care.

C. It is unlawful for the owner of any dog, when notified that such dog has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such dog or permit such dog to be taken beyond the limits of the city except to a veterinarian. It shall be the duty of the dog's owner, upon receiving notice of such biting event, to immediately place such dog with a duly licensed veterinarian where such animal shall be confined for a period of at least 15 days, or to deliver such animal to any police officer for such placement. The cost of maintaining the dog in the veterinarian's care shall be borne by the dog's owner. Upon authorization of a licensed veterinarian, with the consent of the police chief, such dog may be released to the custody of its owner upon the owner's undertaking to keep the same securely chained and confined to the owner's premises and segregated from any other animals during such observation period. The city may require the dog's owner to provide a bond, in the value up to \$500.00, to assure the dog's confinement to the owner's premises during the entire observation period.

D. Any dog which has been determined by a veterinarian to have rabies shall be destroyed, by any humane method. [Ord. 627 § 4, 2010; Ord. 383 § 4, 1994; Ord. 245 § 4, 1985.]

Chapter 7.04

ANIMALS RUNNING AT LARGE

Sections:

- 7.04.010 Running at large prohibited.
- 7.04.020 Control of dogs.
- 7.04.025 Removal of animal excreta.
- 7.04.030 Impoundment procedure.
- 7.04.040 Notice of violation.
- 7.04.050 Impound fees.
- 7.04.060 Disposal of impounded animals.

7.04.010 Running at large prohibited.

A. It is unlawful for the owner of any domestic animal to allow the animal to run at large in the city.

B. It is unlawful for the owner of any livestock to allow such animal to be pastured or herded, or staked or tied for the purpose of grazing, on any public property belonging to or under the control of the city without the written consent of the city administrator or his designee.

C. It is unlawful for the owner of any livestock to allow such animal to be tied, staked, pastured, led, ridden or turned at large upon any private property within the city, without the consent of the owner of such private property.

D. It is unlawful for any unauthorized person who is not the owner or person in charge of an animal to intentionally untie or otherwise release a tied or confined animal, without the permission of the animal's owner, so as to allow the animal to run at large. If an unemancipated minor performs this prohibited act, the minor's parents or guardian shall be liable for payments of the fines provided under CMC 7.01.020. If any destruction to property results from the animal's running at large, the minor's parents or guardian may also be held liable to the property owner under state law (AS 34.50.020). [Ord. 670 § 4, 2015; Ord. 245 § 4, 1985.]

7.04.020 Control of dogs.

It is unlawful for the owner or keeper of any dog:

A. To permit a dog to run at large within the city at any time;

B. To permit a dog to frequent public school grounds during school hours;

C. To permit a dog in public parks except on a leash and subject to all applicable rules and regulations pertaining to the use of parks;

D. To permit a dog to enter a church, unless the dog is a seeing eye dog assisting a vision-impaired person;

E. To permit a dog to enter a market or other place where food is stored, prepared, served or sold to the public, or any other public place or hall (except for animal shows or other exhibition purposes, veterinarians' offices, kennels, or places for which the licensing official has issued a permit); or

F. To harbor or keep a barking dog, whose barking, howling, or whining is audible to persons on adjacent property, and such persons have made an official complaint in writing. [Ord. 449 § 4, 1998; Ord. 245 § 4, 1985.]

7.04.025 Removal of animal excreta.

The owner of any animal shall be responsible for the immediate removal of any excreta deposited by his or her animal on public streets, sidewalks, harbor floats or walkways, city parks, recreation areas, or private property other than his own. (The definition of "excreta" is faeces, fecal matter, or feces discharged from the animal's body.) Penalties: CMC 7.01.020. [Ord. 604 § 4, 2009.]

7.04.030 Impoundment procedure.

A. Any domestic animal found running at large or otherwise in violation of this chapter shall be subject to immediate impoundment by the city's designated animal control officer. The animal control officer shall, immediately upon impounding any domestic animal, make a record of the date and time of the impoundment and the identity of the animal and the animal's owner, to the extent they can be determined by reasonable effort.

B. When the impounded animal is a dog:

1. If the dog is licensed, the animal control officer or chief of police shall forthwith give notice by mail or telephone (if the owner is within the city limits) to the owner of such licensed dog, informing the owner of the impoundment and the reason therefor.

2. If the impounded animal is a dog not bearing a license tag, the animal control officer or chief of police shall give notice within 24 hours of such impoundment by posting notice at police headquarters. Such notice shall give the impounded

dog, together with the date and location the animal was apprehended.

C. The same impoundment and notification process as used for dogs shall be used for livestock. [Ord. 495 § 4, 2001; Ord. 245 § 4, 1985.]

7.04.040 Notice of violation.

In lieu of impoundment, the city may issue a notice of violation to the owner of the animal. A notice of violation shall carry the same impound fees as those established by CMC 7.04.050. [Ord. 245 § 4, 1985.]

7.04.050 Impound fees.

A. For every animal taken and impounded or for which a notice of violation has been issued as provided in this chapter, any person desiring to redeem such animal shall pay the city the total of the following fees:

1. An impound fee of \$25.00 first offense for an unlicensed animal, \$10.00 for a licensed animal; \$50.00 second offense; and \$100.00 third offense; and \$300.00 fourth and every subsequent offense;

2. The cost of care and feeding of such animal at \$15.00 per day for animals licensed with the city, and \$30.00 per day for all other animals. When an animal is impounded more than once in a 12-month period, the cost of care and feeding of such animal at \$30.00 per day for animals licensed with the city, and \$60.00 per day for all other animals;

3. The cost of veterinary care incurred by the city (if any) for the animal during its impoundment, including costs of transportation to the veterinarian.

