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Subchapter 1: General Provisions

- 7.1.101 **NAME:** This ordinance may be cited as the "Lincoln County Dog Ordinance"
- 7.1.102 **DEFINITIONS:** As used in this ordinance, the following definitions apply:
- (1) **"Owner":** When used in this ordinance in relation to property or in possession of dogs shall include every person who owns, harbors, or keeps a dog.
 - (2) **"At Large":** Any age dog off the premises of the owner and not under the immediate control of its owner or authorized agent by the owner, either by leash or voice and/or signal control; or by complete confinement within or upon a vehicle. Dogs controlling or protecting livestock or in other related agricultural activities, and police service dogs are to be excluded from this definition.
 - (3) **"Dog Control Officer":** All duly appointed and qualified persons as designated by the Board of County Commissioners for the purpose of enforcing the provisions of this ordinance.
 - (4) **"Vaccination":** The inoculation of a dog with anti-rabies vaccine, having an effective immunity of at least two (2) years and administered by a licensed veterinarian.
 - (5) **"Dog Bite":** A laceration, bruise, or puncture inflicted by the teeth of a dog.
 - (6) **"Kennel":** The term "Kennel" shall mean any establishment wherein or whereon five (5) or more dogs are kept for the purpose of boarding, breeding, for sale or for commercial purposes, and said dogs

are maintained exclusively in that kennel. Kennels will be inspected by the animal control officer for certification as a kennel. Veterinary hospitals, grooming parlors, and pet shops are to be excluded from this definition.

- (7) **"Vicious Dogs":** "Vicious" as used in this ordinance is one which bites or attempts to bite any human being without provocation or which harasses, chases, bites or attempts to bite any other animal. The term animal including all livestock and any domestic pet.
- (8) **"Leash Law Jurisdiction":** The most current Rural Fire District Boundaries, surrounding Libby, excluding the area within the city limits of Libby; and that area encompassed within a 2 (two) mile radius from the Eureka City Hall, excluding that area within the city limits of Eureka; and that area encompassed within the city limits of Rexford; and that area encompassed within a 2 (two) mile radius from the Troy City Hall, excluding that area within the city limits of Troy.

Subchapter 2: Dog Control Officer

7.1.201 **DOG CONTROL OFFICERS:** County Dog Control Officers are hereby authorized and empowered to apprehend and impound any dog, licensed or unlicensed, found in violation of this ordinance, and to issue notices of violation to owners of dogs in violation of this ordinance. It shall be unlawful for any person to knowingly and intentionally interfere with any dog control officer in the lawful discharge of his duties as herein prescribed.

Subchapter 3: Dog Licensing

7.1.301 LICENSING:

- (1) It shall be unlawful for any person to keep, harbor, or maintain in the County of Lincoln any dog over six (6) months of age unless such dog is duly registered and licensed as herein provided. Licenses shall be issued by the County Dog Control officer at the City-County Dog Shelter, or at designated locations in Troy and Eureka. The licensing period will run from August 15, 1980 to June 30, 1981 and from July 1 to June 30 thereafter.
- (2) Before a dog license is issued, the owner of such dog must present a certificate from a recognized veterinarian stating that such dog has received rabies immunization and showing that the period of the preceding immunization shall cover the licensing period.
- (3) Licenses shall not be issued to any person under the age of eighteen years unless a parent or guardian signs the application as co-owner.
- (4) No refunds shall be made on any dog license for any reason whatsoever.

7.1.302 LICENSE TAGS:

- (1) Upon application for a dog license, presentation of spay or neuter certificate, if applicable, and payment

of the required fee the County Dog Control Officer at the City-County Dog Shelter, or designated location, shall issue a copy of the license and a metal tag imprinted with the corresponding license number for each dog licensed. Such tag shall be worn on a collar or harness of substantial quality and strength. It shall be lawful to remove collar or harness and license tag only when the dog is under the immediate control of its owner or authorized agent by the owner or when the dog is being maintained and prepared for competition in and AKC or CKC licensed dog show or match.

