

ORDINANCE NO. 361

AN ORDINANCE ESTABLISHING CAT LICENSING AND CONTROL IN THE CITY OF ROLLA, NORTH DAKOTA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA:

Section 1. Definitions. Unless the context otherwise indicates:

A. "At large" means off the premises of the owner, and not in the immediate presence and under the control of the owner or a member of his immediate family either by leash, cord, chain or otherwise.

B. "Cat" means either a male or female cat.

C. "Owner" means any person or persons, firm, association or corporation owning, keeping or harboring a cat.

Section 2. License requirements and fees.

A. Cat License Required. No person, firm, association or corporation shall own, keep or harbor a cat which is over six months of age without first having obtained a license therefor as provided in this chapter.

B. Cat License Fee: The owner, keeper or harbinger of any cat required to be licensed pursuant to this chapter shall pay a license fee thereon to the city at its police department, for each amount as may be established from time to time by resolution of the city council. The burden of establishing that any male cat has been altered or neutered or that any female cat has been spayed shall be upon the owner thereof and the owner shall furnish evidence to the Chief of Police in the form of a certificate or a veterinarian at the time the application is applied for.

C. Disposition of fees. All money collected by the Chief of Police for cat licenses, penalties, delinquencies and duplicate tags shall be paid by him to the City Auditor as part of the general fund of the city.

D. Rabies Vaccination Required. Before any license shall be issued pursuant to this chapter, the applicant shall furnish a certificate of rabies vaccination issued by a veterinarian, licensed to practice within this state, evidencing vaccination of the cat for which the license is desired; and that such vaccination will be good for the license year(s).

E. Term of Cat Licenses. The license provided for in this chapter shall be in force until the expiration date of the certificate of rabies vaccination that is valid at the time of the license application. Licenses shall be issued for periods of one, two or three years. or portion thereof depending on the expiration date of the certificate of rabies vaccination.

Section 3. Tag and Collar

A. Upon payment of the license fee to the City at its Police Department and compliance with the provisions in this chapter, the Chief of Police shall issue to the owner a license certificate and a metallic tag for each cat so licensed. The tag shall have stamped thereon the number corresponding with the number of the certificate.

B. Each owner shall be required to provide each cat with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case a tag is lost or destroyed, a duplicate will be issued by the Chief of Police upon presentation or a receipt showing the payment of the license fee for the current year and the payment of a fee for such duplicate. Tags shall not be transferable from one animal to another and no refunds shall be made on any license fee because of death of the cat or the owner's leaving the city before expiration of the license period. The metal rabies inoculation tag shall also be affixed to the cat's collar at all times.

Section 4. Cats running at large. It shall be the duty of each Police Officer or animal control officer to apprehend each and every cat running or being a large without the required license tag attached as provided in Section 3 and to cause such cat to be impounded for a period of three days, after which, if it remains unclaimed, the animal control officer shall offer the cat up for adoption to any other person, who, upon complying with the provisions of this chapter, will become the lawful owner of such cat thereafter. If the cat is not adopted, the city animal control officer shall cause the cat to be destroyed in as painless and humane a manner as possible.

Section 5. Vicious Cats. It is declared unlawful for the owner or keeper of any vicious cat within the city to refuse to deliver it up to any police officer or city animal control officer, whenever requested by the police officer or city animal control officer for the purpose of being destroyed.

Section 6. Interfering with policeman or city animal control officer. It is unlawful for any authorized person to break open an enclosure in which the police department has impounded any cat or cats or to attempt to do so, or to take from any police officer or city animal control officer any cat taken up by him in compliance within this chapter, or in any manner to interfere with or hinder the officer in the discharge of his duties under this chapter.

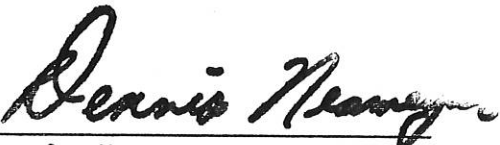
Section 7. Penalties.

A city policeman, City employee or resident may sign a complaint before the City Judge identifying the cat and identifying the owner and charging the owner with the offense of allowing his or her cat to run at large, which complaint may be upon a traffic ticket type of complaint with attached Summons. A copy of the complaint, with Summons to appear in Court, shall be served upon the alleged offender, or defendant. The defendant may appear at the required time and defend the case, or the defendant may post bond of \$25.00 for the first offense, \$50.00 for a second offense within 12 months, or \$500.00 for a third offense within 12 months, and a forfeiture of such bond by the defendant shall constitute a disposition of the case. If the defendant does not forfeit bond but is convicted of the charge, the penalty shall be a fine of \$25.00 for a first offense, \$50.00 for a second offense within 12 months, and \$500.00 for a third offense within 12

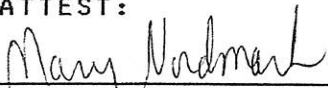
months.

Section 8. Effective date. This ordinance shall be in full force and take effect immediately upon its final passage and the publication of its title and penalty clause.

First Reading: October 4, 1993
Second Reading: October 20, 1993
Approval: October 20, 1993
Published: November 8, 1993


Dennis Neameyer, Mayor

ATTEST:


Mary Nordmark, City Auditor

