

ORDINANCE NO. 280

AN ORDINANCE AMENDING SECTION SEVEN OF ORDINANCE NO. 250 OF THE CITY OF ROLLA, PROVIDING FOR THE DISPOSITION OF DOGS FOUND RUNNING AT LARGE IN THE CITY OF ROLLA.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Rolla, North Dakota:

Section 1. Section 7 of Ordinance No. 250 is hereby amended to read as follows: "Section 7. Any dog found within the City by a policeman or city employee (both of which are hereinafter designated as city employee) in the act of running at large or being a nuisance, as defined in Section 1 of Ordinance No. 250, shall be taken up by such city employee. If the city employee has actual notice of the identity of the owner, or if the dog is wearing a city dog license from which the identity of the owner can be determined, the city employee shall deliver the dog to the owner upon payment by the owner forthwith of a \$25.00 violation fee plus any delinquent dog license fee into the City Treasury, by payment to the City Treasurer or to the City Magistrate. If the owner refuses to pay such fees forthwith the city employee shall summarily destroy the dog. Provided, however, if the city employee determines from the city records that such violation is a second violation, within 12 months of the previous violation, concerning a dog of the same owner, then the fee for violation shall be \$50.00 plus any delinquent dog license fee, and if the fees are not paid forthwith the dog shall be summarily destroyed. Also provided, however, if the city employee determines from the city records that such violation is a third violation, within 12 months, concerning a dog of the same owner, then the fee for violation shall be \$500.00 plus any delinquent dog license fee, and if the fees are not paid forthwith the dog shall be summarily destroyed. If the city employee does not have actual notice of the identity of the owner of the dog and the dog is not wearing a city dog license, the city employee shall summarily destroy the dog. Any person feeling that he should not have been liable for any violation fee so paid, may appeal to the City Magistrate within 10 days of such payment, whereupon the City Magistrate shall make a determination thereof. No such appeal shall be considered after such 10 day period."

Section 2. Effective date. This ordinance shall be in full force and effect and take effect immediately upon its final passage and publication.

First reading: June 28, 1976

Second reading and final passage: July 6, 1976

Approval: July 6, 1976

Clarence Eller Mayor
Wallace Mitchell City Auditor