

## ORDINANCE NO. 811

**AN ORDINANCE ADOPTING PROVISION FOR THE CONTROL AND REGULATION OF ANIMALS IN THE TOWN OF HUDSON. REPEALING CHAPTER 4, ANIMALS, OF THE CODE OF THE TOWN OF HUDSON, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF HUDSON, WYOMING THAT THE FOLLOWING ARTICLES BE ADOPTED:**

**Section 1.** Chapter 4 of the Code of the Town of Hudson, Wyoming, 1996, is hereby repealed and re-enacted to read as follows:

### **Article I. Animals Generally**

#### **Sec. 4-1. Definitions.**

For purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Animal control officer” means the person employed by the town to control animals.

“At large” means livestock of any kind, cattle, horses, mules, sheep, goats, fowl, dog or cat shall be deemed to be at large when it is off the premises of its owner and not under restraint by a person physically able to control it.

“Cat” means any male or female feline.

“Dog” means any male or female canine

“Livestock unit” means one horse or one cow or one sheep or one goat or one llama and includes the offspring of any particular livestock unit until such offspring reaches seven months of age.

“Noisy dog” means any dog which habitually, constantly or frequently disturbs the sleep, peace or quiet of any neighborhood.

“Nuisance” means any animal which trespasses on public or private property; is at large, damages, soils, defiles or defecates on private or public property other than that of its owner; habitually, constantly or frequently disturbs the peace of any neighborhood or person; chases pedestrians, bicyclists or motor vehicles; attacks other domestic animals, or any noisy or vicious dog.

“Owner” means any person owning, keeping or harboring a dog, cat or other animal. Any person who shall permit an animal to habitually remain or to be fed in or about his premises shall be considered and be held to be the owner of such animal.

“Restraint” An animal is under restraint within the meaning of this chapter if it is within the property limits of its owner or keeper or under actual physical control of said owner or keeper.

"Vicious animal" means any animal which has attacked, menaced or bitten any person without reasonable provocation or any animal which has behaved in such a manner that the owner knows or should reasonably know that the animal is possessed of a tendency to attack, menace or bite a person without reasonable provocation.

Sec. 4-2. Permitting animals to run at large unlawful.

It is unlawful, and punishable as provided in Sec. 1-5 of the Code of the Town of Hudson, for any person to permit or allow livestock of any kind, cattle, horses, hogs, mules, sheep, goats, or other livestock to run at large or to be herded in or on any designated or public streets, alleys, vacant lots, vacant blocks, or parts thereof, within the limits of the town. The provisions of this section shall not apply to range stock being driven through the streets of the town in going to, or returning from, their accustomed range, or to keeping of animals as permitted by applicable town codes.

Sec. 4-3. Impoundment authority.

The Town's law enforcement entity, Animal Control Officer, or other person authorized or designated by the Town Council, shall be and they are empowered to collect from the owner or person in charge of any animal impounded, pursuant to the preceding section, before delivering them up, or releasing them, fees for impoundment, care and maintenance of said animals as may be set from time to time by the governing body.

Sec. 4-5. Notice.

The Town's law enforcement entity, Animal Control Officer or other person authorized or designated by the Town Council, shall notify the owner of any and all animals impounded under this Chapter within twenty-four hours after the same have been taken up; provided such owner, or owners can be located in the limits of said town; provided further that if the owner or owners cannot be found in the corporate limits of said town, notice shall be given to such owner or owners, if ascertained, by posting in the United States Post Office at Hudson, Wyoming, a letter containing a notice of impounding, with the proper postage affixed, and addressed to the last known address of such owner or owners.

Sec. 4-6. Impoundment – disposition.

If any animal impounded pursuant to the preceding sections shall not have been claimed by its owner within five (5) days from the impounding date and all fees, charges and expenses of such impoundment paid, notice shall be posted on the front door of the Hudson Town Hall. Said notice shall specify said impounded animals description and disposition at a specific date and time and place within the Town of Hudson indicating that said animal may be adopted or

otherwise disposed of. If such animal is sold, the receipts of such sale shall pay into the treasury the amounts due upon said animal or animals, and in addition shall pay into the treasury any surplus then remaining, which surplus shall be kept for the use and benefit of the owner or owners of such animal or animals then claimed, subject to any fine or penalties that may be imposed under the ordinances of the Town of Hudson. On the first day of January of each and every year thereafter, any funds so remaining in the hands of the treasurer shall be transferred into the general fund of the town treasury.