- (2) In the event that any license tag for a dog is lost or destroyed, a duplicate thereof may be issued by the County Dog Control Officer upon the submission of such proof as may be required and upon the payment thereof in the sum of fifty cents (\$0.50).
- (3) Dog tags are not transferable from one dog to another. It shall be unlawful for any owner or any other person to use any license tag on any dog other than the one for which it was issued.

7.1.304 LICENSE FEES:

Spayed females and neutered males
\$4.00 per license
Unspayed females and unneutered males
\$10.00 per license
Certified Kennel
\$40.00 per year
Duplicate License
\$. 50
License after Jan. 1st
½ cost as stated

7.1.305 FAILURE TO LICENSE DOG: Failure to license a dog in violation of this ordinance shall constitute a misdemeanor punishable by imprisonment in the Lincoln County Jail not exceeding one (1) week, or by a fine not to exceed \$25.00, or both.

Subchapter 4: Dogs Running at Large

7.1.401 **RUNNING AT LARGE:** It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog at any time to run at large. All dogs, licensed or unlicensed, running at large shall be subject to impoundment.

7.1.402 **PENALTY:** Owners of dogs running at large in violation to this ordinance shall constitute a misdemeanor punishable by imprisonment on the Lincoln County Jail not exceeding six (6) months or by a fine not to exceed \$500.00, or both.

Subchapter 5: Impoundment

7.1.501 DOGS SUBJECT TO IMPOUNDMENT:

- (1) A dog shall be impounded without notice if any of the following conditions exist:
 - (a) Any dog being kept or maintained contrary to the provisions of this ordinance.

- (b) Any dog running at large contrary to the provisions of this ordinance.
- (c) Any dog which is by this ordinance required to be licensed and is not licensed. A dog not wearing a current Lincoln County tag shall be presumed to be unlicensed for the purposes of this ordinance unless said dog complies with the provisions of Section 3, Part B or Part C, dogs that are exempt from licensing.
- (d) Sick or injured dogs whose owner cannot be located.
- (e) Any abandoned dog.
- (f) Any dog to be held for quarantine.
- (g) Any vicious dog found in violation of Section 6 as stated in this ordinance.

7.1.504 **DOGS ON PRIVATE PROPERTY:** Any dog at large upon any private property may be taken up by the owner or person lawfully in possession of such property who shall promptly deliver such pet to the City-County animal shelter and it shall be impounded.

7.1.505 **DOGS ON PUBLIC PROPERTY:** Any dog at large upon any street, avenue, alley, park or public ground shall be taken by the County Dog Control Officer and shall be impounded.

Subchapter 6: Vicious Dogs

7.1.601 **VICIOUS DOGS PROHIBITED:** It shall be unlawful for any person to keep, harbor, or maintain any vicious dog in Lincoln County unless the dog is:

- (1) Securely and adequately confined upon the property of the owner or other person having charge, care or control of such dog so as not to injure any person or property or be a hazard to public safety.
- (2) Under proper restraint and leashed on a line not to exceed six (6) feet in length, properly muzzled, and under the immediate control of a person of suitable age and discretion to control and/or restrain such dog, while off the premises of the owner.

7.1.602 FAILURE TO CONTROL VICIOUS DOG:

If said vicious dog is not being effectively controlled as provided for in 7. 1. 601 (1) and 7.1.601 (2) above, the County Dog Control Officer may regulate, restrain, control, kill, quarantine any such dog.

Subchapter 7: Rabies Control

7.1.701 **IMMUNIZATION REQUIRED:** It shall be the duty of every person keeping, harboring or maintaining any dog over six (6) months of age to provide effective rabies immunization for such dog. Dogs must be vaccinated for rabies every two (2) years. This provision shall not apply to licensed veterinarians, grooming parlors or commercial kennel owners and/or operators when keeping dogs owned by others. (Copies of these ordinances in their entirety are available at Lincoln County Animal Control)