B. Payment of the fees provided in this section shall be exclusive of and in addition to any penalties imposed by reason of violation of any provision of this title. [Ord. 707 § 4, 2018; Ord. 670 § 4, 2015; Ord. 383 § 4, 1994; Ord. 245 § 4, 1985.]

7.04.060 Disposal of impounded animals.

Any animal which has been impounded may be redeemed during the first three days thereafter by any person claiming to own, or act for the owner of, the animal, upon payment of the fees and costs as set forth in CMC 7.04.050. After the first 24 hours, the animal may be redeemed by any person, upon payment of the fees and costs as set forth in CMC 7.04.050. If an impounded animal has not been

redeemed within 24 hours after being impounded, such animal shall be subject to disposal by the city by any of the following means:

A. The animal may be offered for sale at a price fixed by the animal control officer; or

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B. The animal may be released by the animal control officer to any person who pays the fees required by CMC 7.04.050 or such portion thereof as the animal control officer may require; or

C. The animal control officer may release the animal to any other organization for such disposition as he may see fit; provided, however, that no animal shall be given or sold to any person or association for vivisection purposes; or

D. The animal may be killed by any humane method. [Ord. 495 § 4, 2001; Ord. 245 § 4, 1985.]

Chapter 7.06

LICENSING OF DOGS

Sections:

- 7.06.010 Annual license required.
- 7.06.020 Application for license.
- 7.06.030 Term of license.
- 7.06.040 License fee.
- 7.06.050 Dog collar and license tag.
- 7.06.060 Change in ownership.
- 7.06.070 License tag replacement fee.

7.06.010 Annual license required.

It is unlawful to keep or harbor a dog over six months of age within the city limits unless a dog license has been procured for the dog from the city. [Ord. 245 § 4, 1985.]

7.06.020 Application for license.

Application for a dog license shall be made annually in January, upon forms provided by the city clerk or her designee. The application shall list the name, address and phone number of the owner; the name, breed, color, age and sex of each dog owned or harbored by him; and shall be accompanied by proof of a current rabies shot and such other medical and vaccination information and data as may be required. Such information shall be kept, conveniently indexed, by the city clerk together with the number of the license issued. [Ord. 245 § 4, 1985.]

7.06.030 Term of license.

The license shall expire each year on December 31st following the date of issuance. [Ord. 245 § 4, 1985.]

7.06.040 License fee.

The annual license fee for each dog shall be \$10.00 for a neutered male or spayed female and \$15.00 for an unneutered male or unspayed female. [Ord. 383 § 4, 1994; Ord. 245 § 4, 1985.]

7.06.050 Dog collar and license tag.

Every licensed dog shall be provided by the owner or keeper with a collar or harness, which shall be worn by the dog at all times. To such collar or harness shall be affixed a license tag provided by the city official for each year for which a license

has been procured. The license tag shall be stamped with the number and year for which it is issued. The shape or design of such tag shall be changed from year to year. It is unlawful for any person other than the owner, his agent, a veterinarian while treating the dog, or a city official to remove the license tag from the dog. [Ord. 245 § 4, 1985.]

7.06.060 Change in ownership.

Whenever the ownership of a dog changes, the new owner shall notify the licensing official and pay the official a sum equal to 50 percent of the annual fee, whereupon the licensing official shall change the record accordingly for such dog, and the previously issued license for the dog shall remain valid for the remainder of the year. [Ord. 245 § 4, 1985.]

7.06.070 License tag replacement fee.

Any owner or keeper of a licensed dog whose current license has been lost may obtain a replacement tag, prior to impounding of such dog, by payment of a fee of \$1.00 to the licensing official. No dog impounded without a license may be released from impoundment until license fees for the current calendar year have been paid. [Ord. 245 § 4, 1985.]

Chapter 7.07

RABIES VACCINATIONS

Sections:

7.07.010 Enforcement of rabies vaccination.

7.07.010 Enforcement of rabies vaccination.

A. It is unlawful for any person to keep a dog within the city that does not have a current rabies vaccination. Such vaccination shall be required at the first opportunity of a veterinarian being available in Craig or no longer than 90 days after acquiring ownership. A temporary license may be issued, good only for up to 90 days or until proof of vaccination is shown. Failure to provide the proof of vaccination makes the owner liable for fines and possible forfeiture of the animal.

B. Any dog found to have been in the city for over 90 days, either licensed or unlicensed, that does not have a current rabies vaccination shall cause its owner to be fined as provided in CMC 1.16.040 in addition to any other costs due to other sections of this title. [Ord. 670 § 4, 2015; Ord. 383 § 5, 1994.]

Chapter 7.08**ANIMAL CARE**

Sections:

7.08.010 Animal care.

7.08.010 Animal care.

It is unlawful for any person to:

A. Knowingly fail to provide an animal owned or in the custody of such person with adequate food and water and shelter sufficient to the animal's needs.

B. Knowingly abandon an animal which is owned or in the custody of such a person.

C. Recklessly inflict severe and prolonged physical pain or suffering on an animal.

D. Knowingly neglect an animal, thereby causing death or severe pain or suffering to the animal.
[Ord. 670 § 4, 2015; Ord. 383 § 5, 1994.]