Sec. 4-7. Livestock and Fowl.

a. No person shall keep or harbor any fowl, cattle, horses, sheep, goats, swine, or other livestock, without a permit. Applications for permits shall be filed with the Town Clerk, together with the required application fee, which shall be set from time to time by the Town Council. A report of the application shall be made to the Town Council. The Council may accept or refuse the application upon its discretion. Permits may be revoked by the Council without a hearing upon three day's notice to the permit holder.

b. Pursuant to a permit issued by the Town of Hudson, a person may keep or harbor no more than one livestock unit per four (4) lots within the Town of Hudson. Such livestock unit and any pen, building, yard, shed, corral or enclosure for such livestock unit shall be placed on the owners property so that it is twenty-five (25) feet distance from any neighboring property. A livestock unit must be kept under conditions which comply with all applicable health, sanitation, nuisance and safety ordinances, statutes and regulations of the town, county and state governments.

c. Pursuant to a permit issued by the Town of Hudson, a person may keep or harbor poultry or other fowl within the Town so long as any pen, yard, shed or enclosure for such poultry or fowl is placed on the property so that it is twenty-five (25) feet distance from any neighboring property. Such pen, yard, shed or enclosure must be kept under conditions which comply with all applicable health, sanitation, nuisance and safety ordinances, statutes and regulations of the town, county and state governments.

d. Notwithstanding the above provisions, the Town may issue a permit for specifically described 4-H projects which exceed the above-described unit limitations, but such permit shall only allow a person to keep or harbor such 4-H livestock or fowl for a specified term.

e. It is unlawful for any person to keep or maintain within the town any pen, building, yard, shed or enclosure wherein any cattle, horses, mules, sheep, goats or other livestock or any fowl are collected, kept or fed, by the owner, lessee or occupant of any property therein except as provided above, and a

violation shall be deemed a misdemeanor punishable as prescribed in Section 1-5 of this Code.

f. No person shall leave any livestock unit or other animal or fowl without water for longer than 12 hours and without food for longer than 24 hours.

Sec. 4-8. Animal nuisances: feral or wild animals.

a. Any person or person owning or maintaining any corral, pen, or other place within the town limits, where horses, cattle, sheep, swine, poultry or other animals shall be kept, that shall be nauseous or offensive to others or injurious to public health, as determined by the Town Council or other entity designated by the Town Council for this purpose, shall be deemed to be maintaining a nuisance, and any person or persons maintaining such nuisance twenty-four (24) hours after being notified to remove the same by the Town's law enforcement entity, Animal Control Officer or other person authorized or designated by the Town's law enforcement entity, Animal Control Officer or other person authorized or designated by the Town council, shall be deemed guilty of a misdemeanor. The penalty for violation of this section shall be as prescribed in Section 1-5. The Town Council or other entity designated by the Town Council for purposes of this section shall investigate all complaints made by any Town residence pursuant to this section.

b. No person shall keep, harbor or allow any feral or wild animal to remain on their property, and shall notify the Town's law enforcement entity, Animal Control Officer or other person authorized or designated by the Town council if such animals are present on their property.

Sec. 4-9. Cruelty to animals generally.

Any person who shall cruelly beat, injure, neglect to properly feed and care for, or shall otherwise abuse any animal shall be deemed guilty of a misdemeanor. No person shall allow any animal to be without water for more than 12 hours or without food for more than 24 hours.

**Article II – Dogs and Cats generally**

Sec. 4-10. Definitions.

For purposes of this Article, the definitions set out in Section 4-1 above shall apply.

Sec. 4-11. Running at large.

It is unlawful for any owner who keeps any dog or cat to permit the same to run at large.

Sec. 4-12. Keeping animal constituting nuisance.

It is unlawful to own or keep any dog or cat which is a nuisance within the corporate limits of the Town of Hudson. Any person convicted of violating this provision shall be deemed guilty of a misdemeanor and the penalty for such violation shall be that set forth in Sec. 1-5 of the Code of the Town of Hudson.

Sec. 4-13. Vicious and dangerous dogs.

No person shall own, keep or harbor, or allow to be upon any premises occupied by him or under his charge or control, any vicious dog, without having such dog properly secured and muzzled. Upon conviction of any person violating this section, the court may, in addition to the punishment provided for in Sec. 1-5 of the Code of the Town of Hudson, order any law enforcement officer to forthwith cause such dog to be killed, and, for that purpose, any officer charged with such duty shall have the right to enter upon any premises within the Town.

Sec. 4-14. Pit Bulls and Rottweiler.

It shall be unlawful for any person to keep or harbor a Pit Bull dog or Rottweiler dog within the Town of Hudson. Violations of this section shall be punishable as a misdemeanor pursuant to Sec. 1-5 of the Code of the Town of Hudson, and each day of such violation shall constitute a separate offense.

**Article III. Dog and Cat Registration**

Section 4-15. Registration.

It is the duty of the Town Clerk to annually make a complete enumeration and registration of all dogs and cats within the town, and to serve notice on the owners or keepers of such animals to register them, as hereinafter provided. He or she shall collect the fees, and issue receipts, for all registrations herein provided.

Sec. 4-16 Receipt and tag.

The Town Clerk upon the receipt of a bonafide certificate showing that the dog or cat for which registration is requested has, during the calendar year for which registration is requested, received an inoculation for rabies, and upon the collection of each registration fee, shall issue a receipt therefor and register the animal for which such fee is paid and such certificate of inoculation for rabies is presented, in a book kept for that purpose, which shall describe each animal by tag number, age, kind of dog or cat, number on rabies inoculation certificate, and name and address of the owner or keeper; and he shall give to the owner or keeper a license tag bearing the number which said dog or cat is registered by.

