

**City of Lakeview Heights
385 Circle Drive
Morehead, Kentucky 40351**

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| Ordinance Number: | 16 |
| Date: | January 7, 1984 |
| Revision: | December 4 2012 |
| Merge: | |
| Adopted: | |

AN ORDINANCE MAKING IT UNLAWFUL FOR DOGS TO RUN AT LARGE OR FOR THE OWNERS OF DOGS TO ALLOW THEIR PETS TO CREATE UNREASONABLY LOUD AND DISTURBING NOISES.

The Board of Commissioners for the City of Lakeview Heights, Kentucky does ordain as follows:

Section 1. It shall be unlawful for the owner or keeper of any dog, licensed or unlicensed, regardless of the age of the dog, to allow that dog to be at large and unattended, or to run in any street or trespass on other people's property, lawns, gardens, yards, or any other public or private property.

Section 2. No person shall keep or harbor any dog within the municipality which, by frequent and habitual barking, howling, or yelping, creates unreasonably loud and disturbing noises of such a character, intensity, and duration as to disturb the peace, quiet, and good order of one or more of the inhabitants of any other separate residence or is deemed vicious. Any person, who shall allow any dog to habitually remain, be lodged, or fed within any dwelling, yard or enclosure, which he occupies or owns, shall be considered as harboring the dog.

Section 3. It shall be the duty of every police officer, and dog warden of the County to apprehend any dog running at large, in violation of this Ordinance, and to impound such dog in the Rowan County Dog Pound or other suitable place. The apprehending official shall make a complete record of each dog apprehended, entering the breed, color, approximate age, and sex of the dog, and dog license. If the dog is licensed, the apprehending official shall enter the name of the owner and the number of the license tag

Section 4. After fair warning of violation and with written notification, any owner or keeper who has an animal cited for vicious behavior shall be asked to remove the animal from the City. This shall be done under written order issued by the City Commission. Fines will be levied, as noted in this Ordinance, and the cost of any legal action, deemed appropriate by the City Commission, will be the responsibility of the offending party.

Section 5. The owner of any dog so impounded may reclaim the dog from the City upon payment of the following fees:

1. A fee for apprehending and impounding the dog.
2. A storage and maintenance fee per day, or portion thereof, during which the dog is impounded.

Section 6. All dogs impounded shall be kept for a maximum of seven days excluding the date of impoundment. Any dog not reclaimed within that time shall be disposed of in a humane manner, or delivered to a duly licensed humane society.

Section 7. For the purposes of clarification, the following definitions shall apply:

1. At Large – Off the premises of the owner, and not under the control of his immediate family, either by leash, cord or chain.
2. Owner – Every person having a right of property to the dog and every person who keeps or harbors the dog or has it in his care, or permits it to remain on or about the premises owned or occupied by him

Section 8. Any person violating any provision of this Ordinance can be cited by any City Official and fined as follows:

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| 1. First Offense: | Compliance and no less than \$25.00 fine |
| 2. Second Offense: | Compliance and no less than \$50.00 fine |
| 3. All Others: | Compliance and no less than \$100.00 fine. |

Each day such violation exists, shall constitute a separate offense. The fines shall be in addition to the penalties provided under Section 4 of this Ordinance.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF LAKEVIEW HEIGHTS, KENTUCKY, this 4rd day of December, 2012.

City of Lakeview Heights

David Bolt, Mayor

ATTEST:

Jennifer Bolt, City Clerk