

eff. date 1-3-79

(840-1)

JUDGE OFFICE
586-5126

JESSE W. LINK
COUNTY JUDGE EXECUTIVE
SIMPSON COUNTY
FRANKLIN, KENTUCKY 42134

RES. PHONE
586-6415

MAGISTRATES
KENNETH HARPER
GLEN D. EVANS
JAMES F. BUCKNER
HERBERT GORHAM

COUNTY ATTORNEY
SAMUEL R. MCCrackEN
COUNTY COURT CLERK
J. U. GROW
COUNTY TREASURER
MRS. R. B. HUTCHENSON

AN ORDINANCE RELATING TO THE CONTROL OF DOGS
WITHIN SIMPSON COUNTY, KY AND FOR PROVIDING
PENALTIES FOR THE VIOLATION OF THE PROVISIONS
SET FORTH HEREWITH.

1. BE IT ORDAINED BY THE FISCAL COURT OF THE
COUNTY OF SIMPSON, ~~KENTUCKY~~ OF THE COMMON-
WEALTH OF KENTUCKY, that after the passage of
this ordinance, IT SHALL BE:

1. unlawful for any person to keep or harbor
within the County a dog that shall bite or
fiercely attack any person whil outside of its
owner's yard or enclosure.

a. This section shall not apply where a
person shall break into or enter, without per-
mission, the premises or enclosure of such dog
and be pursued therefrom and attacked or bitten
by the dog.

2. unlawful for any person to keep or harbor
within the County a dangerous or vicious dog (a
dog that has on more than one occasion attacked
or bitten persons and-or animals in a vicious
manner), unless it is at all times kept securely
chained or enclosed in such manner that it cannot
escape from the owner's premises.

3. unlawful for any person to keep or harbor
within the County any dog that barks or yelps or
otherwise makes such noise as to disturb the
peace and quiet of the people in the neighbor-
hood where the same is kept.

4. unlawfull to entice a dog from a yard or
enclosure of its owner or keeper, or to bring any
dog into the county for the purpose of impound-
ing or disposing of the same or to remove a muz-
zle or license tag from any dog without the con-
sent of the owner, keeper or custodian thereof.

5. for any owner, custodian, possessor or
harborer to permit any dog to run at large other
than on his own premises at any time, unless
accompanied by the owner, custodian, possessor

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or harborer and under his immediate control.

6. unlawful for the owner, custodian, possessor, or harborer of every dog, at all times not to keep such dog either (1) confined on his own premises within an enclosure from which it cannot escape, or (2) firmly secured by means of collar or chain or other device so that it cannot stray from the premises on which it is secured, or (3) under the immediate control of such person. The term "under immediate control" is defined as the power to manage and direct said dog and not limited to physical control of said dog.

7. Any dog found running at large within the County limits, unless accompanied by the owner, custodian, possessor or harborer, shall be taken up by the County Dog Warden and/or other proper authority, impounded in the shelter designated as the County animal shelter and there confined in a humane manner for a period of not less than seven (7) days unless sooner claimed by their owners, custodians, possessors, or person entitled.

a. The dog warden may humanely destroy or transfer title of all animals held after the legal detention period in paragraph No. 7 hereof has expired and the animal has not been claimed by its owner, custodian or other person entitled to the possession thereof: provided the person to whom title is being transferred licenses said dog according to laws of the state and supplies proof of a rabies inoculation for said dog together with the boarding charges levied by the animal shelter and in addition thereto the pick-up fee payable to the County provided in subsection (b) hereof.

b. Any owner, custodian, or other person entitled to the possession of a dog impounded under subsection (a) hereof may be claimed by such owner custodian or person entitled to possession thereof upon proof that said dog has been or is licensed according to the laws of the state: proof that said dog has been inoculated against rabies;

Payment of boarding charges levied by the animal shelter, and payment to the County of any fine due and in addition thereto, a pickup fee payable to the County of ten dollars (10.00).

8. Any owner, custodian, possessor, harbinger, persons, firms, or corporations which violates this ordinance shall be fined no less than \$10.00 nor more than 100.00 for each offense, plus court costs.

9. In the event a part of parts of this ordinance is declared unenforceable or unconstitutional, that said unenforceability or unconstitutionality shall not affect the remainder of this ordinance.

10. All person, persons, corporation or any other legal entity of ownership of land of 5 acres or more which is operated as a farming unit shall be exempt from sections 5,6, and 7 of this ordinance.

11. This ordinance becomes effective immediately upon passage and Publication.

Adopted this the 3rd day of January, 1979.

Jesse W. Link
County Judge Executive

J. U. Grow
Clerk of Fiscal Court

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STATE OF KENTUCKY }
COUNTY OF SIMPSON } SS

I, J. U. Grow, Clerk of Simpson County Court, do certify that the foregoing instrument was this day lodged to be and is, with this and the foregoing certificate duly recorded in my office Given under my hand this 3 day of Jan, 19 ~~78~~ 79.

J. U. Grow, Clerk
By Ann S. S. S. D.C.