

## ALTOONA DOG CONTROL ORDINANCE

SECTION 1. DEFINITIONS. Wherever used in this ordinance, unless a contrary intention is clearly evident, the following terms shall be interpreted as herein defined:

- (1) The term "dog" shall mean and include all members of the canine family three months or more of age.
- (2) The term "person" shall mean and include all individuals, firms, partnerships, and associations; the singular shall include the plural; and the masculine, the feminine and neuter.
- (3) The term "owner" shall mean and include any person having a right of property in the dog, or who keeps or harbors a dog, or who has it in his care, or acts as its custodian, or who permits a dog to remain on or about any premises occupied by him.
- (4) the term "inoculation against rabies" shall mean the injection, subcutaneously or otherwise, as approved by the State Health Officer and the State Veterinarian, of canine anti-rabies vaccine, approved by the State Health Officer and the State Veterinarian.
- (5) The term "at large" shall mean off the premises of the owner, and not under the control of the owner or his agent either by leash, cord, chain, or otherwise.

SECTION 2. It shall be unlawful for any dog to run at large upon the streets, highways or alleys within the corporate limits of the Town of Altoona, or for any owner or keeper of any dog to permit such dog to run at large upon the streets, highway or alleys within the corporate limits of the Town of Altoona.

SECTION 3. Wherever a dog is found in or about any street, thoroughfare, place, lot or premises contrary to the provisions of this ordinance, it shall be the duty of the poundmaster [chief of police, or other office], or any other person employed by the Town or County for that purpose, to take such animal into custody and remove or cause the same to be removed to the county pound and placed in charge of the county poundmaster. Any dog which shall run at large in violation of the provisions of this ordinance shall be taken up and impounded, and the owner or keeper of such dog so taken up and impounded shall be fined as follows:

- (a) One Hundred Dollars (\$100.00) for first offense.
- (b) Two Hundred Dollars (\$200.00) for second offense.
- (c) Five Hundred Dollars (\$500.00) for subsequent offenses.

SECTION 4. Redemption: Dog may be redeemed at the county pound by its owner after paying fine and upon paying the impound cost to the county pound.

SECTION 5. Dogs Suspected to Have Rabies: It shall be the duty of the owner or keeper of any dog which has bitten or injured any person, or which has displayed any symptoms which might be due to the infection of said dog with rabies, to immediately notify the Police Department of the Town of Altoona of that fact and to immediately deliver such dog or the carcass thereof to the poundmaster or to a police officer of the Town. Any owner or keeper of any such dog who shall, upon demand of a police officer or the poundmaster, refuse to immediately deliver such dog or the carcass thereof to such officer or poundmaster shall be guilty of an offense against the Town of Altoona,

and shall upon conviction thereof be fined by the municipal judge or other court trying the case, not more than \$500.00, or sentenced to not exceeding 6 months confinement in jail at hard labor for the Town, either or both at the discretion of the court trying the case.

The police department of the Town shall upon receipt of any such notification or report of dog bites or suspicious symptoms as herewith described, immediately notify the County Health Officer or the County Rabies Inspector, and shall in cooperation with such officers, determine as far as possible the identities of all persons known or suspected to have been bitten by, handled by or come in contact with such dog, so that said officers may give such persons, their parents or guardians, such warnings as may appear advisable.

Any dog biting a person or displaying suspicious symptoms as heretofore described in this section shall be held for observation to determine whether or not such dog has rabies. Such dog may be held in the County pound, to be there observed and examined by a licensed veterinarian designated by the Mayor, or may be held for observation on the kennels of such licensed veterinarian, or may, if the owner or keeper so desires and the Mayor approves, be kept for observation in the kennels of a licensed veterinarian designated by the owner or keeper.

Such dog shall be held under observation for a period of fifteen (15) days, provided that if the dog at any time shall show signs of illness indicative of rabies, then it shall be destroyed. The head of any dog whose carcass is delivered to the Town or which is destroyed during said fifteen-day period shall be sent for examination for rabies to a laboratory designated by the County Health Officer.

The owner or keeper of such dog shall be liable for all veterinarian and laboratory fees accruing under this section, plus the daily fee for impounded dogs in this ordinance, for the period of time such dog is kept in the County pound.

If it does not appear during said fifteen days that such dog has or may have rabies, then the same shall be returned to the owner or the keeper upon payment of all veterinarian and laboratory fees accruing under this section, plus the daily fee for impounded dogs prescribed by his ordinance for each day such dog is kept in the County pound, provided, that if such dog is owned by a resident of the Town it shall not be released until all requirements of this ordinance have been complied with.

#### SECTION 6. Nuisance Provisions:

(a) It shall be unlawful for the owner or other person in charge of any dog to suffer or permit the loud and frequent or continued barking, howling, or yelping of such dog, as to annoy and disturb the neighbors.

(b) It shall be the responsibility of the owner or keeper of a dog to follow vaccination and tag requirements.

(c) That each and every dog or dogs which trespass upon and do injury to public property or to the property of another person other than the owner, keeper or harbinger thereof are hereby declared a nuisance, and such dog or dogs shall be subject to impoundment. The owner, keeper or harbinger of such dog or dogs, who shall permit the

same to so injure the property of another or public property, or who shall fail to restore such injury, shall be subject to the penalty hereinafter prescribed and shall further be liable for all damages caused by such unlawful trespass by the dog or dogs thus owned, kept or harbored by such owner, keeper or harborer.

(d) Neither a dangerous or vicious dog nor a dog which by loud, frequent or habitual barking, howling or yelping disturbs any person or neighborhood shall be kept or harbored within the corporate limits of the Town of Altoona.


(e) rabid and diseased animals

(f) That no person shall own, maintain, or operate any kennel for the purpose of breeding or raising dogs, nor hereafter establish any dog hospital within the corporate limits of the Town of Altoona, without a written consent of all householders within three hundred feet of said kennel or hospital.


SECTION 7. Abandonment of Domestic Animals. It shall be unlawful for any person to abandon or set loose with the intention of avoiding the responsibility for the custody or care of any domestic animal within the town limits or police jurisdiction of the Town of Altoona.

SECTION 8. Kennels for Animals. The owning, harboring, or keeping of dogs over 12 weeks of age in excess of 3 [number of dogs] upon any property in the Town of Altoona shall be deemed a nuisance per se; provided that the owner or keeper may secure from, and at the discretion of the governing body, a permit to keep or harbor dogs in excess of 3 upon adequately showing that the premises are so situated that special circumstances exist which would not constitute a nuisance to the neighborhood. The governing body may limit said permit as to time and may also limit the maximum number of dogs that may be maintained at any one time; provided further, that upon a showing that the owner or keeper of dogs maintains a kennel where dogs are bred or a pack of dogs maintained within kennel premises in such manner and upon such premises as shall not constitute a nuisance in the neighborhood, the governing body, at its discretion may issue a kennel permit.

APPROVED:

  
Mayor

ATTEST

  
Town Clerk