

2010- 1

## AN ORDINANCE TO CONTROL VICIOUS DOGS WITHIN CARBON COUNTY

WHEREAS, MCA Section 7-23-2109, authorizes counties to adopt an ordinance to regulate, restrain, control, kill, or quarantine any vicious dog; and

WHEREAS, the Carbon County Commissioners have determined there is a need to control vicious dogs in Carbon County;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF CARBON COUNTY, STATE OF MONTANA:

### Definitions

1. (a) "Vicious Dog" means any licensed or unlicensed dog which bites or attempts to bite any human being without provocation or which harasses, chases, bites, or attempts to bite any other animal.
- (b) "Animal" includes all livestock and any domestic pet.

### Duties of dog owners

2. It shall be unlawful for any person to own a vicious dog.

### Enforcement

3. (a) The Carbon County Sheriff may restrain, control, kill, or quarantine any vicious dog pursuant to this Ordinance.
- (b) The Carbon County Sheriff shall enforce this Ordinance as provided in MCA Section 7-32-2121.

### Penalty

4. Any violation of the provisions of this ordinance shall constitute a misdemeanor punishable by a fine not to exceed \$500.00 per violation.

### Jurisdictional Area

5. This ordinance applies to the whole of Carbon County with the exception of incorporated municipalities that have ordinance making powers.

### Effective Date

6. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the Carbon County Commission.

Severability

7. If any provision of this ordinance is declared invalid by any court or tribunal, the remaining provisions of this ordinance shall not be affected thereby.

PASSED on first reading this 8th day of April 2010, by the Board of County Commissioners, Carbon County, State of Montana.

John E. Prinkki  
John Prinkki, Chairman

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Doug Tucker, Commissioner

David Davidson  
David Davidson, Commissioner

Attest

Linda Y. Ladvalla  
Linda Ladvalla, Carbon County Clerk and Recorder

PASSED on second and final reading this 2nd day of April 2010, by the Board of County Commissioners, Carbon County, State of Montana.

John E. Prinkki  
John Prinkki, Chairman

Doug Tucker  
Doug Tucker, Commissioner

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David Davidson, Commissioner

Attest

Linda M. Ladvalla  
Linda Ladvalla, Carbon County Clerk and Recorder

Misc File # 7476

341808

STATE OF MONTANA }  
COUNTY OF CARBON } SS

Office of the County Clerk & Recorder

I hereby certify that the within

Ordinance 2010-1 was filed  
for record in my office this 20 day  
of May A.D. 2010  
at 10:02 o'clock A.M.

Attest my hand and the seal of

said County

Denise M. Peterson  
Clerk and Recorder

Deputy

Fee \$ NONE