Such registration tag or check shall, by the owner be secured around the neck of the animal registered; and it is unlawful for any person to put upon any animal any tag or check of the kind herein required, except the one delivered by the clerk for that particular animal.

Sec. 4-17. Fees.

It is unlawful for any person to keep or harbor any dog or cat in the Town over the age of six months unless the animal is properly registered. The fee for registration and impoundment shall be as set from time to time by the governing body. Said impoundment fee and registration fee shall be paid to the Town Clerk prior to the return of any animal.

All registrations of dogs or cats as herein provided shall automatically expire on May 30, of each year.

Sec. 4-18. Animals not registered shall be picked up.

Any dog or cat found within the town limits without a check or tag as herein required, is declared to be a public nuisance, and it is the duty of the Town's law enforcement entity, Animal Control Officer, or other person authorized or designated by the Town council, to pick up and confine any such animal, for a period not to exceed seven days and for that purpose any officer charged with such duty shall have the right to enter any premises within the town.

Sec. 4-19. Impoundment fee.

The owner or agent of any impounded animal shall have the privilege of claiming such animal within seven days after it is impounded, upon the payment of such fee as may be set from time to time by the governing body, in addition to securing a registration for said animal for the current year, within five days of the redemption of said animal.

Sec. 4-20. Disposal of unclaimed animals.

Any impounded animal, not claimed by the owner within seven days, may be given to any person who will secure a license for said animal as hereinbefore provided, and pay the pound fees as provided in Section 4-17. Any animal not claimed within seven days, as heretofore provided, shall be humanely disposed of.

Sec. 4-21. Registered dogs and cats.

Except as provided in Section 4-21, no person other than an officer in the performance of his duty, shall deprive a registered animal of its collar or tag, or purposely kill or cause to be killed any animal which has been registered and

licensed as provided in this chapter, without the consent of the owner or agent of such animal.

Sec. 4-22. Kennel License.

It is unlawful for any person to keep or harbor more than three dogs over the age of six months in a given residence without first having obtained a special kennel license for such keeping or harboring. The fee for such license shall be as set from time to time by the governing body, and such license must be renewed annually. All kennels must comply with all requirements of this Chapter, including Section 4-8 on animal nuisances. The granting of such license shall be determined on a case by case basis.

Sec. 4-23. Dogs may be ordered confined or muzzled.

The mayor is authorized, and it is his duty, whenever in his opinion danger to the public safety is made imminent, to issue his proclamation ordering persons owning, keeping or harboring any dog, to confine the same by good and sufficient means to his premises, or to have such dog properly and securely muzzled during the time specified in such proclamation. Any dog found running at large within the town during the time so specified, without being properly and securely muzzled, may be killed by any person or officer.

**Article IV. Dog or Cat at Large – Impoundment.**

Sec. 4-25. Impounding - - duty of officer.

It shall be the duty of the Town's law enforcement entity, Animal Control Officer, or other person authorized or designated by the Town Council, to take up and impound any dog or cat found running at large and they may do so without the necessity of filing a complaint.

Sec. 4-26. Impounding - - costs to owner.

Upon the impounding of any dog or cat running at large, the owner of such animal, if known, or who can be ascertained, shall be forthwith notified by the officer, which notice shall be by telephone or in person and be written notice advising of the fact of the impounding of such animal and the date of impoundment. If the owner is unknown or notice cannot be given to the owner, then, and in such event, notice shall be given by posting the same on the front door of the town hall describing the animal so impounded and the place and time of taking.

Sec. 4-27. Redemption fees.

The owner of any dog or cat so impounded may reclaim the same upon payment of all costs and charges incurred by the town for impounding and maintaining such animal, which charges shall be as fixed from time to time by the governing body.

No unlicensed dog or cat may be reclaimed, unless the person reclaiming the same shall pay, in addition to the charges fixed above, the necessary license fees to properly license such animal.

Sec. 4-28. Disposition of dogs and cats.

Any dog or cat impounded under this chapter which is not claimed by the owner within seven days may be given to any person who will secure a license for the animal and who will pay the pound fees provided for in this chapter. Any animal not claimed within seven days or given away as provided for herein, shall be destroyed in a humane manner.

**Section 2.** All ordinances inconsistent with this Ordinance are hereby repealed.

**Section 3.** This ordinance shall become effective upon the date of its Final passage, approval and publication as required by law.

PASSED ON FIRST READING THIS 11 DAY OF November, 2002.

PASSED ON SECOND READING THIS 17 DAY OF December, 2002.

PASSED, APPROVED AND ADOPTED THIS 11 DAY OF February, 2003.

TOWN OF HUDSON, WYOMING

Jake Hamon  
Jake Hamon, Mayor

ATTEST:

Mary Anne Robeson  
Town Clerk



**CERTIFICATION OF PUBLICATION**

I hereby certify that the above and foregoing Ordinance was duly published by posting in three locations within the Town of Hudson on the 21 day of February, 2003 and for at least ten (10) days thereafter, as required by law.

(SEAL)

Mary Anne Robeson  
Town Clerk

